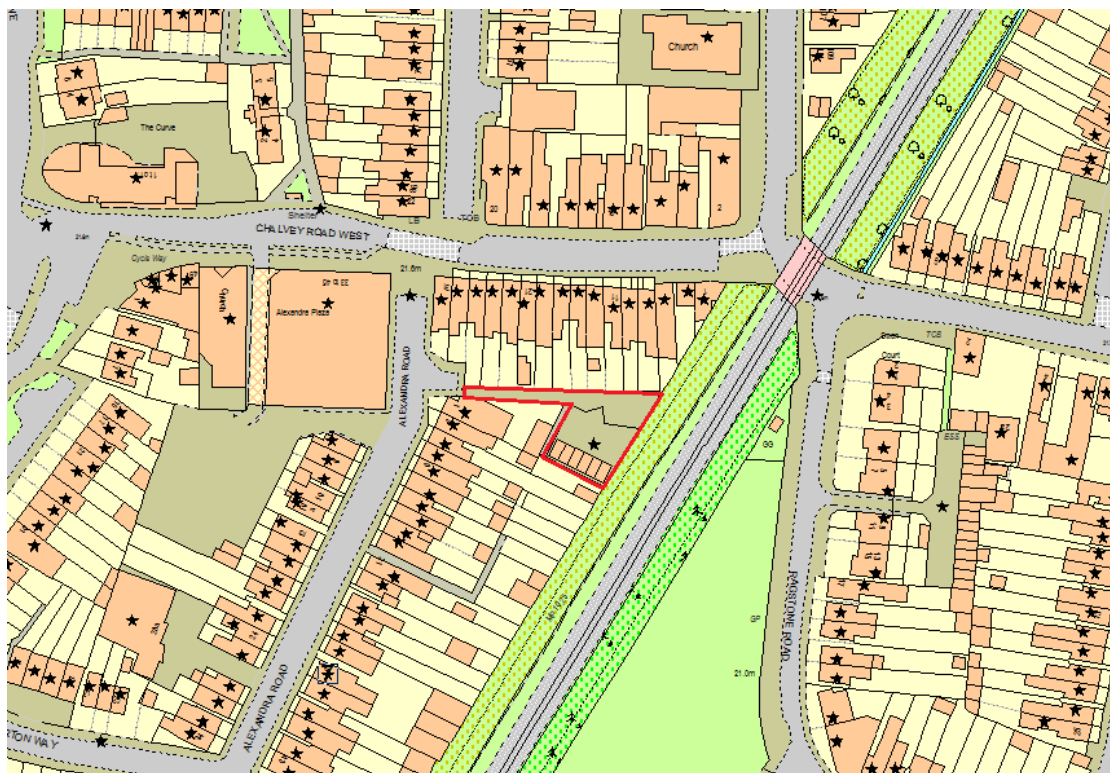


Registration Date:	06-Jan-2021	Application No:	P/00114/008
Officer:	Alex Harrison	Ward:	Chalvey
Applicant:	Emil and Gaynor	Application Type:	Major
		13 Week Date:	
Agent:	Ahmad Alam, mzm associates 31 Gordon Road, Gordon Road, Maidenhead, SL66BR		
Location:	Garages Rear Of 1, Alexandra Road, Slough, SL1 2NQ		
Proposal:	Demolition of existing garages and construction of 1no. two bedroom and 2no. one bedroom flats		

Recommendation: Delegate to Planning Manager for Approval



P/00114/008 – Garage at 1 Alexandra Road, Chalvey Slough

1.0 SUMMARY OF RECOMMENDATION

- 1.1 This application was deferred from the Committee meeting of 26 May 2021 to allow for a Members Site Inspection.
- 1.2 Under the current constitution this application is being brought to Committee following a call-in request from Ward Cllrs Sharif and Sandhu.
- 1.3 Having considered the relevant policies set out below, the representations received from all consultees and neighbouring residents, as well as all other relevant material considerations, it is recommended that the application is delegated to the Planning Manager to be approved subject to conditions once the following issue is addressed:
- Drainage details provided to satisfy the Network Rail holding objection.

