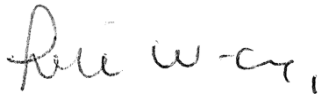


Date of issue: Tuesday, 5 January 2021

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge (Vice-Chair), Ajaib, Davis, Gahir, Mann, Minhas, Plenty and Smith)
DATE AND TIME:	WEDNESDAY, 13TH JANUARY, 2021 AT 6.30 PM
VENUE:	VIRTUAL MEETING
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE 07749 709 868

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



JOSIE WRAGG
Chief Executive

AGENDA

PART 1

<u>AGENDA</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

1. Declarations of Interest

All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 4 paragraph 4.6 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Guidance on Predetermination/Predisposition - To Note	1 - 2	-
3.	Minutes of the Last Meeting held on 9th December 2020	3 - 6	-
4.	Human Rights Act Statement - To Note	7 - 8	-

PLANNING APPLICATIONS

5.	P/07383/010 - Former leisure centre site, car park, streamside area and woodland, Montem Lane <i>Officer's Recommendation: Delegate to the Planning Manager for approval</i>	9 - 60	Chalvey
6.	P/00331/004 - Austin Brothers, 413, London Road, Slough, SL3 8PS <i>Officer's Recommendation: Delegate to the Planning Manager for approval</i>	61 - 112	Foxborough

MATTERS FOR INFORMATION

7.	Planning Appeal Decisions	113 - 130	-
8.	Members Attendance Record	131 - 132	-
9.	Date of Next Meeting - 10th February 2021	-	-

Press and Public

This meeting will be held remotely in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. Part I of this meeting will be live streamed as required by the regulations. The press and public can access the meeting from the following link (by selecting the meeting you wish to view):

<http://democracy.slough.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

Please note that the meeting may be recorded. By participating in the meeting by audio and/or video you are giving consent to being recorded and acknowledge that the recording will be in the public domain.

The press and public will not be able to view any matters considered during Part II of the agenda.



PREDETERMINATION/PREDISPOSITION - GUIDANCE

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially so in “quasi judicial” decisions in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

Predisposition

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

Pre-determination / Bias

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased’. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

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Planning Committee – Meeting held on Wednesday, 9th December, 2020.

Present:- Councillors Dar (Chair), M Holledge (Vice-Chair), Ajaib, Gahir, Mann, Plenty and Smith

Also present under Rule 30:- Councillor Swindlehurst

Apologies for Absence:- Councillors Davis and Minhas

PART I

81. Declarations of Interest

Item 5 (Minute 85 refers) – 17-31 Elmshott Lane: All members of the Committee declared that they had received emails, which had been forwarded to Officers. Members confirmed they would approach the application with an open mind.

82. Guidance on Predetermination/Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

83. Minutes of the Last Meeting held on 1th November 2020

Resolved – That the minutes of the meeting held on 11th November 2020 be approved as a correct record, subject to noting that under Minute item 78: Planning Appeal Decisions, Councillor Gahir had queried the reasons for the higher proportion of appeals granted during that period.

84. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

85. Planning Applications

There were no amendments tabled to the information that had been published in the committee reports.

Oral representations were made to the Committee under the Public Participation Scheme prior to the applications being considered by the Committee as follows:-

Application P/04670/014 – 17-31 Elmshott Lane, SL1 5QS: a written statement from a registered objector was read to the Committee in accordance with the Remote Meeting protocol. The applicant and Councillor Swindlehurst (ward member for Cippenham Green) addressed the Committee.

Planning Committee - 09.12.20

Application P/06964/016 – Beacon House, 50 Stoke Road: the applicant addressed the committee.

86. P/04670/014 - 17-31, Elmshott Lane, Slough, Berkshire, SL1 5QS

Application	Decision
<p>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.</p>	<p>Delegated to the Planning Manager for refusal for the reasons set out in the committee report. Members noted that the developer had not applied for pre-application advice, contrary to the suggestion in the previous appeal decision on this site.</p> <p>The Committee considered the request of the applicant that a decision be deferred to seek to agree “minor alterations”, however, Members agreed that substantial changes would be required to overcome the reasons for refusal which would require a new planning application.</p>

87. P/06964/016 - Beacon House, 50, Stoke Road, Slough, SL2 5AW

Application	Decision
<p>Demolition of existing building and redevelopment of the site to provide 116 residential dwellings with associated amenity space, access and parking.</p>	<p>Delegated to the Planning Manager for approval subject to:</p> <p>(a) The satisfactory completion of a Section 106 Agreement to secure financial contributions towards sustainable transport improvements including electrical vehicle infrastructure, financial contributions towards education, open space and the monitoring of Travel Plan, securing affordable housing and Section 278 highways/access works; or</p> <p>(b) Refuse the application if the completion of the Section 106 Agreement was not finalised by 26th February 2021 unless a longer period was agreed by the</p>

Planning Committee - 09.12.20

	Planning Manager in consultation with the Chair of the Planning Committee.
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88. Planning Appeal Decisions

The Committee received and noted details of planning appeals determined since the previous report to the Committee.

Councillor Gahir queried the reasons why a high proportion of appeals reported at the previous committee meeting had been granted and asked if the Council needed to review any policies in light of those decisions. The Planning Manager responded that there were monthly variations in appeals and highlighted that the latest reports showed circa 70% of appeals being dismissed. The Local Plan review process would provide an opportunity to review policies.

