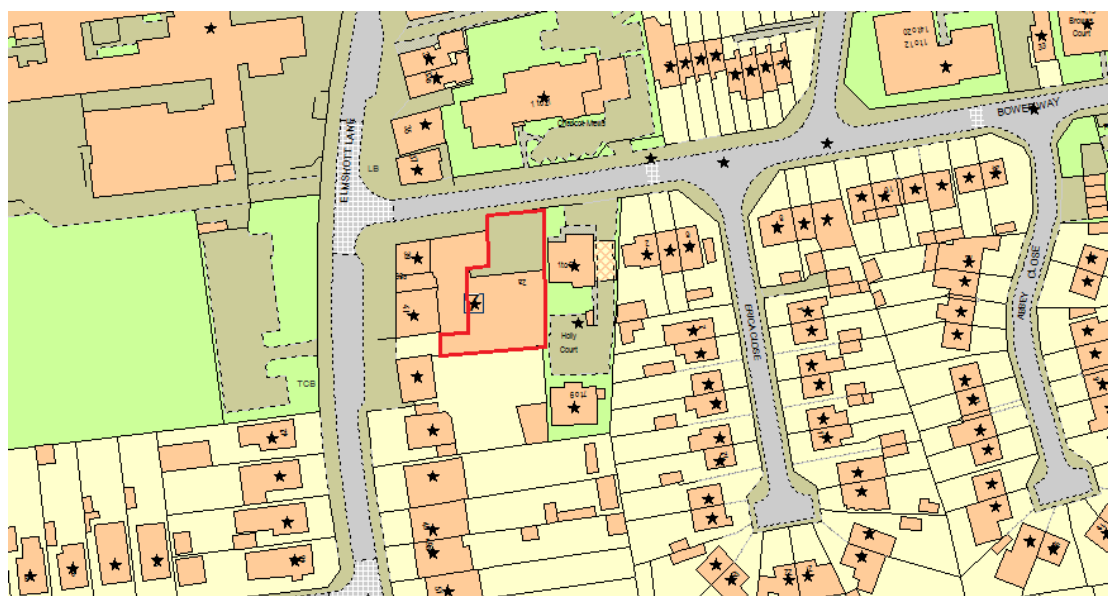


Registration Date:	01-Apr-2021	Application No:	P/01125/008
Officer:	Alex Harrison	Ward:	Cippenham Green
Applicant:	Ragbir Singh, Thames Valley Garage	Application Type:	Major
		13 Week Date:	
Agent:	Bal Nijjer The Quay, Farnham Lane, Farnham Royal, SL2 3RY		
Location:	2A, Bower Way, Slough, SL1 5HX		
Proposal:	Demolition of existing building and construction of 11 no flats. 6 x 2 bedroom flats and 5 x 1 bedroom flats with 12 car parking spaces/12 cycle storage spaces and amenity space at the rear.		

Recommendation: Delegate to Planning manager for Refusal



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be refused.

1.2 This application is to be determined at Planning Committee as it is an application for a major development comprising more than 10 dwellings.

PART A: BACKGROUND

2.0 Proposal

2.1 Full planning permission is sought for the demolition of the existing building and its redevelopment to provide a single building housing 11 flats. The building is proposed as a 3 storey building with a part pitched roof combined with a flat roof. 12 off street parking spaces are proposed to the front of the site and the existing access is retained to Bower Way.

2.2 Since the submission of the application the applicant has submitted amended plans to make minor design changes to the scheme through the provisions of balconies, gardens areas, a roof terrace and to vary the external materials proposed. A plan has also been submitted to annotate the soakaways will be used for drainage.

2.3 The application is accompanied by the following documents:

- Plans
- Planning, Sustainable Drainage Strategy and Design and Access Statement
- Transport Statement

3.0 **Application Site**

3.1 The site is located on the southern side of Bower way and measures 300 square metres in area. The site is currently used as a commercial garage with MOT centre. It has a 2 storey flat roof building to the southern part of the site and a forecourt to the front.

3.2 The site is immediately adjacent to another commercial garage to the west along with other non-residential uses on Elmshott Lane, including a car sales business which runs to the southern side of the site. There are residential properties to the north and east of the site in two separate flat developments. The residential character of Bower Way is a mix between terraced family homes and flats.

4.0 **Relevant Site History**

4.1 F/01125/007
Prior approval notification for a change of use from offices (Class B 1 (a))

to 2no residential flats (C3) at first floor.
Withdrawn by the applicant.

F/01125/006

Notification for prior approval for the proposed change of use of the first floor from office (Class B1(a)) to 2 No. Residential flats (Class C3).

Refused 13/04/2016

P/01125/005

Alterations to front elevation to provide two new doorways.