PART A: BACKGROUND

2.0 Proposal

- 2.1 Full planning permission is sought for the demolition of existing structures on the site and redevelopment to provide a two storey building that houses 3no flats with associated parking and amenity space.
- 2.2 The development would provide 2no 1-bed flats and 1no 2-bed flat. Each flat has an allocated parking space and each unit has amenity space with the ground floor unit having access to a small garden area and the first floor flats having balconies.
- 2.3 The application is a resubmitted scheme following an earlier planning application for similar development proposal which was dismissed at appeal by the Planning Inspectorate, ref: P/00114/007.

3.0 Application Site

- 3.1 The application site lies at the rear of a terrace of dwellings on the east side of Alexandra Road and the rear of another terrace of dwellings on the south side of Chalvey Road West. There is an outbuilding at the rear of the garden of no. 1 Alexandra Road, which is close to the perimeter of the site.
- 3.2 The site is accessed from Alexandra Road by a short cul-de-sac that serves the rear of no. 1 Alexandra Road, as well as, 7 to 31 (odd) Chalvey Road West.
- 3.3 To the east is a steep embankment carrying the railway line from Slough to Windsor Central, which is heavily wooded, and track level is notably higher than the site.

- 3.4 The current premises are single-storey and lie on the southern boundary facing a courtyard hardstanding area. The premises are currently occupied by a car repair business and appear typical of such an operation, with cars in various states of repair and dis-repair, together with residual oil spillages. The site itself is fully enclosed by brick boundary walls with metal security gates at the access.
- 3.5 The access road was relatively wide and free of detritus though boundary treatment is somewhat poor and missing in parts. As an approach to the site it is functional but not overly conducive to a use by pedestrians.
- 3.6 There are no formal designations on the Proposals Plan; the site is not in a Conservation Area; the premises are not a Listed Building; and, there is no Flood Zone affecting the site.

4.0 Site History

4.1 The Following applications account for the planning history of the site:

4.2 P/00114/007

Demolition of existing garages and construction of 1no. two bedroom and 2no. one bedroom flats
Appeal against non-determination dismissed 3/11/20

P/00114/006

Removal of condition no.1 of approval no. P/00114/002 (Personal Permission)
Approved 23/03/01

P/00114/005

Extension to commercial garage and installation of 2 no hydraulic ramp
Approved 22/12/00

P/00114/003

Erection of a toilet
Approved 30/09/82.

P/00114/002

Use of premises for car repairs
Refused 08/06/81 though allowed on appeal 05/05/82.

5.0 Neighbour Notification

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) site notices were displayed outside the site on 19/01/21.

5.2 At the time of writing there have been 4 letters of objection. In summary the comments received are as follows:

- Emergency vehicles would not be able to access the properties due to the narrow drive.
- Increase in traffic flow.
- Inadequate daylight/sunshine assessment impact report on all

surrounding properties.

- More congestion on the road and increase in air pollution.
- The proposed development would not be keeping with the design and character of the surrounding area and does not match the building line.
- Insufficient car parking spaces will adversely affect the amenity of surrounding properties through roadside parking on adjacent streets.
- Windows proximity causes overlooking to 1 and 7 Alexandra Road, 5 and 13 Chalvey Road West
- The building overshadows 1 Alexandra Road, causing loss of light.
- Parking will be adjacent to 1 Alexandra Road, causing noise, pollution and dust all times of the day and night.
- Development is close to the railway line.
- Development would encourage beds and sheds.

6.0 Consultations

6.1 Transport and Highways

Access

Vehicular access to the site is proposed via a narrow driveway which would be accessed from the hammerhead at the northern end of Alexandra Road. The driveway also appears to provide vehicular access to the rear of properties on Chalvey Road.

SBC require the applicant to provide the following further information regarding vehicular access:

- Provide the width of the proposed site access on the proposed site plan (Drawing No. PL-01-Rev-C).
- Swept path analysis of a fire tender to confirm if a fire tender can ingress/egress the proposed development using the proposed access.
- Swept path analysis which demonstrates a large car measuring 5.1m long can ingress/egress the site using the proposed access.
- The bifolding door displayed on the proposed site plan (Drawing No. PL-01-Rev-C) would appear to limit manoeuvring space for vehicles and should be removed.
- Confirmation that the proposals will not restrict access to the other properties.