Resolved – That details of planning appeals be noted.

89. Members Attendance Record

The Committee noted the Members' Attendance Record for the 2020/21 municipal year.

Resolved – That the Members' Attendance Record for 2020/21 be noted.

90. Date of Next Meeting - 13th January 2021

The date of the next meeting was confirmed as 13th January 2021.

Chair

(Note: The Meeting opened at 6.31 pm and closed at 8.18 pm)

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The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain expectations, be directly unlawful for a public authority to act in a way which is incompatible with a Convention Right. In particular Article 8 (Respect for Private and Family Life) and Article 1 of Protocol 1 (Peaceful Enjoyment of Property) apply to planning decisions. When a planning decision is to be made, however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act 1998 will not be referred to in the Officers Report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

Please note the Ordnance Survey Maps for each of the planning applications are not to scale and measurements should not be taken from them. They are provided to show the location of the application sites.

CLU / CLUD	Certificate of Lawful Use / Development
GOSE	Government Office for the South East
HPSP	Head of Planning and Strategic Policy
HPPP	Head of Planning Policy & Projects
S106	Section 106 Planning Legal Agreement
SPZ	Simplified Planning Zone
TPO	Tree Preservation Order
LPA	Local Planning Authority

	USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
C2	Residential Institutions
C2(a)	Secure Residential Institutions
C3	Dwellinghouse
C4	Houses in Multiple Occupation
D1	Non Residential Institutions
D2	Assembly & Leisure

	OFFICER ABBREVIATIONS
LM	Laurence Moore
DC	David Cooper
PS	Paul Stimpson
NR	Neetal Rajput
HA	Howard Albertini
JG	James Guthrie
SB	Sharon Belcher
IK	Ismat Kausar
CM	Christian Morrone
CL	Caroline Longman
NB	Neil Button
MS	Michael Scott

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Registration Date:	5-10-2020	Application No:	P/07383/010
Officer:	Howard Albertini	Ward:	Chalvey
Applicant:	Slough Urban Renewal	Application Type:	Major
		13 Week Date:	4 th Jan 2020
Agent:	Terrance O'Rourke Everdene House, Deansleigh Road, Bournemouth, BH7 7DU		
Location:	Former leisure centre site, car park, streamside area and woodland, Montem Lane		
Proposal:	Full planning permission for residential development (Use Class C3); car and cycle parking; public realm, landscaping works and amenity space; access from Montem Lane; and all ancillary works and infrastructure. Including enhancements to woodland and streamside area.		

Recommendation: Delegate to Planning Manager for Approval



1.0 **RECOMMENDATION**

Having considered the relevant policies and comments that have been received from consultees and local interested parties, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to:

- 1) The resolution of the outstanding Natural England objection
- 2) Satisfactory completion of a Section 106 planning obligation agreement to secure financial contributions towards education, HRA mitigation, travel plan monitoring, controlled parking zone and additional open space maintenance costs plus secure a travel plan, information pack, highway agreement, affordable housing, and viability review, secure adequate off site school parent parking space. ;
- 3) finalising conditions; and any other minor changes.
- 4) agreement of the pre-commencement conditions with the applicant/agent

OR

Refuse the application if the outstanding matters are not satisfactorily concluded or if the completion of the Section 106 planning obligation is not finalised by 31st May 2021 unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The planning application proposes the redevelopment of land formerly occupied by the leisure centre and two houses plus the existing car park and a bit of amenity land. The woodland/meadow and streamside areas are retained and proposed for enhancements. They comprise about half the application site.

2.2 The proposed development provides 212 new homes in the form of 11 apartment blocks and 25 houses (mostly semi detached plus a few detached and terraced) associated parking, landscaped amenity areas and play area. The mix of housing types is set out below:

- 68 x 1-bedroom apartments
- 119 x 2-bedroom apartments
- 25 x 3-bedroom houses

2.3 Building heights vary across the site. The apartments are arranged in blocks of 3 and 4 storeys in height plus one small block of 2 storey. The new houses will be 2 storeys in height.

2.4 The application refers to 20% affordable housing (42 homes) but the applicant indicates this is on the basis of a financial contribution for infrastructure etc. not complying with planning policy and guidance. They say a compliant contribution would result in 10% affordable housing. The initial submission does not include a proposed breakdown of affordable housing tenure or mix. Negotiations continue regarding the level and type of affordable housing and financial contributions etc. Progress is being made and the outcome will be reported on the meeting amendment sheet.

2.5 Key features of the layout are a direct north-east to south-west connection through the development from Montem Lane to the streamside and beyond to the woodland area. Plus creating a central green space at the heart of the scheme and making the southern edge of the development permeable by creating a series of pavilion blocks to draw in the existing landscape. This results in a large number of homes having a view or glimpse of the streamside area or a green space. And the streamside woodland can be seen from Montem Lane. Diagram below; blue indicates development parcels; view from south.

2.6



2.7 There are 5 pavilion blocks spaced out along the streamside open space edge of the development with the north south spine cycleway path passing beside them. Houses form the middle part of the site with several overlooking the central green. 4 apartment blocks form the north western part of the site that is adjacent to the Arena site, opposite St. Martins Place and forming a frontage on Montem Lane together with a wide planted verge. Next to the site access is a 2/3

storey apartment block forming the transition between the Edwardian homes on Montem Lane and the modern form of existing and proposed development of the western part of Montem Lane.

