

PLANNING COMMITTEE

THE FOLLOWING ALTERATIONS AND AMENDMENTS HAVE BEEN
RECEIVED SINCE THE PLANNING OFFICER'S REPORT WAS
PRESENTED TO MEMBERS

Amendment Sheet

1. **Agenda Item 5 – P/10697/015** **Waste Facility, Poyle New Cottages, Bath Road, Poyle, Colnbrook, SL3 0NT**

Consultation Response:

Environment Agency.

We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend however that the requirements of the National Planning Policy Framework (NPPF) and Planning Policy Guidance are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be additional to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our 'Land contamination: technical guidance'.

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the NPPF.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site: -

From www.gov.uk:

- Groundwater protection position statements
 - Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
 - Use MCERTS accredited methods for testing contaminated soils at the site
- From the Planning Practice Guidance: Land affected by contamination
- British Standards when investigating potentially contaminated sites and groundwater: -
BS5930:2015 Code of practice for site investigations;
- BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;

- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Officer Comments:

No objections raised are noted. The comments have no impact on the scheme being considered by Members. The Contaminated Land reports were undertaken within the scope of the recommendations and no objection is raised from the Contaminated Land Officer. The advice above can be included as an informative on the decision notice and is proposed to do so.

Colnbrook with Poyle Parish Council have been consulted and the recommendation has been amended to include no substantive objection being raised by the Parish Council during their consultation period, and the recommendation has been amended to reflect this.

Colne Valley Regional Park Developer Contribution

The previously approved and lapsed application to redevelop the site, Ref: P/10697/010, was permitted requiring a contribution towards enhancements at the Colne Valley Park through saved policy CG1 of the Local Plan (2004). The contribution amounted to £5,000 and was specifically identified to be used to fund part of the river enhancements to provide signage/maps to help people connect with and understand their local landscape, focussed in the area around the development where bridges cross the Poyle Chanel and Wraysbury River.

The works have not been implemented to date and it is still considered to be a valid project. The scale of development proposed here is similar to that previously approved and this is confirmed by the applicant in their submission in referring to the comparison numerous times as part of the justification.

Since the original drafting of the committee report, Officers have given considerations to requiring the contribution and reconsidered the development 'in the round' with suitable weight proportioned to the planning history of the site. In this instance the merits of the case are such that the contribution is considered to be necessary to make the scheme acceptable in planning terms, is directly related to the development given its location in the Colne Valley Regional Park and, as stated, is reasonably related in scale to the development proposed.

Revised condition 2

Approved Plans

The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved unless otherwise agreed in writing by the Local Planning Authority.

- (a) Drawing No. 21-141-PL-03 Rev D, dated 10/2022, received 14/08/2023.
- (b) Drawing No. 21-141-PL-04 Rev D, dated 10/2022, received 14/08/2023.
- (c) Drawing No. 21-141-PL-01 Rev B, dated 10/2022, received 09/01/2023.
- (d) Drawing No. 21-141-PL-02 Rev A, dated 10/2022, received 09/01/2023.
- (e) Drawing No. 21-141-PL-05 **Rev C**, dated 10/2022, received 09/01/2023.
- (f) Drawing No. 21-141-PL-08, dated 10/2022, received 09/01/2023.
- (g) Drawing No. 21-141-PL-09, dated 10/2022, received 09/01/2023.
- (h) Drawing No. 832-ESC-00-ZZ-DR-E2100, Rev P1, dated 26/09/2022, received 09/01/2023

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

Change to recommendation:

Part A now includes the consultation with Colnbrook with Poyle Parish Council.

Part B of the recommendation has been amended to include that the Planning Manager, in consultation with the Chair shall agree a longer period to finalise the section 106 agreement.

The recommendation will now read:

Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application be delegated to the Planning Manager for:

A. Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure a Heavy Goods Vehicle routing and management plan, a travel plan monitoring and a financial contribution towards improvements to Colne Valley Park which are required to mitigate the impacts of development;
- (ii) No substantive objection being raised by Colnbrook with Poyle Parish Council;
- (iii) Referral to the Secretary of State to consider if the application should be called in;
- (iv) Finalising conditions and any other minor changes; OR

B. Refusal of the application if the completion of the Section 106 Agreement is not finalised by 1 May 2024 unless a longer period is agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.

2. **Agenda Item 6 - P/00072/128**

Akzonobel Decorative Paints, Wexham Road, Slough, SL2 5DB

Cadent Gas Ltd. has confirmed it has no objection to the proposal.

The Recommendation remains as per the Committee report.