Access by Sustainable Travel Modes

The site is situated 1.5km (19 minutes walk) from Slough Railway Station and 1100m (14 minutes walk) from the western entrance to Slough High Street.

Layout

It is requested that the applicant provide swept path analysis which demonstrates a vehicle can ingress/egress the site using the proposed site access and ingress/egress the proposed parking spaces. The swept path analysis should be completed using a large car measuring 5.1m in length.

Parking

Three parking spaces are proposed for the development at a ratio of 1 parking space per dwelling. The Slough Borough Council Parking Standards require the provision of 1 parking space + 0.5 communal spaces for the 1 bedroom

dwelling and 2 parking spaces per dwelling where all spaces are assigned. Therefore a total of 5 parking spaces would be required by the Slough Parking Standards. However the proposed 3 parking spaces are considered acceptable and will satisfy the desire to own a car at the proposed development.

EV Parking

The applicant is required to confirm whether Electric Vehicle Charging Points (EVCP) will be provided in accordance with the Slough Low Emissions Strategy (2018 – 2025). The Slough Low Emissions Strategy requires the provision of 1 EVCP per dwelling where parking spaces are allocated to each dwelling.

Cycle Parking

The proposed site plan (Drawing No. PL-01-Rev-C) does not display cycle parking. SBC Highways and Transport require the applicant to provide 1 secure, covered cycle space per dwelling. The SBC Developers Guide – Part 3: Highways and Transport provides the cycle parking standards for new development and requires that on residential developments, an individual secure store for each dwelling is required.

Servicing and Refuse Collection

The applicant is required to detail the servicing and refuse collection arrangements for the site. The location of the proposed bin stores would appear to exceed the recommended maximum carry distances. A maximum drag distance for residents of 30m from dwelling to bin collection point is specified by the Slough Borough Council Guidance: Refuse and Recycling Storage for New Dwellings (November 2018). The guidance recommends a maximum drag distance of 15m from dwelling to bin collection point.

Summary and Conclusions

Mindful of the above significant amendments are required before this application could be supported. If the applicant considers that they can address the comments that have been made then I would be pleased to consider additional information supplied.

6.2 Lead Local Flood Authority

In order for us to provide a substantive response, the following information is required:

- Background information on the proposed design. Including proposal; site; plans of surface water drainage and any SuDS featured in the scheme
- Evidence that the applicant understands the sensitivity of discharge points relating to the receiving water body. Where this is main river or discharging through contaminated land the LPA may have to consult the Environment Agency (EA)
- Evidence of and information on the existing surface water flow paths of undeveloped (greenfield) sites
- Evidence of and information on the existing drainage network for previously developed (brownfield) sites
- Evidence that the proposed drainage will follow the same pattern as the existing. This avoids directing flow to other locations.
- Identification of and information on areas that may have been affected

- by failures in the existing drainage regime
- Information evidencing that the correct level of water treatment exists in the system in accordance with the Ciria SuDS Manual C753
- Where infiltration is used for drainage, evidence that a suitable number of infiltration tests have been completed. These need to be across the whole site; within different geologies and to a similar depth to the proposed infiltration devices. Tests must be completed according to the BRE 365 method or another recognised method including British Standard BS 5930: 2015
- If not using infiltration for drainage - Existing and proposed run-off rate calculations completed according to a suitable method such as IH124 or FEH. Information is available from UK Sustainable Drainage: Guidance and Tools. Calculations must show that the proposed run off rates do not exceed the existing run-off rates. This must be shown for a one in one year event plus climate change and a one in one hundred year event plus climate change.
- If not using infiltration for drainage - Existing and proposed run-off volume calculations completed according to a suitable method such as IH124 or FEH. Calculations must show that, where reasonably practical, runoff volume should not exceed the greenfield runoff volume for the same event. This must be shown for a 1 in 100 year, 6 hour rainfall event
- If not using infiltration provide evidence of Thames water agreement to discharge to the public sewer with a capacity check.
- Maintenance regimes of the entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element. Evidence that those responsible/adopting bodies are in discussion with the developer. For larger/phased sites, we need to see evidence of measures taken to protect and ensure continued operation of drainage features during construction.
- Evidence that enough storage/attenuation has been provided without increasing the runoff rate or volume. This must be shown for a 1 in 100 year plus climate change event
- Exceedance flows are considered in the event of the pipe being non-operational. Evidence that Exceedance flows and runoff in excess of design criteria have been considered - calculations and plans should be provided to show where above ground flooding might occur and where this would pool and flow.
- Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.