2.8 Below is an extract from the Design and Access Statement to expand upon the above :

“The proposed scheme can be broken down into 3 character areas. These include an Urban, Central Green and Landscape Pavilions”, These are identified on the diagram below.

At the heart of the scheme sits the Central Green which provides a local amenity space for residents to enjoy. It also acts as a point of connection between Chalvey Brook and the Landscaped Pavilions to the south, and Montem Lane and the mound to the north. The space is fronted on the east and west, by 2 storey detached and semi detached gable fronted houses which are consistent with local vernacular of the surrounding streets of Henry Road and Arthur Road. To the east rear gardens back onto the houses on Henry road, providing a traditional urban design response. The green is fronted on the south by the slender façade of the pavilion blocks. This approach, allows the green to have active frontage on all sides cementing it as the heart of the proposal.

To the north is the Urban area which from east to west proposes a transition in scale, from the existing 2 storey houses to the large office block of St Martins place and the Ice Arena. This area seeks to establish a strong frontage to Montem Lane and the mound and also to define an entrance to the development.

The Landscaped Pavilions sit to the south of the site, and have been located and designed to invite the landscape between them, providing the desired permeability mentioned in the previous sections. The buildings have been designed to provide an undulating frontage along the topography of the southern edge that are active whilst, at the same time respectful to the landscape.”

2.9



Yellow – houses or 2 storey buildings.

2.10 The residential development area proposals include public realm comprising street trees, visual and useable amenity areas some with seating, central green space (approx. 950 sqm) with some informal or simple play features (referred to as a village green by the applicant). Some amenity areas including the green incorporate sustainable drainage in the form of swales or rain gardens to temporarily store rain water after storms.

2.11 Regarding external appearance and architecture houses will have pitched roofs and gables facing the street. Apartment blocks are flat roofed buildings with articulated facades and balconies for most flats. All will be contemporary in general appearance but with brick colour and detailing reflecting some features found in traditional buildings nearby. The external appearance and detailing will reflect the proposed 3 characters referred to above – urban for the Montem Lane/ Arena area; central green houses and landscape pavilions near the stream. 4 brick colours will be used in varying proportions depending upon the 3 characters referred to. Brick colours are : red multi, red/brown multi, light buff multi, dark grey. Panels of cant brick detail on most buildings are proposed. Other materials used will be dark grey fibre cement tiles, dark grey frames and balcony railings, white reconstituted stone copings.

2.12 Vehicle access to the residential development is from Montem Lane

immediately east of the existing point of access on the Henry Road side of the site. There will be no vehicle access to the residential development off the Arena access road.

- 2.13 The design of roads is intended to keep speeds to no more than 20 mph. Existing pedestrian desire lines will be provided for such as Henry Road to Chalvey; Seymour Road to Claycotts School and the north south Chalvey to Salt Hill Park route. The layout allows for the possibility of the Chalvey/Cippenham southbound bus route to revert back to a more direct route to Chalvey (instead of via Tuns Lane) by running through the site, north to south, via a future bus only link to Newberry Way.
- 2.14 The proposal will provide a total of 202 car parking spaces to serve the needs of the development. 46 spaces will be allocated to the houses at a ratio of 2 spaces per dwelling for detached and semi-detached and 1 space per dwelling for terrace and will be provided mostly within private drives. 140 spaces will be allocated to apartments; all are at ground level with no undercroft parking. 16 spaces will be for visitors including 2 car club spaces. The overall car parking ratio will be 0.95 spaces per home. The ratio for flats, re allocated parking, is 0.75. No onsite provision is made to replace existing parking.
- 2.15 Regarding electric vehicle charging points each house will have one and apartment parking will have one charging point per 10 spaces. One car club space will have a charger.
- 2.16 Each dwelling will have a place to store a bike plus some visitor racks.
- 2.17 The streamside and woodland area enhancements collectively provide enhanced visual appearance, better access, increased biodiversity, children's play and adult recreation features and stream flow and water quality improvements. The enhancement will involve selected clearance of some vegetation and appropriate new planting to improve appearance and provide different habitats for wildlife. The aim is to create an informal nature reserve and together with the length of the streamside open space provide informal recreation space for both new and existing residents.
- 2.18 Key features will be two new bridges over the stream and a path around the woodland and meadow area of Stabmonk Park to improve access together with selected clearance to improve sightlines into the Park area and the meadow area. A few play features will be dispersed along the open space next to the development and near the woodland/meadow path. And small scale timber trim trail equipment for adults will be alongside the woodland path.

2.19 For the stream the bank will be altered in places to make it stable, limit erosion, slow the water flow and make a feature of the small spring. Reedbed and associated streamside planting is intended to help improve water quality.

2.20 Some of the documents including the layout have been revised slightly since the initial submission. The application is supported by the following information :

Planning Statement (including Affordable Housing Statement and Planning Obligations Statement)

- Design & Access Statement
- Landscape Design & Access Statement
- Affordable Housing Viability Assessment
- Transport Assessment & Travel Plan
- Flood Risk Assessment
- Surface Water Drainage Strategy
- Foul Sewage and Utilities Statement
- Statement of Community Involvement
- Air Quality Assessment
- Noise & Vibration Assessment
- Archaeology & Heritage Statement
- Arboricultural Assessment and Method Statement
- Ecological Appraisal
- Phase 2 Geo-Environmental Assessment
- Phase 1 Preliminary Risk Assessment
- Energy & Sustainability Strategy
- Sunlight & Daylight Assessment
- Internal Daylight and Sunlight Assessment
- External Lighting Strategy
- Planning Validation Checklist.