Withdrawn 12/06/2006

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) a site notice was displayed outside the site on 13/04/21. The application was advertised as a major application in the 07/0/21 edition of The Slough Express.

5.2 At the time of writing, 0 letters have been received.

6.0 Consultations

6.1 Thames Water

Waste Comments

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.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the

public sewer.

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.

Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).

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.

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
- 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 Highways

Vehicular Access

SBC require the applicant to submit a General Arrangement drawing of the site access which provides site access width, corner radii and demonstrates visibility splays of 2.4m x 43m can be provided from the site access in accordance with the Manual for Streets Visibility Standards for a road subject to a 30mph speed limit. Pedestrian visibility splays of 2.4m x 2.4m should also be demonstrated.

SBC require the applicant to provide a parking restriction along Bower Way on the site frontage to ensure vehicles can safely ingress/egress the proposed development. Any such restriction would be subject to completing a TRO and the associated public consultation. On-street pavement parking has previously occurred along the site frontage on Bower Way, which may prevent safe access.

Access by Sustainable Travel Modes

The proposed development is located in close proximity to a number of facilities, providing opportunities for residents to travel by sustainable travel modes. The site benefits from being located in close proximity to the Elmshott Lane Neighbourhood Centre which includes a One Stop Convenience Store, Barbers Shops, Fast Food Takeaways, Vets and Cippenham Library all within 150m (2 minutes) walk. The site is also located 1000m (13 minutes) walk from a M&S foodstore.

The site is located within walking distance of several educational facilities and is approximately 120m from Cippenham Primary School, 550m (7 minutes walk) from Cippenham Nursery, 950m (12 minutes walk) from Western House Academy, 1500m (19 minutes walk) from Westgate Secondary School.

The proposed development is located approximately 900m (11 minutes) walk from Burnham Railway Station. Burnham Railway Station offers 4 services to Reading and London Paddington during the AM Peak Hour. The site is located 150m from bus stops on Bower Way, where the Number 5 provides 1-2 services per hour between Cippenham and Slough. The Bath Road Bus Stops are located 450m from the proposed site where the Number 4 provides 1-2 services per hour between Slough, Heathrow and Maidenhead.

A 2018 study of Public Transport Accessibility Level (PTAL) gave the site a PTAL rating of 1b on a scale of 1a to 5b, with 5b being the highest PTAL rating available in Slough.

Trip Generation

SBC Highways and Transport require confirmation of the source of trip generation information.

The Transport Statement states in paragraph 5.1 that the development will generate 5 vehicular movements in the AM Peak and 5 two-way vehicular movements in the PM Peak but does not provide a data source.

Car Parking

SBC Highways and Transport require the provision of a scaled, site layout plan which demonstrates the proposed parking spaces measure a minimum of 2.4m x 4.8m, with a minimum aisle width of 6.0m. Spaces bounded by a physical feature such as a wall should be widened by 300mm on the side bounded by the wall.

12 parking spaces are proposed at a ratio of 1 allocated parking space per dwelling.

SBC Highways and Transport consider the provision of 1 parking space per dwelling acceptable at this location given the site's proximity to Burnham Railway Station. In addition Car Ownership of 1.2 cars per dwelling was recorded within Cippenham Green Ward for 1 and 2 bed flats during the 2011 Census. Whilst this data is outdated, it is understood to be the best available data.

The proposals are considered in accordance with Policy T2 of the Slough Local Plan which allows for residential development to provide a level of parking appropriate to its location. Paragraph 8.62 of the Slough Local Plan states that it may be suitable to seek lower parking in areas which are well served by public transport.

However, SBC Highways and Transport require the applicant to consider providing parking control measures on Erica Close to protect residents parking from any overspill of parked vehicles associated with the development.

EV Parking

The applicant proposes the inclusion of an Electric Vehicle Charger (EVCP) for each dwelling and therefore the proposals can be considered compliant with the Slough Low Emission Strategy (2018 – 2025) which requires the provision of one EVCP per dwelling where parking is allocated.

It is recommended that the specification of the EVCP should be agreed with the SBC Environmental Quality Team who manage EV Charging in Slough.

Cycle Parking

SBC Highways and Transport require the applicant to provide short-stay visitor cycle parking in the form of Sheffield Stands. The SBC Developers Guide – Part 3: Highways and Transport requires the provision of visitor cycle parking for developments of flats numbering more than 10 dwellings.

The provision of 1 secure and covered cycle parking space per dwelling is in accordance with SBC's cycle parking standards for allocated, long stay cycle parking.

SBC Highways and Transport require the applicant to provide details of the size, design and location of the allocated cycle stores for residents.