6.3 Contamination officer

No comments received to date.

6.4 Network Rail

Having consulted with relevant teams within Network Rail our drainage engineer issues a **holding objection** pending further information.

Due to the close proximity to Network Rail's boundary, we wish to see the

drainage plans for the site to determine the location of any attenuation tanks/soakaways etc as a means of surface water disposal. We also wish to see the outfall from the site as storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.

No works are to commence on site on any drainage plans without the acceptance of the Network Rail Asset Protection Engineers.

6.5 Thames Water

Waste comments

Thames water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to surface water drainage, Thames water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames water developer services will be required. Should you require further information please refer to our website.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

Water comments

On the basis of information provided, Thames water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames water recommends the following informative be attached to this planning permission. Thames water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

The applicant is advised that their development boundary falls within a source protection zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the environment agency and Thames water (or other local water undertaker) will use a tiered, risk-based

6.6 Tree Officer

Within the development boundaries there is little room for any landscaping
Just looks nice on the Drawing with the green shading

But if we are to provide this development with a grass area
It will be located in a very shady and wet area, railway to rear building to front

Can I suggest that as a condition the use of Plastic Honeycomb Grass Reinforcement Tiles to provide a wear surface in the landscaping of the Amenity areas

This will help protect the value of the Amenity area from undue wear

6.7 Crime Prevention Design Advisor

Unfortunately, TVP does not regularly review applications under the 'Majors' threshold of 10 dwellings/1000 SqM. Therefore, I have not been able to assess the application documents or visit the site.

The only advice I can offer at this juncture is to encourage the applicant to incorporate the principles of crime prevention through environmental as described within the Secured by Design (SBD) Guidance document.

7.0 **Policy Background**

7.1 National Planning Policy Framework 2019:

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change

Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies:

- Core Policy 1 – Spatial Strategy
- Core Policy 3 - Housing Distribution
- Core Policy 4 - Type of Housing
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment
- Core Policy 9 – Natural and Built Environment
- Core Policy 10 – Infrastructure
- Core Policy 11 – Social Cohesiveness
- Core Policy 12 – Community Safety

Local Plan for Slough March 2004 policies:

- EN1 – Standard of Design
- EN3 – Landscaping Requirements
- EN5 – Design and Crime Prevention
- H11 – Change of use to residential
- H14 - Amenity Space
- T2 - Parking Restraint
- T8 - Cycling Network and Facilities

Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map

- Interim Planning Framework for the Centre of Slough (reported to Committee 31 July 2019. Resolved to be adopted and approved for publication).

Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The revised version of the National Planning Policy Framework (NPPF) was published on 19th February 2019.

The National Planning Policy Framework 2019 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2019, the Local Planning Authority can not demonstrate a Five Year Housing Land Supply. Therefore, when applying Development Plan Policies in relation to the distribution of housing, regard will be given to the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2019 and refined in case law.

Planning Officers have considered the revised National Planning Policy Framework 2019 which has been used together with other material planning considerations to assess this planning application.

7.2 Emerging Preferred Spatial Strategy for the Local Plan for Slough 2013-2036

On 1st November 2017 the Planning Committee approved further testing and consideration of the Emerging Preferred Spatial Strategy for the Local Plan for Slough 2013-2036.

7.3 On 26th August 2020 the Committee considered Local Plan Strategy Key Components. These key components are:

- Delivering major comprehensive redevelopment within the “Centre of Slough”;
- Selecting other key locations for appropriate sustainable development;
- Enhancing our distinct suburbs, vibrant neighbourhood centres and environmental assets;
- Protecting the “Strategic Gap” between Slough and Greater London;
- Promoting the cross border expansion of Slough to meet unmet housing needs.