2.21 Prior to submission an EIA screening opinion concluded the proposed development is not EIA development and therefore an Environmental Statement (ES) is not required.

2.22 A pre application submission was made which had two options one incorporated parking for the ice arena overflow and parent parking. The other without that parking provision on site but a larger number of homes on the site similar to the application. The applicant carried out a public consultation exercise prior to that on smaller scheme.

3.0 **Application Site**

3.1 The site, with an area of 5.51 hectare, lies west of the town centre, close to Salt Hill Park and the Three Tuns junction. It abuts Montem Lane and has a path link to Chalvey via Newberry Way.

3.2 The railway station is a 1.3 km walk from the edge of the site. Chalvey shops are 400 metres away. Regular bus services can be

accessed on the Bath Road within 250m with Three Tuns junction shops also nearby.

- 3.3 To the north west is the Ice Arena with an existing access road leading to its rear car park off the west boundary of the site. Montem mound, a scheduled ancient monument, is adjacent to the north west. Residential neighbourhoods lie to the east (Henry Rd, Montem Lane, Arthur Rd, Worcester Gardens) and to the west, beyond the stream (Seymour Road). Opposite to the north are St. Martins Place office building and a builders Merchant. Claycots School is nearby to the north east
- 3.4 The Montem leisure centre that formerly occupied part of the site is now a cleared area with foundations removed. It moved to Farnham Road in 2018. The leisure centre car park remains for Council staff, Arena overflow and Claycotts School parent parking. However until March 2021 it is in use as a Covid 19 test centre and no others can use it. The north east corner of the site used to have two Council houses on it.
- 3.5 The rest of the site is landscaped amenity land/open space including Salt Hill stream and beyond it woodland/meadow known as Stabmonk Park or Millennium Green located in the southwestern part of the site beyond the stream. The application site boundary includes the landscape area west of the Arena and also down to Newberry Way plus a key spine path that runs alongside the stream linking Salt Hill Park to Chalvey with a spur off to Seymour Road over the stream. Part of the car park is temporary and lies on a grass amenity area (0.376ha) that should have been reinstated after removal of the temporary ice arena.
- 3.6 The site falls gradually about 8m from Montem Lane down to the stream in the southern part of the site. Montem Lane also falls from east to west. The woodland area rises from the stream up to Seymour Rd. Apart from the woodland there some substantial trees near the stream, on the eastern fringe of the site and a few within the site (east of the former leisure centre building). The ground under the car park up to the stream is a former small scale landfill site. Some utilities lie under the site. The stream margins fall within flood zone 2 and 3 and include a small spring.
- 3.7 The application site is owned by the Council. Slough Urban Renewal, the Council's joint venture developer, has an option to purchase most of the site but have indicated they do not intend to take ownership of the Stabmonk Park and streamside area. The woodland and meadow of the Park used to be managed by a local group but they have recently handed maintenance to the Council. That included the rear part of the site, next to Seymour Rd, that was held in a Trust by the group. The Trust has recently passed to the Council but with the continuing obligation to manage the land for

wildlife.

4.0 **Site History**

- 4.1 Former Montem Leisure Centre built 1972.
- 4.2 Ice Arena approved 1984 (ref S/00119/006) including car park to serve leisure uses on part of former Montem Pleasure Ground.
- 4.3 Ice Arena extension approved 2016 (ref. S/00119/011)
- 4.4 Temporary Ice Arena on car park and additional parking on open space land approved Oct 2016 (ref. S/00727/000). Arena removed but grass and trees not reinstated.
- 4.5 Application to revise details of Ice Arena overflow parking – relocate 98 spaces from Montem car park to St. Martins Place. (ref S/00119/017). Current application agreed in principle subject to legal agreement.

5.0 **Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020 a site notice at the site and surrounding streets was displayed 27th October 2020. The application was advertised as a major application in the 23/10/2020 edition of The Slough Express.
- 5.2 One petition of 132 names received. The petition was initially presented to the Council in April 2019. It has been presented again in response to the planning application. Petition details are below:

- 5.3 **We the residents of Chalvey, implore Slough Borough Council to refrain from building on the open space formally known as Montem Leisure Park and restore it to what it used to be – a place of leisure for residents.**

The reasons being:

1. This will increase traffic congestion (which is already severe) due to Slough Borough Councils insistence of implementing the Chalvey one-way system;
2. This will increase air pollution which is already above the national average;
3. Building on open spaces goes against Slough's well-being strategy priorities as per Slough Borough Councils Parks and Open Spaces Strategy 2016 -2020;
4. This area over the past decade or two, has been subjected to increased overcrowding (Oban Court, Finefield Walk, St. Martin's Place, Worcester Gardens) all of which were previously green spaces.
5. Therefore we, the residents of Chalvey, now say 'enough is enough' and request Slough Council to adhere to their well-being strategy priority of health and wellbeing. No more building on parks or green spaces in our area.