Servicing and Refuse Collection

SBC Highways and Transport require the applicant to clarify refuse collection arrangements. If a refuse vehicle is required to enter the site, then swept path analysis should be provided which demonstrates the site provides suitable turning space for a refuse vehicle to ingress and egress the site in a forward gear. Swept paths should be provided of a Dennis Eagle Elite 6 which is used within Slough. The refuse vehicle should not be required to reverse onto the public highway or reverse more than 12 metres.

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. Alternatively, should you wish to determine this application as submitted then I would recommend that planning permission be refused for the reason(s) given.

Following the submission of amended plans

Vehicular Access

Drawing No. 2021/03-Rev-C, dated May 2021 fails to demonstrate a 2.4m x 43m visibility splay from the proposed vehicular access in accordance with the Manual for Streets (MfS) standards for a 30mph speed limit.

The submitted plan is insufficient for consideration and does not include a scale bar which allows the displayed measurements to be checked.

The X distance of 2.4m should be measured from the kerb line/ carriageway edge where vehicles give way to other vehicles, rather than the back of the footway.

The 2.4m x 33m splay shown to the east of the site access is insufficient and could not be provided. The eastern splay crosses the adjacent plot (Holly Court) which is assumed to be third party land outside the applicants' ownership. Visibility splays must be demonstrated within land owned by the applicant or land defined as publicly maintained highway.

The western visibility shown is blocked by the proposed bin store and the full extent of the western visibility splay has not been demonstrated on the proposed site plan.

The submitted plan is insufficient for consideration and does not include a scale bar which allows the displayed measurements to be checked.

SBC Highways and Transport request the submission of a suitable scaled, General Arrangement drawing of the site access which provides site access width, corner radii and demonstrates visibility splays of 2.4m x 43m can be provided from the site access in accordance with the Manual for Streets Visibility Standards for a road subject to a 30mph speed limit.

If the applicant cannot provide visibility splays which are compliant with the MfS standards, the applicant is required to complete a speed survey and provide visibility splays in accordance with the 85th percentile of recorded vehicle speeds, based on MfS standards.

The applicant has provided no response to SBC's request (dated 29/04/21) for the applicant to provide a parking restriction along Bower Way on the site frontage to ensure vehicles can safely ingress/egress the proposed development. This restriction would ensure vehicles have enough space to turn in and out of the site and have unobstructed visibility when egressing the site. Any such restriction would be subject to completing a TRO and the associated public consultation. On-street pavement parking has previously occurred along the site frontage on Bower Way, which may prevent safe access.

The applicant has not demonstrated safe access and suitable visibility can be provided. Therefore SBC Highways and Transport recommend refusal on highway safety grounds. Paragraph 108 of the NPPF requires that in assessing applications for development, it should be ensured that: *'safe and suitable access to the site can be achieved for all users'*.

Access by Sustainable Travel Modes

The proposed development is located in close proximity to a number of

facilities, providing opportunities for residents to travel by sustainable travel modes. The site benefits from being located in close proximity to the Elmshott Lane Neighbourhood Centre which includes a One Stop Convenience Store, Barbers Shops, Fast Food Takeaways, Vets and Cippenham Library all within 150m (2 minutes) walk. The site is also located 1000m (13 minutes) walk from a M&S foodstore.

The site is located within walking distance of several educational facilities and is approximately 120m from Cippenham Primary School, 550m (7 minutes walk) from Cippenham Nursery, 950m (12 minutes walk) from Western House Academy, 1500m (19 minutes walk) from Westgate Secondary School.

The proposed development is located approximately 900m (11 minutes) walk from Burnham Railway Station. Burnham Railway Station offers 4 services to Reading and London Paddington during the AM Peak Hour. The site is located 150m from bus stops on Bower Way, where the Number 5 provides 1-2 services per hour between Cippenham and Slough. The Bath Road Bus Stops are located 450m from the proposed site where the Number 4 provides 1-2 services per hour between Slough, Heathrow and Maidenhead.

A 2018 study of Public Transport Accessibility Level (PTAL) gave the site a PTAL rating of 1b on a scale of 1a to 5b, with 5b being the highest PTAL rating available in Slough.

Trip Generation

SBC Highways and Transport requested confirmation of the source of trip generation information on 29th April 2021. No trip generation information has been submitted.

The Transport Statement states in paragraph 5.1 that the development will generate 5 vehicular movements in the AM Peak and 5 two-way vehicular movements in the PM Peak but does not provide a data source.

Car Parking

SBC Highways and Transport require the provision of a scaled, site layout plan which demonstrates the proposed parking spaces measure a minimum of 2.4m x 4.8m, with a minimum aisle width of 6.0m. Spaces bounded by a physical feature such as a wall should be widened by 300mm on the side bounded by the wall.

12 parking spaces are proposed at a ratio of 1 allocated parking space per dwelling.