8.0 **Planning Considerations**

- 8.1 The planning considerations for this proposal are:
- Principle of development
 - The previous appeal decision
 - Impact on the character and appearance of the area
 - Impact on amenity of neighbouring occupiers
 - Living conditions for future occupiers of the development
 - Crime prevention
 - Highways and parking

9.0 **Principle of Development**

- 9.1 The National Planning Policy Framework encourages the effective and efficient use of land. The proposals entail the loss of a business activity and the introduction of residential development.
- 9.2 Core Policy 4 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document states that in urban areas outside the town centre, new residential development will predominantly consist of family housing. The Berkshire Strategic Housing Market Assessment has identified the need for family housing which reflects the disproportionate number of flats which have been completed in recent years as a result any development within the urban area should consist predominantly of family housing.
- 9.3 Firstly, regarding the loss of the commercial use, it is noted that at paragraph 7.81 of the Slough LDF Core Strategy, it states there is a continuing need for a range of employment opportunities in the Borough to meet local needs. It is assumed that the current business activity provides for local needs; both in terms of employment and a service locally. However, there would be no “in principle” objection to the change of use to residential.
- 9.4 Whilst the loss of the extant use does not represent a policy issue, it is fundamental to ensure the site is fit for the proposed new end user, which is a residential use. The submission includes a report relating to contamination, which is dealt with below
- 9.5 Turning to the introduction of a residential use, it is noted that whilst Core Policy 4 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document states that in urban areas outside the Town Centre, new residential development will predominantly consist of family housing; the specifics of the site’s location does not lend itself to the provision of family housing.
- 9.6 So, given the site constraints, it is considered that a proposal for flatted accommodation would, in this instance, be consistent with the aim of policy directing the provision non-family housing to appropriate locations. Therefore, these proposals are acceptable in principle in respect of the accommodation type proposed.
- 9.7 Having regard to the National Planning Policy Framework and the Local

Development Plan, there are no objections to the principle of residential flatted development on this site. However the acceptability of the scheme is dependent on considerations made on the individual merits of this case and the impacts in respect of the planning issues identified above.

10.0 **The Previous Appeal Decision**

10.1 A previous application on this site (Ref: P/00114/007) was submitted to the Council proposing 2 dwellings and the applicant appealed against non-determination to the Planning Inspectorate.

10.2 The previous scheme was largely the same as the one submitted here with a few differences. Under the appeal process the Council advised the Inspectorate that the application would have been refused on two grounds relating to overdevelopment/harm to the character of the area and also harm to the amenity of neighbouring residents through overlooking to the south.

10.3 The Inspector considered the appeal and did determine to dismiss the proposal, upholding the Council's grounds in respect of harm to neighbouring residents. And concluded that the windows and balcony on the southern (rear) elevation would result in overlooking to neighbouring residents to the south.

10.4 The Inspector did not uphold the Council's reason in respect of over development and harm to the character of the area. In considering this issue the Inspector commented:

From Alexandra Road, the site appears significantly set back and is also distanced from the rear of Chalvey Road West. Consequently, it would appear to have its own space and would not impinge appear cramped or overdevelopment.

10.5 Further comments were made in respect of design that read:

The elevations of the flats would be more contemporary compared with the adjacent terraces. Nonetheless they would have simple detailing which would be deferential to the surroundings. The massing of the proposal would be broken by a hipped roof and a subservient offshoot which would avoid a bulky appearance. The application form envisages tiles and brick, and these would work well with such a broken massing.

10.6 As a result the Inspector concluded that the scheme would not harm the character of the area and would not amount to an overdevelopment of the site.

10.7 The appeal decision is a material consideration for this application and appropriate weight should be given to it when considering the merits of the case.