- 5.4 Response – Traffic is dealt with in para. 6.11-13 and 11.0 below. Air

Pollution is dealt with in para. 6.18 below. Open Spaces is dealt with in para. 10.0 below. Re overcrowding the area has been developed more intensely than the past but that does not mean it is overcrowded. The developments referred were not built on public open spaces and they were already substantially or partly hard or built spaces when redeveloped.

5.5 7 residents representing 3 homes in Seymour Rd have objected to the proposal. Generally they disapprove of it and some make reference to

- Too much traffic; parking by non residents in the street; blind corner Seymour Rd corner; make street more dangerous.
- One person objects to the two new bridges which lead to the area behind Seymour Rd homes. Existing issues with existing bridge path being used for anti social behaviour; creating more paths for access is a major inconvenience.

5.6 Response : The proposed development would not generate more traffic in Seymour Rd. There is a very low expectation of any overflow parking from the new homes taking place in Seymour Rd or adjacent streets. The site access on Montem Lane is a long way from Seymour Rd by road. The new bridges would not provide direct access to Seymour Rd but would access to the woodland area behind homes. The proposal involves enhancement of the woodland including some clearance of undergrowth and vegetation and better maintenance to improve sightlines in and out of the area

5.7 1 letter of objection representing 4 homes in Henry Rd raising an objection on grounds of :

- Land is allotments and is not the property of the Council. Residents seek to purchase land to use for car parking.
- Concern about security of homes from the rear – uncertainty about what is proposed at the rear – path or gardens.
- Concern about overlooking and affect privacy.
- Increasing traffic/congestion and noise
- pollution
- Issues with parents dropping/collecting children from Claycotts School; safety concern for adult and children pedestrians.

5.8 Response : The land is owned by the Council and it is not an allotment. There is no right for local residents to park overnight in the existing car park but some do use it. No path is proposed at the

rear of the homes; rear gardens will abut the boundary of Henry Rd homes. Regarding the separation distances they are greater than the normal minimum of about 18-21 metres (window to window). Traffic is not expected to increase above the levels present when the leisure centre and St. Martins Place were in full use. Parent drop off parking etc. is dealt with in para. 6.11-13 and 11.0 below.

6.0 **Consultation**

6.1 Thames Water

6.2 No objection subject to a condition to ensure development does not outpace the delivery of water supply network infrastructure. Some sewers and a water main run under the site; they will need to be protected. (Note: one sewer will be diverted).

6.3 SSE (electricity)

6.4 No response. The applicant has liaised with SSE regarding a major electricity cable that will remain under the eastern side of the site. The existing sub station next to 63 Montem Lane will be replaced adjacent to the south of it.

6.5 Berkshire Archaeology – no response

6.6 Historic England (re effect on setting of Scheduled Ancient Monument) – no objection. Their comment in full :

Thank you for your letter of 19 October 2020 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

6.7 Natural England

6.8 This is an outline of the response from Natural England : Object to the proposal. Seek further information to determine impacts on Burnham Beeches a designated special area of conservation regarding development within 5.6 kilometres of it.

Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. This should be in line with emerging Local Plan Policy DM NP3 which requires proposals to;

1. Make financial contributions towards the Burnham Beeches Access Management Scheme, or any subsequent scheme which replaces this; and

2. Demonstrate that no adverse impacts on the SAC will arise as a result of additional visitors to the SAC from the development. Mitigation will need to be determined in agreement with Natural England

6.9 Response at para. 12.2 - 12.5. Note: the policy referred to above is for South Bucks not Slough.

6.10 Transport and Highways

6.11 Brief summary of conclusion of highway and transport matters below. For full the comments made see 6.13.

Access - Proposed Montem Lane site access can operate without significant delay to traffic on Montem Lane. A yellow box keep clear marking will be needed.

Layout - No object to layout in principle. The 6.2 m access road width and junction layouts can accommodate a 12m long service bus if required. A bus would pass very close to some parking spaces when turning so conditions requested re scheme for parking and manoeuvring and layout to be in accordance with crossover policy to address this matter at the detail design stage.

Residential car parking - Prepared to accept below normal standard parking provision on the basis of the locations good accessibility and low car ownership in the surrounding area. But subject to introduction of a controlled parking zone for nearby streets Henry Road, Finefield Walk and stretches of Montem Lane and Arthur Street.

Claycots School parking - Require provision for parent drop off/pick up spaces displaced from redeveloping all of Montem car park. Some provision can be on nearby streets (as a result of survey that identifies some spaces available). Remainder of provision can potentially be in St. Martins Place. Discussions on this matter continue. Recognised that at present temporary use of Montem car park for Covid testing (until end of March 2021) is causing problems in local streets.

Cycle Parking – revised scheme accepted inclusive of visitor spaces.

Travel Plan – required and associated monitoring fee to be paid £6,000 via Sec 106.

Traffic impact and trip generation - No objection to the development on the basis of highway capacity issues on the highway network. Traffic modelling has been carried out.

Servicing and Refuse Collection - Revised scheme accepted. Collection will be on roads within the site excepting one collection point on Montem Lane. Note : one collection point will be at the end of Henry Road on a new turning head provided just within the application site.

Conditions requested – as above (yellow box at access, layout details re bus access) plus drainage details and construction management plan.

6.12 Full Transport and Highway comments below excluding detail of recommended conditions :

Access

The existing access will be closed and a new site access provided 12m to the south-east on Montem Lane. The proposed site access will measure 6.2m wide and have 6.0m radii at the junction bellmouth with Montem Lane.