3. **Agenda Item 7 – P/00740/008**

ICI Dulux Decorator Centre, Petersfield Avenue, Slough, Berkshire, SL2 5EA

Section 106 Contributions:

- (i) The Council's Education Department has confirmed the figure for funding in the table at paragraph 22.4 of the Officers' report should read £86,599 for education (rather than £86,591 as printed).
- (ii) Affordable Housing calculation for information:

The housing mix proposed:

- 5 x 1-bed (23%)
- 11 x 2-bed (50%)
- 6 x 3-bed (27%)

The Developer's Guide sets out that for each unit type, the following contribution is required:

- 5 x 1-bed = £59,832
- 11 x 2-bed = £166,046
- 6 x 3-bed = £119,906

Total contribution = £345,784

Change to recommendation:

Part B of the recommendation has been amended to include that the Planning Manager, in consultation with the Chair shall agree a longer period to finalise the section 106, the recommendation will now read:

A) Approval subject to:

(i) The satisfactory completion of a Section 106 Agreement to secure affordable housing, education and Burnham Beeches contributions, funding towards a zebra crossing (via a Section 278 agreement) that is required to mitigate the impact of the development.

(ii) Finalising conditions and any other minor changes;

or

B) Refusal of the application if the completion of the Section 106 Agreement is not finalised by 31 May 2024 unless a longer period is agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.

4. Agenda Item 8 – Annual Monitoring Report

Expired residential permissions (additional info)

All of the 1659 dwellings with consent still had consent at 1st April 2023. During 2022/2023 no residential consents expired. That is unusual.

In 2021/2022 15 consents expired. 11 expired with no subsequent application or permission as of 1st April 2023. Those consents covered 295 homes (gross) of which most relate to the Tower and Ashbourne House site. 4 consents expired as a result of subsequent applications/consents progressing (2 residential and 2 non-residential).

Section 106 planning obligations (update and additional info) Page 15 para 3.1.1 bullet points

Total financial contributions £1,735,185. Full breakdown of contributions is below:

- Affordable Housing: £502,219
- Highways and Transport: £567,989
- Education: £140,100
- Air Quality: £89,201
- Open Space: £108,122
- Economic Development: £327,554

Levelling up and Regeneration Act

On Thursday 26th October, the Department for Levelling Up, Housing and Communities (DLUHC) announced that the bill had received royal assent and is now law.

The government has promised that the Act's assent will be followed "in due course" by a comprehensive update to the National Planning Policy Framework (NPPF), which was consulted on last December.

The new act, which was first published in May 2022, makes a number of significant changes to the planning system.

Some elements come into force on 26th December but much of the act relies on secondary legislation to implement it. One key part to note is that changes to the Local Plan system are dependent on secondary legislation. There is no date given for when the secondary legislation will come into effect.

The provisions relating to land banking and housing delivery are among the only planning-related sections to have a known commencement date.

The introduction of commencement notices and completion notices, power to decline to determine applications in cases of earlier non-implementation and a condition requiring development progress reports are intended to encourage build-out and facilitate the tracking of housing delivery.

The Act is intended to make it easier for planning authorities to issue completion notices to developers to require them to complete their projects. The introduction of commencement notices which will be required when a scheme with planning permission starts on site is intended to address perceptions of 'land banking' and slow build-out by larger developers.

Error in the report to note:

- 2.8.1 to 2.8.2: Delete paragraph return - sentence has been split in error

Appeals:

Appendix to be added that collates the Appeal information presented to Planning Committee throughout the year. Initial draft below:

<u>APPEALS SUMMARY FOR AMR 2022-23</u>		
Ref	Appeal	Decision
2020/00478/ ENF	6, Glentworth Place, Slough, SL1 3UT Self Contained Outbuilding Two appeals	Notice Quashed 6 th April 2022
X/00103/002	Grass Verge off of Halkingcroft & Middlegreen Road Junction Prior approval for the installation of a new 15m high slim line Phase 8 H3G street pole c/w wrap around cabinet and 3no. cabinets with ancillary works	Appeal Dismissed 11 th April 2022
P/07663/031	1-2 The Drive, Slough, SL3 7DB Variation of condition 2 (drawings) of planning permission P/07663/030 dated 21/12/2020 - changes to the height of the glazing/screening in the roof terrace area	Appeal Dismissed 12 th April 2022
2020/00713/ ENF	32 Furnival Avenue, Slough, SL2 1DWD (Two appeals)	Appeal Dismissed 14 th April 2022