10.8 The applicant also made an appeal for costs against the Council under the same process but this was also dismissed.

11.0 Design and Impact on Appearance and Character of the area

- 11.1 The NPPF and Core Policy 8 of Slough Core Strategy 2006-2026 seek development proposals that promote well-designed places and spaces which respond, reflect or enhance the character and appearance of the area
- 11.2 Policy EN1 of the Local Plan outlines that development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of scale, height, massing, layout, siting, building form and design, architectural style, materials, access points, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water course. Poor designs which are not in keeping with their surroundings and schemes that overdevelop the site will not be permitted.
- 11.3 The design of the scheme is the same as that submitted in the original scheme apart from alterations to windows and balconies. Therefore the form, bulk and massing of the proposal is as previously proposed.
- 11.4 The Council did previously have objections to the design of the scheme is proposed however it is noted that the Planning Inspectorate did not uphold these. The Inspector's decision should be given significant weight in the consideration of this matter and therefore, while there were concerns previously, it is considered that the scheme would not amount to an overdevelopment and would not harm the character and appearance of the area.
- 11.5 The alterations to windows and balconies on this revised proposal will not affect any public realm views of the scheme and are considered to have a negligible impact on the overall design of the scheme.
- 11.6 On the basis of the considerations above, it is considered that the proposed development will accord with policies EN1 of the Local Plan and CP8 of the Core Strategy and the requirements of the NPPF 2019.

12.0 Impact on neighbouring amenity

- 12.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EN2.
- 12.2 The previous appeal decision determined that the previous scheme would result in an overlooking impact to neighbouring residents to the south. The overlooking impact was not directly into neighbouring windows but to curtilage and private gardens of these dwellings.
- 12.3 The amended scheme has sought to address these concerns by amending window and balcony details on the rear elevation.
- 12.4 The 3no first floor windows are now proposed to be high level windows that are fitted with obscure glazing. This would remove direct outlook to the south from the first floor of the proposal and is considered to address the acknowledged issue.

- 12.5 The balconies are now proposed to have screens installed which would remove outlook towards the south. Outlook is still provided to the east. The balcony screens on the plans will still enable some outlook to the south however it is considered that a condition can be included that requires approval of the screens to ensure that this would not happen.
- 12.6 The objections from the neighboring residents in respect of amenity are noted. The above considerations have demonstrated that, while the development will be noticeable by other properties, the distances established and nature of window/balcony arrangements means that there would not be a significant adverse impact on neighbouring amenity.
- 12.7 The proposal is therefore considered to be acceptable in light of Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan.
- 13.0 **Living conditions for future occupiers of the development**
- 13.1 The NPPF states that planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings
- 13.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."
- 13.3 The proposed flats would have acceptably sized internal spaces that would comply with the current guidelines. The scheme would entail a concrete frame structure, which would ensure sound attenuation between units to comply with Building Regulations. Therefore, the respective plan layout of the first floor over the ground floor would not be an issue.
- 13.4 The scheme incorporates large frame windows with a horizontal emphasis in keeping with its contemporary design ethos. These would provide a suitable degree of daylight, aspect, and outlook. The proposed high-level windows are not principal windows for habitable rooms and therefore their higher level and obscured outlook will not affect the amenity of future residents. One window is the sole window for the bathroom but the arrangement is appropriate for a room such as this.
- 13.5 The two one-bedroom flats at first floor level would each benefit from a private balcony and the two-bedroom flat on the ground floor would benefit from external amenity space. Whilst none of the units would be able to access amenity space of the requisite area to satisfy the Council's standards, it is considered that this is acceptable, in principle, for non-family accommodation, as it is noted that both Salt Hill Park and Chalvey Recreation Ground lies some 5-10 minute walk away to the north and west respectively.
- 13.6 The applicant's agent has indicated that the scheme would be mechanically ventilated in compliance of the provisions of Part F of the Building Regulations. As such, it is considered that the proximity to the railway service on the embankment to the east would not be a significant intrusion on the internal amenities of future occupiers.

13.7 The embankment to the railway does have a screen of trees, all of which are self-sown sycamores. These display the signs of coppicing by Network Rail to avoid excessive growth, which would ensure the future occupiers of the proposed development would not be significantly over shadowed from the east. Given the position and orientation of the balconies, these would afford outlooks both to the south and east. As such, the trees and the embankment are not considered to significantly impair the amenity of the future occupiers.