It has been demonstrated on Drawing No. 70175-CUR-00-XX-DR-TP-06102-P01 that unobstructed visibility of 2.4m x 43m can be achieved to the nearside kerb in either direction in accordance with the requirement for a 30mph speed limit provided by Manual for Streets.

Drawing No. 70175-CUR-00-XX-DR-TP-06102-P01 provides swept path analysis which demonstrates the Slough refuse vehicle can safely ingress and egress the site access.

A capacity assessment of the site access has been completed using the PICADY module of Junctions 9 which demonstrates that the site access will operate within capacity with delays of 11 – 12 seconds forecast for vehicles egressing the development site.

The applicant is required to provide a drawing displaying the measurements undertaken for input into the Site Access PICADY.

Collision Data

The Transport Assessment presents analysis of collision data for the most recently available 3-year period for roads surrounding the site. The analysis shows there have been no recorded collisions in close proximity to the proposed site access during the most recently available 3-year period.

A cluster of eight collisions classified as slight in nature and one serious collision were recorded at the junction of Ledgers Road with the A4 Bath

Road. The more detailed data shows two of the accidents involved pedestrians, however the number of trips generated by the development is unlikely to exacerbate accidents at the junction.

Layout

It is proposed that the internal site layout will be subject to a speed limit of 20mph and that the route around the new village green will operate as a clockwise one-way route. SBC accept the proposed speed limit.

SBC requested additional clearance was provided between the bus route and parking spaces north of Block G1 and South of plots HO-00-11. The applicant has confirmed this will be provided at detailed design stage. An assessment of visibility from these spaces should also be provided as requested during preapplication discussions.

The swept path analysis shows that the bus passes very close to these spaces as it negotiates the bend in the site access road. This raises the possibility of conflict between parked vehicles and passing buses in the event that vehicles park inconsiderately or the bus misjudges the manoeuvre.

SBC welcome the design of the site layout to accommodate a north-south bus route through the development as requested at preapplication stage. Swept path analysis for a 12m rigid bus has been shown on Drawing No. 70175-CUR-00-XX-DR-TP-05103-Rev-P03 which shows a bus could enter the site access from Montem Lane and exit in the south via a new connection to Newberry Way. The widths have been designed in accordance with CIHT's '*Buses in Urban Development (January 2018)*' which recommends a unobstructed carriageway width of 6.2m for two-way bus routes where a 20mph (or lower) speed limit is applied and 3.5m for one-way routes.

SBC welcome the provision of a turning head at the southern end of Henry Street within the application boundary. This turning head has been designed to allow a refuse vehicle to undertake a three-point turn and exit in a forward gear. Swept path analysis has been undertaken using the SBC Design Vehicle. The swept paths are provided on Drawing 70175-CUR-00-XX-DR-TP-05104, provided as Appendix J.

The TA states that visibility splays of 25m are achievable at all priority junctions between the side roads and the main site spine road, which is in accordance with the requirement for a 20mph speed limit set out within the Manual for Streets. 18m visibility has been shown around bends which is suitable for vehicles travelling at a speed of 15mph.

SBC require the completion of a Stage 1 Road Safety Audit of the proposed internal road layout and any speed control measures. At the request of the agent, it is agreed that this can be completed at the detailed design stage.

As requested by SBC, the applicant has now demonstrated swept paths which show the bus can also ingress the site from the eastern direction.

As requested by SBC, the applicant has updated the proposed site plan

to display the proposed road widths and number each parking space.

Therefore SBC Highways and Transport have no objection to the proposed development on the basis of the proposed layout.

Car Parking

Residential Parking

The Slough Borough Council Developers Guide – Part 3: Highways and Transport (2008) provides the local parking standards for determining the appropriate parking provision at the proposed development.

The required numbers of spaces are displayed within Table 1 below:

Table 1: Parking Requirement for Montem Leisure Centre

	Rest of Town / Predominantly Residential Spaces per Dwelling Communal		Requirement	
	Cars	Cycles	Cars	Cycles
1 Bed Dwelling (x64)	1.25	1	85	68
2 Bed Dwelling (x123)	1.75	1	208	119
3 Bed Dwelling (x25)	1.75	1	44	25
Total			337	212

Source: Slough Borough Council Developers Guide – Part 3: Highways and Transport.

Table 1 demonstrates that the SBC Parking Standards require the provision of 337 car parking spaces and 212 cycle parking spaces, based on the parking standard for a development within a Rest of Town Centre / Residential area where all parking spaces are communal. This would equal 1.59 spaces per dwelling. Therefore the proposed 202 parking spaces (or 0.95 spaces per dwelling) would be a shortfall of 135 parking spaces compared to the 337 required by the Slough Borough Council Parking Standards.

However, Slough's Third Local Transport Plan – Core Strategy (2006 – 2026) sets an aim to reduce the number of car trips by limiting where appropriate the number of spaces provided at new developments whilst delivering better public transport alternatives (paragraph 5.8.9).

Core Policy 7 of the Slough Core Strategy (2006 – 2026) requires that: *'The level of parking within residential development will be appropriate to both it's location and the scale of development and taking account of local parking conditions, the impact upon the street scene and the need to overcome road safety problems and protect the amenities of adjoining residents'*.