P/00226/045	253-257, Farnham Road, Slough, Berkshire, SL4 4LE Change of use at ground floor from nursery (D1 Use Class) to provide 3 x self-contained ground floor residential flats (C3 Use Class) together with integral cycle parking , undercroft parking and external alterations to the facades of the building and erection of two storey extension at roof level above the first floor (subject to conversion to 9 residential units under the Prior Approval Ref: F/00226/040) to provide an additional 11 self- contained residential flats (net increase in 14 x flats excluding the first floor). External railing enclosure, boundary treatment, parking, and landscaping.	Appeal Dismissed 12 th April 2022
P/06651/107	Slough Retail Park, Twinches Lane, Slough, Slough, SL1 5AL Advertisement consent to display 1no. internally illuminated flagpole sign	Appeal Granted 25 th April 2022
P/05541/004	15, Elliman Avenue, Slough, SL2 5AZ Conversion of existing 2 bedroom house into 1x 2 bedroom & 1x 1 bedroom flats and erection of part single storey side extension, first floor rear / side extension, and internal alterations.	Appeal Granted 25 th April 2022
P/17057/002	76 Farnham Road, Slough, SL1 3TA Installation of a drop kerb	Appeal Dismissed 5 th May 2022
2020/00482/ENF	34 Glentworth Place Self contained outbuilding	Dismissed/upheld 6 th May 2022
P/04670/014	17-31 Elmshott Lane, Slough, Berkshire, SL1 5QS Revised Outline planning application with all matters reserved for the demolition of existing retail/residential buildings. Construction of three storey plus mansard building, over basement, consisting of associated parking at basement level, retail/storage at ground floor level and the formation of 9 no. three-bedroom flats, 19 no. two-bedroom flats and 56 no. one-bedroom flats at first, second, and mansard floor levels. Associated landscaping and realigned access to Elmshott Lane.	Appeal Dismissed 12 th May 2022
2019/00237/ENF	7 Moat Drive, Slough, SL2 5TG Self contained outbuilding on rent	Appeal Dismissed / Notice Upheld 13 th May 2022
Y/17291/004	29 New Road, Slough, SL3 8JJ The erection of a single storey rear extension, which would extend beyond the rear wall of the original house	Appeal Dismissed 27 th May 2022

	by 6m, with a maximum height of 3.21m, and an eaves height of 3m	
P/03147/004	13 York Avenue, Slough, SL1 3HP Change of use from C3 to C4 (6 person 6 bedroom HMO)	Appeal Dismissed 27 th May 2022
P/19123/003	10 Cheviot Road, Slough, SL3 8UA Variation of condition 1 (approved drawings) of planning permission P/19123/002 dated 10/09/2021 for the construction of a single storey rear extension with 2 no rooflights following the demolition of part of the existing extension that is 3.65m in depth. The proposed variation of condition seeks to extend the rear extension to 5.6m in depth.	Appeal Dismissed 27 th May 2022
2020/00038/ ENF	6 Beaumont Road, Slough, SL2 1NG Self-Contained Outbuilding	Appeal Dismissed / Notice Upheld 10 th June 2022
2020/00660/ ENF	58 Long Readings Lane Self Contained Outbuilding	Appeal Varied / Dismissed 15 th June 2022
Y/07960/004	104 Blumfield Crescent, Slough, SL1 6NJ Prior approval for an additional two storeys to dwellinghouse	Appeal Dismissed 24 th June 2022
P/14557/001	138 Spackmans Way, Slough, SL1 2SB Construction of a three storey side extension.	Appeal Dismissed 30 th June 2022
P/00066/006	37 Cranbourne Close Construction of a part single/part two storey side and rear extension following demolition of the existing outbuilding - The proposal was for Construction of a part single/part two storey side and rear extension following demolition of the existing outbuilding. - The footprint of the original house as measured from the Plotting Sheets is about 52 sq metres, consist of an outbuilding measuring about 34 sq metres, which extends lengthwise along the Northwestern boundary - The proposal as originally applied for, had a footprint of 140 sq metres at ground floor level, and extended along the footprint of the outbuilding, subsuming the outbuilding and infilling the space between the dwellinghouse and the outbuilding and which would result in a in a poorly designed enlargement and appear discordant, out of keeping with the host dwelling and would be detrimental to the character and appearance of the surrounding area	Appeal Granted 5 th July 2022

	<p>formed a jarring, out of character development. While the design was not acceptable, the development was not refutable, hence, the negotiation was based on purely design terms.</p> <p>- However, the inspector was of the opinion that the development proposed, while substantial, is nonetheless of a scale, design and form that has due regard to the character and appearance of the host dwelling. The two-storey elements are proportionate to its scale, with the more prominent side extension having a notable set back.</p>	
Y/19485/000	<p>106 Blumfield Crescen, Slough, SL1 6NJ</p> <p>Prior approval for an additional two storeys to dwellinghouse</p>	<p>Appeal Dismissed 7th July 2022</p>
P/19414/001	<p>5 Severn Crescent, Slough, SL3 8AT</p> <p>Construction of a single storey side and rear and a part first floor rear extension</p>	<p>Appeal Granted 2nd August 2022</p>
Y/05383/002	<p>Victoria Court & Eastbridge,</p> <p>Prior approval application for the proposed development which includes the creation of two additional storeys above principal elevation to provide 28 additional flats</p>	<p>Appeal Dismissed 8th August 2022</p>
2020/00683/ ENF	<p>Unauthorised outbuilding</p>	<p>Appeal Dismissed / Notice Upheld 13th September 2022</p>
2018/00174/ ENF	<p>19 Salt Hill Avenue, Slough</p> <p>Construction of a pergola over 2.5m</p>	<p>Appeal Dismissed 28th September 2022</p>
P/00662/022	<p>141 High Street, Slough, SL1 1DN</p> <p>Construction of new additional floors comprising of 6no self contained units with refuse and cycle storage at ground floor level and amended access stairs to basement level.</p>	<p>Appeal Dismissed 30th September 2022</p>
P/01125/009	<p>2A Bower Way, Slough, SL1 5HX</p> <p>Demolition of existing building and construction of 11 no flats. 6 x 2 bedroom flats and 5 x 1 bedroom flats with 11 car parking spaces/15 cycle storage spaces and amenity space at the rear.</p>	<p>Appeal Dismissed 25th October 2022</p>