13.8 Based on the above, the living conditions and amenity space for future occupiers is considered to be in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan

14.0 Highways and Parking

14.1 The National Planning Policy Framework states that planning should seek to development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 32 of the National Planning Policy Framework states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

14.2 The comments from the Highways Officer are noted and the applicant did previously advise that they were looking to address the points raised although nothing has been submitted to date. It is important to note that the access and parking arrangements is exactly the same as the first application for this development and there were no objections raised previously, this is a position that is considered to warrant significant weight in considerations.

14.3 The provision of services and facilities for shopping and other needs are immediately available within the locality. Therefore, it is considered that the site represents a sustainable location. The proposals meet Council standards for parking and cycle storage.

14.4 Members were concerned over the width of the proposed access. It is noted that neighbouring properties use the same access for parking and access to the rear of their properties and that the current use of the site as a garage, if operational, would likely result in larger traffic movements than would result from these 3 residential units. Therefore, it is considered that there would be no significant difference in the character and functional day-to-day impacts on the existing dwellings from the introduction of the proposed three additional residential units. There would be additional vehicles but the impact of this would be negligible.

14.5 The access has been the means of access for emergency vehicles to serve the existing car workshop business and thus it is considered it would be equally suitable to cater for the need for access to the proposed new building.

14.6 It is unfortunate that the applicant has not submitted the additional information

requested. However, the position in respect of highways is such that its absence is not considered to render the scheme unacceptable in planning terms given the lack of objection raised previously. Based on the above, and subject to the conditions set out below, the proposal is considered to be in accordance with the requirements of Policies T2 and T8 of the adopted Local Plan, as well as the provisions of the NPPF.

15.0 Contamination

15.1 Core Policy 8 (Sustainability and the Environment) of the SBC's Core Strategy Document states that development shall not 'cause contamination or deterioration in land, soil or water quality' nor shall development occur on polluted land unless appropriate mitigation measures are employed.

15.2 The application site was previously a commercial garage and the previous use gives rise to potential contamination issues in principle. The applicant has submitted a Phase 1 assessment. No comments have been received by the Contamination Officer to date but on the previous scheme there was no objection raised subject to the inclusion of 3 conditions to address contamination. These conditions have been included as part of the recommendation for this application and there are no objection on the grounds of contamination as a result.

16.0 Drainage considerations

16.1 The site is located within flood zone 1 and therefore flood risk is minimal.

16.2 Thames Water has considered the impact of the proposal on the surface water drainage, foul drainage, the waste water network and water availability. The comments confirm that there is capacity in the sewerage and water networks to accommodate the development without an adverse impact.

16.3 Additional information has been requested from the flood authority. Upon review the extent of information is considered to be excessive for a development of this scale, particularly in light of Thames Waters comments raising no concerns. It should also be noted that there were no drainage concerns with the first application and it would be considered unreasonable to raise them during the second one. However a holding objection has been received from Network Rail, as an adjacent landowner, who have requested drainage details in order to assess the scheme.

16.4 The drainage details will need to demonstrate that surface water drainage will not run onto Network Rail's land before they withdraw the objection. The applicant is pursuing the details at the time of drafting this report but nothing has been received to date. As it is a holding objection the Council is unable to determine the scheme until it is resolved. Therefore while there are no objections in principle to drainage considerations, the recommendation is to delegate authority to the Planning Manager once the issues have been resolved.

17.0 Crime Prevention

17.1 At the committee meeting of 26 May 2021, Members raised concerns over the development leading to a rise in anti-social behaviour. It is noted that the Crime

Prevention design Advisor did not provide comments for this scheme.

17.2 It is noted that Members are concerned that the area around the application site is subject to anti-social behaviour already. The proposal will bring a currently redundant site back into use with activity resulting from residential occupiers. In principle, this would tend to have a positive impact on anti-social behaviour concerns as it creates natural surveillance to areas within and adjacent the site. Members concerns are noted however it is considered that this scheme would not, in principle, result in any link to an increase in anti-social behaviour. Furthermore, it is not the requirement of this development to holistically address existing crime prevention issues.