SBC Highways and Transport consider the provision of 1 parking space per dwelling acceptable at this location given the site's proximity to Burnham Railway Station. In addition Car Ownership of 1.2 cars per dwelling was recorded within Cippenham Green Ward for 1 and 2 bed flats during the 2011 Census. Whilst this data is outdated, it is understood to be the best available data.

The proposals are considered in accordance with Policy T2 of the Slough

Local Plan which allows for residential development to provide a level of parking appropriate to its location. Paragraph 8.62 of the Slough Local Plan states that it may be suitable to seek lower parking in areas which are well served by public transport.

The applicant has not responded to SBC's request (dated 29/04/21) for the applicant to consider providing parking control measures on Erica Close to protect residents parking from any overspill of parked vehicles associated with the development.

EV Parking

The applicant proposes the inclusion of an Electric Vehicle Charger (EVCP) for each dwelling and therefore the proposals can be considered compliant with the Slough Low Emission Strategy (2018 – 2025) which requires the provision of one EVCP per dwelling where parking is allocated.

It is recommended that the specification of the EVCP should be agreed with the SBC Environmental Quality Team who manage EV Charging in Slough.

Cycle Parking

SBC Highways and Transport require the applicant to provide short-stay visitor cycle parking in the form of Sheffield Stands. The SBC Developers Guide – Part 3: Highways and Transport requires the provision of visitor cycle parking for developments of flats numbering more than 10 dwellings.

The provision of 1 secure and covered cycle parking space per dwelling is in accordance with SBC's cycle parking standards for allocated, long stay cycle parking.

SBC Highways and Transport require the applicant to provide further details of the size, design and location of the allocated cycle stores for residents. It is recommended these details could be secured by condition.

Servicing and Refuse Collection

SBC require the reconsideration of the location of the bin store shown on Drawing No. 2021/03-Rev-C. The bin store should not interfere with the revised visibility splay which has been requested.

SBC Highways and Transport request confirmation of the delivery and servicing arrangements and the provision of swept paths which demonstrate a long wheel base can ingress and egress the site in a forward gear. This is required to ensure the site can accommodate deliveries associated with online shopping.

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. Alternatively, should you wish to

determine this application as submitted then I would recommend that planning permission be refused for the reason(s) given.

6.4 Contaminated Land Officer

No comments received.

6.5 Environmental Quality

No comments received.

6.6 Crime Prevention Design Advisor

No comments received to date.

6.7 Neighbourhood Team

No comments received.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Planning Policy Framework and National Planning Policy Guidance:

Core Policies: Achieving Sustainable Development

Chapter 4: Promoting sustainable transport

Chapter 6: Delivering a wide choice of high quality homes

Chapter 7: Requiring good design

Chapter 8: Promoting healthy communities

Chapter 10: Meeting the challenge of climate change, flooding and coastal change

Chapter 11: Conserving and enhancing the natural environment

The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

Core Policy 1 – Spatial Strategy

Core Policy 4 – Type of Housing

Core Policy 6 – Retail, Leisure, and Community Facilities

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

Core Policy 10 – Infrastructure

Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004

EN1 – Standard of Design

EN3 – Landscaping Requirements

EN5 – Design and Crime Prevention

H14 – Amenity Space

T2 – Parking Restraint
T8 – Cycle Network and Facilities
OSC15 – Provision of Facilities in new Residential Developments
S1 – Retail hierarchy
EN17 – Locally listed buildings

Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document
- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map
- Flat Conversions Guidelines

Planning and Compulsory Purchase Act 2004

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 upon July 2019. Planning Officers have considered the proposed development against the revised NPPF which has been used together with other material planning considerations to assess this planning application.

The NPPF 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.

8.0 **Planning Assessment**

8.1 The planning considerations for this proposal are:

- Principle of development
- Housing mix
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Impact on vitality and viability of the town centre
- Heritage
- Crime prevention
- Highways and parking
- Air quality

- Sustainable design and construction
- Surface water drainage
- Affordable housing and Infrastructure
- S106 requirements