Therefore SBC Highways and Transport can consider parking provision below the parking standards in accessible locations where low levels of Car Ownership have been recorded and supported.

Car Ownership Data from the 2011 Census for Slough 009F and Slough 009 which surround the site are presented in Table 2 below:

Table 2: Car Ownership Data for Slough 009 and Slough 009F (2011 Census)

	Total Households	Total Cars or Vans	Cars or Vans Household
Slough 009F	603	468	0.78
Slough 009	4241	3836	0.90

Source: ONS, 2011 Census.

As indicated above in Table 2, low levels of Car Ownership have been recorded in the wards surrounding the site, with 0.78 and 0.90 cars/vans per dwelling. This is likely to be the result of the areas proximity to the town centre, A4 Bus Routes and the low availability of off-street parking at older homes within this ward.

The Car Ownership Data provides suitable evidence to support the proposed parking ratio and therefore the proposed ratio of 0.95 spaces per dwelling can be accepted by SBC Highways and Transport.

Several of the surrounding roads experience already high levels of on-street parking and do not benefit from parking controls, these include: Henry Street, Finefield Walk and stretches of Montem Lane and Arthur Street.

SBC require that 10% of parking spaces are unallocated for the use of visitors. At present the submission proposes that 8 spaces or 5% of the 156 spaces associated with the flats will be for visitor parking. SBC require 16 spaces unallocated for visitors.

The applicant has confirmed that 140 parking spaces will be allocated for the use of the flats at the request of SBC Highways and Transport to ensure residents are aware of parking availability and how many vehicles they can bring to the development.

SBC also require a contribution towards the implementation of a Controlled Parking Zone to protect parking for residents of Henry Street, Finefield Walk and Montem Lane.

Without the implementation of a CPZ the proposals may result in the overspill of parked vehicles onto the surrounding roads and cannot be considered in accordance with Core Policy 7 of the Slough Core Strategy which requires proposals to take account of local parking conditions and the amenities of adjoining residents.

Claycots School Parking

SBC Highways and Transport provided a preapplication response on 31st July which identified that the Montem Leisure Centre Car Park is currently used for drop-off/collection of pupils at the Claycots School. Planning permission was granted for the expansion of Claycots School to accommodate 918 pupils including nursery children. SBC calculate that total school parking demand for 918 pupils could be upto 210 parking spaces as detailed in Table 1 below:

Table 1: Calculation of Claycots School Parking Demand (918 Pupils)

	Estimate	S
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	d
Total Cars (Assuming no car sharing amongst pupils and 25% arrive by car, as recorded by the 2019 School Travel Plan)	230
Total Unadjusted Parking Demand (Assuming 17% of pupils are driven with a sibling)	210
Total Parking Demand (4.7% reduction due to account for absence)	200
Travel Plan Reduction of 9%	178

Source: Claycots School Travel Plan, 2019 – 2020.

As shown in Table 1 above, it is estimated that the number of parked vehicles associated with Claycots School could reach 210 vehicles on the basis that Claycots School recorded 25% of pupils to be arriving by car in their 2019 Travel Surveys for their Travel Plan.

In addition, Claycots School completed a survey of parents travel habits during July 2019 and established that typically 196 parents' park in the Montem Leisure Centre Car Park during AM drop-off and 198 parents use the car park during PM collection.

The submitted TA has completed an alternative calculation of school parking demand in Tables 7.1 and 7.2 which concludes that the demand for school parking is only 92 spaces based on the assumption that 20.6% of all pupils arrive by car (based on the 2015 TA for Claycots School) and that a 9% reduction in car use can be achieved through travel plan measures. This assumption is considered incorrect given that the 2019 Travel Plan results identify that 25% of pupils arrive by car. A further 9% reduction is considered unrealistic given that Claycots School have a lower level of car use than average when compared to seven other Slough Primary Schools.

The calculation that school parking demand will be 92 parking spaces is not accepted by SBC. The calculation of school parking demand should be based on the most recent travel plan survey results or parking survey results from Claycots School. If these data sources are used, then the school can be expected to generate 178 – 190 cars even after a 9% reduction due to Travel Plan Measures.

Montem Leisure Centre Car Park was temporarily closed to school parents in June 2020 in order for the site to be used as a COVID-19 testing centre. The closure of the car park to parents has caused significant parking problems on the surrounding highway network and residents have been blocked from leaving/entering their homes by parents dropping off/collecting their children. Parents have been observed parking on Finefield Walk, Henry Street and Arthur Street to drop-off/collect their children. Parking on Finefield Walk, Henry Street and Arthur Street is currently uncontrolled, with the exception of some bays dedicated to Blue Badge holders. The lack of parking controls on these roads has encouraged parents to use these roads for school drop-off during use of the car park as a test site, despite parking demand far exceeding the availability of on-street parking bays on the surrounding streets.

SBC have explored options for offering alternate parking provision to parents. Options explored included use of the basement parking at St

Martin's Place, the Lego Building Car Park or Buzz Bingo Car Park. Unfortunately use of these car parks could not be secured. Reopening part of the Montem Leisure Centre Car Park to parents during the site's use as a COVID-19 is not possible due to Health and Safety concerns and contractual obligations.

The TA highlights that SBC wish to make 98 parking spaces within St Martin's Place available for school drop off/collection in the event that St Martin's Place is redeveloped. A parking beat survey was undertaken which identified 82 available parking spaces on streets surrounding Claycots School. Therefore 180 parking spaces would be available, should the parking at St Martin's Place be made available for School Drop Off.