17.3 Therefore, in planning terms, the proposal is not considered to result in an adverse impact in respect of anti-social behaviour and crime prevention.

18.0 **Planning Balance**

18.1 In the application of the appropriate balance it is considered that there are significant benefits to be had through the provision of housing during a time that the Council is unable to demonstrate a deliverable 5 year housing land supply. The objections received are noted and in terms of amenity the applicant is considered to have addressed the reasons for dismissal on the previous appeal. The scheme is also acceptable in highway terms and conditions can address other points raised. Therefore none of the impacts raised through objection are considered to have a significant adverse impact that would result in harm that would outweigh the benefits identified.

18.2 On balance it is recommended that planning permission should be granted in this case as the benefits significantly and demonstrably outweigh any adverse impacts and conflicts with specific policies in the NPPF.

19.0 **Process**

19.1 It is the view of the Local Planning Authority that the proposed development does not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.

20.0 **PART C: RECOMMENDATION**

20.1 Having considered the relevant policies set out above, comments from consultees and neighbours' representations as well as all relevant material considerations it is recommended the application be **approved** subject to the following conditions.

21.0 **PART D: CONDITIONS**

1. The development hereby permitted shall be commenced within three years from the date of this permission.

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of

altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved by the Local Planning Authority:

- (a) Drawing No. PL01 Rev C, Dated 05/11/2019, Recd On 06/01/2021
- (b) Drawing No. PL02 Rev C, Dated 05/11/2019, Recd On 06/01/2021
- (c) Drawing No. PL03 Rev C, Dated 05/11/2019, Recd On 06/01/2021
- (d) Drawing No. PL04 Rev C, Dated 05/11/2019, Recd On 06/01/2021
- (e) Drawing No. PL05 Rev C, Dated 05/11/2019, Recd On 06/01/2021

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

3. Prior to the commencement of development, samples of new external finishes and materials (including, reference to manufacturer, specification details, positioning, and colour) to be used in the construction of the external envelope of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON: To ensure a satisfactory appearance of the development so as not to prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

4. The findings of the Phase 1 Desk Study having identified the potential for contamination, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal and in accordance with Policy 8 of the Core Strategy 2008.

5. Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation

undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

6. No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008.

7. Construction of the development above damp proof course level shall not commence until details of a lighting scheme (to include the location, nature and levels of illumination) has been submitted to and approved in writing by the Local Planning Authority and the scheme shall be implemented prior to first occupation of the development and maintained in accordance with the details approved.

REASON To ensure that a satisfactory lighting scheme is implemented as part of the development in the interests of residential and visual amenity and in the interest of crime prevention to comply with the provisions of Policy EN1 of The Adopted Local Plan for Slough 2004 and policy 12 of the adopted Core Strategy 2006-2026

8. The parking spaces and turning areas shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in

accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T2 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework.

9. The cycle parking storage space shown on the approved plans shall be provided prior to the occupation of the development and shall be retained at all times in the future for this purpose.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework.

10. The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future.

REASON To ensure that there is adequate refuse facilities available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any of the elevations of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

12. None of the residential units hereby approved shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of the proposed household waste and recycling arrangements for the development that considers the distance to the highways from the site. The development shall be implemented in accordance with the approved details.

REASON: To clarify waste management proposals in the interests of ensuring suitable arrangements for occupiers and ensuring that access to the site can be maintained in the interests of policy 8 of the adopted Core Strategy 2006 - 2026.

13. No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority that show all of the parking spaces hereby approved as having electric vehicle charging points. The EV charging points must have at least a 'Type 2' sockets, and be Mode 3 enabled EV charging units and be rated at least 7.4Kw 32 amp to 22Kw 32 amp (single or 3 phase). The number of EV charging points required at

the opening of the development must meet at least 50% EV charging provision, with the remainder of the EV chargers being installed at an agreed date. At least 1 charging unit should be provided for within the accessible parking spaces. The Electric Vehicle charging points shall be constructed to be fully operational and made available for use prior to occupation of the offices. The Electric Vehicle charging bays shall be retained in good working order at all times in the future.

REASON: To provide mitigation towards the impacts on the adjacent Air Quality Management Area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2019.