9.0 **Principle of development**

- 9.1 The existing site is an existing commercial site that forms one of a number of small businesses in this area that predominantly front Elmshott Lane as well as turning the corner into Bower Way.
- 9.2 Core Policy 1 of the Slough Core Strategy relates to the spatial strategy for Slough. It states that development should take place within the built up area and predominantly on previously developed land. Proposals for high density housing should be located in Slough town centre. Outside of the town centre the scale and density of development should relate to the site's current/proposed accessibility, character and surroundings.
- 9.3 Core Policy 4 of the Core Strategy states that high density housing should be located in Slough town centre. In the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure.
- 9.4 The proposed development will provide 11 flats. These are not considered to be family housing and this is an area where Core Policy 4 would seek a predominance of such housing. However Core Policy 4 does not rule out flats in principle as it states high density housing should be located in the town centre. The provision of 11 flats on this site would not be considered to amount to a high-density scheme. It is reflective of the scale of other flat developments in the immediate area and therefore the scheme is not considered to be contrary to Core Policy 4.
- 9.5 Given that this site is a commercial garage and immediately abuts another commercial garage, the principle of development for this site is dependent on whether or not suitable living conditions can be achieved. For this site the principle of development would be dependent on whether or not the ground is subject to any contamination and whether or not there are suitable noise levels in the area and assessments would be required to demonstrate that the site is suitable.
- 9.6 The application was submitted with very little information for what is, in planning terms, a major development. The lack of information is contributory to the Officer recommendation for this case. In respect of the principle of development no contaminated land survey or noise assessment was submitted with this application. While contaminated land can be conditioned if required, although not ideal on a site like this, it is not

possible to condition a noise assessment as noise levels will determine the suitability of residential use in principle and detailed elements such as whether windows can be opening or if mechanical ventilation is required.

- 9.7 The absence of a noise assessment in particular means that it is not possible to conclude if the principles of development is acceptable. It is possible that the site could achieve a development of 11 flats as the scale and density of development would appear appropriate however this, and detailed designs, could be affected by any apparent noise impacts.
- 9.8 As a result it is considered that the applicant has failed to provide sufficient information to determine that the principle of residential development, and specifically this scheme as designed, would be acceptable on this site.

10.0 **Mix of housing**

10.1 One of the aims of national planning policy is to deliver a wide choice of high quality homes and to create sustainable, inclusive and mixed communities. This is largely reflected in local planning policy in Core Strategy Policy 4. The proposal would provide the following mix:

- 5 x one bed flats
- 6 x two bed flats

10.2 The recommended housing mix for Eastern Berks and South Bucks Housing Market Area is defined in the Strategic Housing Market Assessment (SHMA) February 2016.

	1 bed	2 bed	3 bed	4 bed
Market	5-10%	25-30%	40-45%	20-25%
Affordable	35-40%	25-30%	25-30%	5-10%
All dwellings	15%	30%	35%	20%

10.3 Some flexibility can be exercised in relation to the table above depending on the location of development and the characteristics of the surroundings. In this instance the scale of development, at 11 units, is not overly high and the even split between 1 and 2 bedroom units can be considered appropriate. It would not harm the goals of achieving a sustainable, inclusive and mixed community. The housing mix is therefore acceptable in light of Core Policy 4 of the Core Strategy.

11.0 **Impact on the character and appearance of the area**

11.1 The National Planning Policy Framework encourages new buildings to be of a high-quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and EN2

11.2 The application was submitted with limited detail beyond 4 elevations for

the proposed building. There is no streetscene details and no visualisations of the scheme to aid assessment. The applicant has since submitted amended plans that show the proposal in the context of the adjacent buildings to the east and west.

- 11.3 The form of the building as proposed is a single block with a rectangular footprint sited at the southern part of the site. The building was originally proposed to be faced in buff brick with a clay tile roof. A uniform arrangement of windows and doors were shown on the front and rear elevations with both sides left blanks aside from the entrance to the upper floor flats shown on the east elevation. The roof is proposed as a crown roof which pitches to a certain extent before creating a large flat roof area.
- 11.4 The case officer wrote to the agent upon reviewing the design to outline a number of concerns with the proposal as submitted. Ultimately the design for the scheme was not considered to be of high quality and it would not amount to an enhancement of the area. A redevelopment proposal such as this provides, in principle, a blank canvas for detailed designs and the Council should not settle for development that does not reach a high standard of design. The design also created a number of amenity concerns through the provision of a communal area to the south of the site that would result in harm to the ground floor units that would be adjacent to it through loss of privacy.
- 11.5 The applicant submitted amended plans which added balconies to the north and south elevations and removed one of the second floor units to replace it with a roof terrace that is a covered area that is enclosed with obscure glazing. This change reduced the number of units proposed to 11. Other amendments were to change the external facing materials to include hanging tiles and red brick courses and the inclusion of a front projecting roof gable that does not have a central ridge and is also not shown on the roof plan.
- 11.6 While the extent of proposed changes are noted they are not considered to address the design concerns raised. The proposed development is considered to result in a non-descript design that does not maximise the potential to enhance the character of the area.
- 11.7 It can be seen that the proposed design has sought to reflect the external appearance of Charlcot Mews and Holly Court but this would not necessarily achieve what would be regarded as high quality design. The facades generate little visual interest and the amended plans, through the provision of large roof overhang and obscure glazed screen will detract further. There is no principal entrance to the building which would accentuate a principal elevation. Instead the majority of residents would enter through a side door off an alley. The roof gable does not reflect enough of an evolution in design to address the concerns.
- 11.8 Paragraph 130 of the NPPF states that ... *'Permission should be refused*

for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions...'