F/01043/043	The Switch, 1-7, The Grove, Slough, SL1 1QP Prior Notification for a change of use from Offices (B1) to Dwellinghouses (C3) Change of use of the building at ground to 3rd floors from Class B1a offices to 71no. flats (65 x one bedroom and 6 x two bedroom)	Appeal Granted 27 th October 2022
P/06271/021	Land To The Rear Of 18-4 Stoke Road Construction of a part 1, 2, 3 and 4 storey building comprising of 9 flats (3 x one bedroom, 3 x two bedroom and 3 x 3 bedroom as amended) with associated parking and landscaping	Appeal Dismissed 31 st October 2022
Y/01014/020	Chancellor House, Farnburn Avenue Prior approval for the addition of 2 additional storeys over the existing 3 storey block of flats and creation of 8no new flats	Appeal Dismissed 1 st November 2022
Y/02069/018	337 Bath Road, Slough, SL1 5PR Prior approval for the addition of one new storey to provide 203m2 of residential floor space.	Appeal Dismissed 15 th November 2022
P/19177/000	12 Shaggy Calf Lane, Slough, SL2 5HJ Construction of 1no 3 bedroom dwelling to the rear of 12 Shaggy Calf Lane (amended description)	Appeal Dismissed 20 th December 2022
2020/00732/ ENF	Without planning permission, the unauthorised subdivision of a single-family dwelling house into 3 separate dwellings	Appeal Dismissed 16 th January 2023
P/16028/001	28 Dennis Way, Slough, SL1 5JP Construction of a two storey side and part two storey rear extension	Appeal Dismissed 27 th January 2023
P/19514/002	26 Farnburn Avenue, Slough, SL1 4XT Demolition of the existing garage. Construction of a single storey front extension, part single storey part two storey side and rear extension, raising and enlarging the existing roof, dormer windows in rear roof slope, roof lights to front and rear roof slopes. (Amended Description)	Appeal Dismissed 27 th January 2023
2020/00639/ ENF	Without planning permission, the conversion and use of an outbuilding as a self contained dwelling (Two appeals)	Appeal Dismissed 10 th February 2023

P/06439/003	<p>44b, Wexham Road, Slough, SL1 1RN Conversion of the loft space into habitable accommodation for a first floor maisonette as a result of the addition of an L shaped dormer, with 2 no. front rooflights, a rear window (re- submission P/06439/002) Officers refused the application due to concerns with the prominence of the proposed dormer from Wellington Street (A4). Planning permission was required because No.44B is a first floor flat and doesn't benefit from PD rights.</p> <p>Secondary concerns were raised with the accuracy of the plans and the potential impact on No.46 Wexham Road as no Daylight/Sunlight Assessment was submitted with the application.</p> <p>The Inspector considered that the provision and visibility of dormers on other houses in Wexham Road and Aldin Avenue North meant that the dormer would not look out of keeping with the surrounding area. The Inspector considered it a proportionate addition that does not dominate the existing dwelling. The Inspector considered the impact on No.46 Wexham Road to be negligible.</p>	Appeal Granted 28 th February 2023
P/17073/006	<p>8 Litchum Spur, Slough, Berkshire, SL1 3HU Construction of a part single, part double storey rear extension</p> <p>Officers refused the application due to concerns with the proposed rear extension at first floor level would be an over- dominant and bulky feature, given that it would be more than 50% of the width of the original property, conflicting with DP3 of the RESPD, failing to address the reasons for refusal from the P/17073/004 application. The Inspector considered that although the scheme would not appear entirely subordinate to the original building, and it would not fully comply with the advice in the SPD, in this</p>	Appeal Granted 20 th March 2023
P/13536/006	<p>63, Wiltshire Avenue, Slough, SL2 1BB Retrospective application for single storey rear extension and additional alterations.</p>	Appeal Dismissed 27 th March 2023