Therefore the concerns raised above reflect the advice of the NPPF.

11.9 It goes on to say, in para 131 that:

'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

11.10 It is considered that the proposed development is not innovative and the design fails to raise the standard of design in the area. The changes are noted however inclusion of a roof terrace as designed is considered to detract further from the quality of the scheme. The NPPF is clear in stating that good design is a key aspect in achieving sustainable development stating that planning decision should ensure developments are visually attractive and add to the overall quality of an area. It is considered that this proposal as currently submitted, in spite of the submitted changes, fails to achieve this.

11.11 Based on the above the proposal would have an unacceptable impact on the character and visual amenity of the area and therefore would not comply with Policies EN1 and EN2 of the Local Plan for Slough March 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the NPPF 2012.

12.0 **Impact on amenity of neighbouring occupiers**

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 Polies EN1 and EN2.

12.2 The nearest residential properties to the application site are immediately to the east and north. Land uses to the south and west are non-residential.

12.3 In respect of outlook, the building as designed proposes windows with outlooks to the north and south only which would have outlooks over the parking forecourt on the application site and the lot for the used car site to the south. To the north the windows will look towards the flats at Charlot Mews but the distance between the proposed building and this existing building is suitable enough to ensure there would be no adverse overlooking impact.

12.4 The outlooks to the direct south would not have any adverse impact on

residential amenity due to the adjacent land use to the south. However to the south east there is a building with flats forming part of Holly Court. The south facing windows at the south eastern corner of the will have an indirect outlook towards these windows but the amended plans showing the balconies would exacerbate an impact as the first floor balcony would allow for a more direct outlook to these windows on the neighbouring building. It is considered that this results in a significant adverse impact on neighboring amenity through overlooking to the extent that there is detriment to amenity.

12.5 As stated above the building, at 3 storeys in height, results in a bulky addition to the streetscene which is exacerbated by the roof structure. Consideration therefore falls to whether or not there are any overbearing impacts. Again, due to the nature of land uses to the west and south, there would be no overbearing impact. Similarly, the distance between the proposed building and Charlot Mews would mean that, while the building is visible, it would not be overbearing.

12.6 There are concerns over a potential overbearing impact to the east. The immediate east shows the proposed building abuts the existing building housing the flats at Holly Court. The relationship between the proposed building and Holly Court is such that the proposal is immediately southwest of its neighbour. The relationship is such that the building will be indirectly in the outlook of south facing windows of Holly Court. As the building is 3 storeys in height with a roof there is concern that the relationship between the two buildings would result in an overbearing character and loss of light in the afternoon/evening to the south facing windows of Holly Court.

12.7 The applicant has to provide any daylight/sunlight assessment with the application to demonstrate that there would not be an adverse impact. The south facing windows at Holly Court serve, according to the approved plans for that site (ref P/12995/000), living rooms and bedrooms and it is considered that these rooms would have the extent of natural light and sunlight they receive adversely affected by the proposed development. The applicant has failed to provide any information with the application that would demonstrate that this is not the case and therefore it is considered that there would be a significant adverse impact on the amenity of neighbouring residents through an overbearing and loss of light to the detriment of the enjoyment of those units.

12.8 For the reasons described above the submitted scheme is considered to have an adverse impact on the amenity of the occupiers of Holly Court through overbearing impact, loss of light and overlooking of the upper floor accommodation of 33 Elmshott Lane. The proposal is therefore considered to be contrary to 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 scheme as designed show that all units will be acceptable in size in respect of the national prescribed space standards.
- 13.4 The originally submitted plan showed a communal area proposed to the south but this would have resulted in privacy impacts to the ground floor units that faced this area as no separation ad been proposed. I the amended plans the applicant has added balconies to the first and second floor units and private garden areas to the ground floor units. Each unit therefore has private amenity space although it is noted that the ground floor units that fact north would not have an ideal level of privacy as all residents would pass the private gardens and be able to look into these areas.
- 13.5 As mentioned above the amended plans also include a 'roof terrace' which is proposed as a covered enclosed area at second floor level that is entirely enclosed with obscure glazing. Regardless of the considerations on design impacts of this element, it provides a communal area for occupies but it would not have an outlook and would have a boxed in character. It is considered to provide little I the way of amenity value, particularly when each unit has its own amenity space proposed.
- 13.6 The application was not submitted with a noise assessment included. Such assessments are used to determine what ambient noise levels there would be at the site during the day and night. Areas where there are noise impacts mean that mitigation proposals might be required such as non-opening windows which would in turn require mechanical ventilation of units. The requirement for this report was raised with the applicant but they have refused to submit one, giving reasons why one was not necessary.
- 13.7 The concern with this site is that there is a commercial garage immediately adjacent the site to the west and a car dealership to the south. Certainly the commercial garage raises concerns in principle over noise outputs from that site and the impact on the proposed units. It is a common requirement for residential development to include noise assessments to demonstrate amenity levels. The absence of such a report with this application means that it is not possible to determine is suitable amenity levels can be achieved. Given the proximity of the use to the site it is not appropriate to require this detail by condition as the findings are necessary to determine the principle of development and would in from detailed designs of the scheme.

13.8 Based on the above, the living space and balcony space would appear to be in accordance with the NPPF and the Development Plan although it is noted that there are design concerns with this application that could affect provision on a revised scheme. However the applicant has failed to demonstrate that suitable levels of amenity can be provided for this development in respect of noise levels when considering adjacent land uses. Therefore the application has not been shown to be acceptable in light of 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 Highways Officer made comments highlighting a necessity for a large amount of detail required in order to be able to assess the scheme. The applicant did send amended plans in response but the detail received is not considered to address the original comments.

14.3 It is noted that matters relating to the clarification of trip generation and waste/servicing arrangements have not been addressed. These are matters that require addressing prior to determination and would not be suitable to be left as a condition. Without this information it is not possible to confirm if the layout as proposed is suitable for a residential use and that the traffic generated by the proposed use is reflective of the scale of development proposed.

14.4 The amended plan has shown the proposed parking and access layout in greater detail than originally submitted. The additional comments received from the Highways Officer acknowledge that he details cannot be considered acceptable as they cannot be scaled and the details submitted does not show that suitable visibility can be achieved and has stated that either visibility needs to be achieved or a speed survey is carried out on Bower Way to establish appropriate splays.

14.5 The Highways Officer has stated the development would require electric vehicle charger points for each dwelling. As there is 1 space per dwelling proposed, this requirement would then apply to all parking spaces. This

would be secured by condition should the scheme have been considered acceptable.

14.6 It is also noted that, should the scheme have been found to be acceptable, the applicant would have been required to enter into a legal agreement to undertake a Traffic Regulations Order to provide a parking restriction along Bower Way to ensure that the access would be safe. The absence of any suitable information in this application means it does not demonstrate that vehicles can enter and leave the site safely given the extent of street parking that is prevalent in the area.

14.7 On the basis of the level of information provided the applicant has failed to demonstrate that the proposed redevelopment of the site would not have an adverse impact on highway safety and convenience and therefore the scheme is not considered to be in accordance with Policy 7 of the Core Strategy and Local Plan saved policies T1 and T8.

15.0 **Sustainable Design and Construction**

15.1 Core Policy 8 combined with the Developers Guide Part 2 and 4 requires both renewable energy generation on site and BREEAM/Code for Sustainable Homes. The Developers Guide is due to be updated to take account of recent changes and changing practice. In the interim to take account of the withdrawal of Code for Sustainable Homes new residential buildings should be designed and constructed to be better than Building Regulations (Part L1a 2013) in terms of carbon emissions. Specifically designed to achieve 15% lower than the Target Emission Rate (TER) of Building Regulations in terms of carbon emissions.

15.2 No information has been provided in respect of energy efficiency and sustainability. The plans do not show any sustainable development proposals although it is noted that the planning statement advises that there is 'potential' for rainwater harvesting and PV panels due to the flat roof proposed.

15.3 The applicant has not provided any information to demonstrate, or show a commitment to, that the development would achieve a carbon emissions rate that is 15% lower than Building Regs requirements and therefore the scheme is unable to show any benefits to this extent.

16.0 **Crime Prevention**

16.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour.

16.2 No comments have been received from the Crime Prevention Design Advisor. It is noted that the entry to the building can be made secure. The site layout shows an access at the western extent of the site from Elmshott

Lane and this could cause concerns as it could make the site accessible in an area that has little to no surveillance.

- 16.3 Should the proposed development have been considered acceptable, a condition would be added to a consent that would require the development to gain a secured by design accreditation. The absence of any information on this proposal means that there can be no perceived security benefits from the scheme.

17.0 Surface Water Drainage

- 17.1 The site lies within Flood Zone 1 and is in an area that is not considered to be a high flood risk.

- 17.2 The Leal Local Flood Authority has considered the application and asked for a suite of information to enable them to consider any potential impact on flood risk. The applicant has not provided any information and instead submitted an amended plan that labelled the approximate location of a soakaway.

- 17.3 It is noted that the applicant's statement has proposed drainage systems in the form of rainwater harvesting and surface water drainage to soakaways however this information is not sufficient enough for this planning application, as reflected in the comments from the Flood Authority.

- 17.4 The amended plan does not provide the information required by the Flood Authority and does not provide a suitable alternative to what was requested. As a result the proposed development is not acceptable in light of Policy 8 of the Core Strategy.

- 17.5 It is noted that Thames Water have comments and raised no objections. This consultant considers the capacity of existing waste and water infrastructure to accommodate new development which is a different consideration from the Lead Local Flood Authority. Therefore the Thames Water comments are not an alternative to the Flood Authority's view.

18.0 Air Quality

- 18.1 The application site is not situated within an Air Quality Management Area (AQMA). Therefore there will not be an unacceptable exposure to air pollution for future occupiers of the development.

19.0 Determination approach

- 19.1 The application is brought before Members in its current guise as it was felt that the issues that need to be addressed and the changes that would subsequently be required were too significant to be dealt with by an amendment and would require a resubmission afresh. It should be noted that the application was submitted without any pre-application discussion

from the applicant which would have raised issues prior to submission and advised on solutions and requirements.

19.2 Paragraph 128 of the NPPF addresses design approaches and states:

128. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

19.3 The concerns were raised with the applicant and it was recommended that the application be withdrawn so that there could be pre-application discussions or for the applicant to consider a revised proposal. This was rejected by the applicant on more than one occasion which has subsequently led to the report coming before the Committee.

19.4 The NPPF does require a proactive approach to bringing development forward however it is clear that this is a requirement on the part of the Council and the developer. It places great weight on the benefits that pre-application discussions can bring and encourages Councils to promote this. The Council did promote this with the applicant but the reluctance to adopt this approach has resulted in the need to determine the application as submitted. The applicant has chosen not to submit for preapplication discussions and have chosen not to engage proactively with the Council before the application was submitted.

19.5 There is no obligation on Council to take a scheme with a number of issues and negotiate through the application process to the point it can be supported. If a permission for a proposal can be achieved then Officers will seek to work with the applicant however this proposal has a number of significant issues that has resultant from concerns with the merits of the scheme and a substandard level of information submitted.

20.0 Planning Balance

20.1 The Council is currently unable to demonstrate a deliverable 5 year housing land supply. As a result Paragraph 11 of the NPPF is engaged. This means that sustainable development proposals should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

20.2 In consideration of whether or not development is sustainable, para 8 of the NPPF set out 3 objective that should be met in order for a scheme to be considered sustainable development; the economic, social and

environmental objective.

As a result of the issues raised above, the proposed development is not considered to meet either the social or environmental objectives of paragraph 8 and therefore does not amount to sustainable development in the eyes of the NPPF. However, for information the proposal has been balanced in accordance with the requirements of Paragraph 11.

20.3 In the application of the appropriate balance, it is considered that there are significant benefits from the provision of 11 residential units in a sustainable location. However the proposed development is not considered to be of a high quality design and will have a significant adverse impact on existing residents while being unable to demonstrate that appropriate amenity levels can be achieved for occupiers of the proposed scheme. Furthermore the applicant has failed to demonstrate that the scheme is acceptable in drainage and highway terms.

20.4 The adverse impact of the issues identified above significantly outweigh the benefit of housing provision and therefore, on balance it is recommended that planning permission be refused.

21.0 PART C: RECOMMENDATION

21.1 Having considered the relevant policies set out below, and comments that have been received from consultees, and all other relevant material considerations it is recommended the application be refused for the following reasons:

1. The applicant has failed to demonstrate, through the lack of any noise assessment undertaken at the site, that the site and the design of development proposed, is acceptable in principle. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal can achieve a suitable level of residential amenity for future occupiers when taking account of adjacent land uses. The proposal is therefore contrary to Core Policies 4 and 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the NPPF.
2. The proposed development would, by virtue of its bulk and detailed design, result in a contrived and presumptuous design that would not help to achieve a high quality of design and would not enhance the quality of the built environment. The proposal is therefore contrary to policies EN1 and EN2 of the Local Plan for Slough March 2004 and Core Policy P8 of the Local Development Framework Core Strategy 2008 and the requirements of the NPPF.
3. The proposed development, by virtue of the scale, bulk and siting, would result in an unacceptable loss of amenity to neighbouring residents at Holly Court by way of an overbearing character, loss of light and loss of outlook. The applicant has failed to demonstrate that there would be no significantly adverse harm and the proposal

is therefore contrary to Core Policy 8 of the Local Development Framework Core Strategy 2008 and Policies EN1 and EN2 of the Adopted Local Plan.

4. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposals would not have an unacceptable impact on surface water drainage which could lead to flooding. The proposal is therefore contrary to Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the NPPF 2018.
5. On the basis of the information submitted with this application, it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposals would not have an unacceptable impact on highway safety and convenience which could lead to inadequate parking, access and servicing arrangements for the development proposed. The proposal is therefore contrary to Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the NPPF 2018.