It is now understood that no parking can be made available on site for Claycots School and that Claycots School do not have planning permission to park at Montem Leisure Centre on a permanent basis. Therefore SBC are working to identify alternate school parking in the area.

Cycle Parking

The Transport Statement proposes that 1 secure and covered cycle parking space per dwelling will be provided within cycle storage areas within blocks of flats and within garages and sheds for houses. The locations of the communal bikes stores in the flat blocks are shown on the proposed site plan (Drawing No. AA5991-2020)

The applicant has confirmed that 1 secure cycle space per dwelling will be provided with 50% provided within overhead bike racks.

The applicant has confirmed that they will provide short-stay visitor cycle parking for the flats in the form of Sheffield Stands outside the flats.

Travel Plan

At SBC's request, the applicant has confirmed that the appointment of the TPC will occur prior to occupation to ensure travel information and sustainable travel information is distributed to all residents prior to their arrival on site and that check of cycle parking are completed prior to/upon residents arrival, rather than months later when residents will have started to form travel habits.

SBC will require a S106 contribution of £6000.00 towards the implementation and monitoring of the Travel Plan in accordance with the SBC Developer's Guide – Part 2: Contributions and Affordable Housing (Section 106) updated in 2017.

Traffic Impact and Trip Generation

The Slough Multi-Modal Model (2017) was used to complete an assessment of the proposed development at Montem Leisure Centre on the surrounding highway network. The impact of the development was assessed for the following scenarios:

- 2026 Do Minimum (DM) “without development” includes the Committed Developments as per uncertainty log without any changes to the land use assumptions at currently existing on site development for Montem Lane and Stoke Wharf developments, i.e. remains as it is modelled in the 2017 Base Year;
- Combined 2026 Do Something (DS) – “With Development” Scenario that will include Montem Lane, Stoke Wharf and any other committed developments.

The trip generation of the proposed development was calculated based on trip rates obtained from the TRICS database and agreed with SBC during preapplication. These trip rates were then constrained by parking availability within the transport model.

Detailed analysis of any operational issues was then undertaken using the Slough VISSIM Micro Simulation model including queues and delays. The VISSIM model provides assessment of forecast traffic conditions at a detailed level of modeling.

The Transport Model was used to forecast the impact of development on the following junctions:

- A4 Bath Road / Tuns Lane;
- A4 Bath Road / Montem Lane;
- A4 Bath Road / Ledgers Road / Stoke Poges Lane;
- Montem Lane / Ice Arena Junction; and
- Proposed Site Access junction.

Yellow boxes were modeled on Montem Lane to prevent the site access from becoming blocked and development vehicles to be able to leave the site freely.

The modeling demonstrated that the development trips have very little impact on the overall network performance as changes to performance statistics are very small in magnitude.

During 2026 ‘Do Something’ the model forecast increased queue lengths at the junction of Montem Lane and Ledgers Road as a result of the development. However the junction is forecast to experience increased capacity issues in the 2026 ‘Do Minimum’ scenario due to the introduction of the A4 Bus Lanes.

Whilst the model forecast changes in capacity at the A4 Bath Road / Tuns Lane junction and the Stoke Poges Lane / Ledgers Road junction, Atkins consider these forecast changes to be the result of model variability during the runs. The model forecasts there are some capacity issues at the junctions in the Do Minimum scenario without the development, especially the Ledgers Road junction which is forecast to operate over capacity as a result of introducing the bus lanes.

Journey times were modeled along Montem Lane and along the A4 between Tuns Lane and the A4 / Stoke Poges Lane junction in both directions to understand the impact of the Montem Lane development on the localized area. The model showed that journey times along Montem

Lane decreased when introducing the development, including northbound to the A4 Bath Road junction which decreased by 9 seconds.

Therefore SBC Highways and Transport have no objection to the development on the basis of Highway capacity issues.

The applicant is required to provide a yellow box or 'Keep Clear' road markings at the site access junction to ensure vehicles can ingress and egress the site in the event vehicles queue back from the Montem Lane / A4 Junction.

Servicing and Refuse Collection

The applicant has provided swept path analysis of the SBC design vehicle and has demonstrated that the refuse vehicle can safely turn within each of the turning heads provided without reversing more than 12m.

At the request of SBC Highways and Transport in comments dated 03/12/2020, the applicant has amended the refuse collection arrangements, so that waste collection for blocks A3 and B1 can take place away from the public highway, with collection for Block B1 taking place within the site and collection for block A3 taking place from the access road for the Ice Arena. The turning head provided by the applicant on Henry Street will be used for refuse collection from Block H1. As a result, the collection vehicle will only be required to stop once on Montem Lane to collect refuse from Block A1/A2, with waste collection for the rest of the site taking place off of Montem Lane which will minimize the likelihood of queues forming behind the collection vehicle.

SBC Highways and Transport have no objection to the proposed development based on the refuse collection arrangements.

Summary and Conclusions

Subject to the applicant providing the requested information to allay my concerns I confirm that I have no objection to this application from a highway perspective. Please include the following condition(s)/informative(s) as part of any consent that you may issue.

6.13 Housing

6.14 Seek affordable housing in line with the Council's adopted policy and guidance. If the Council's consultant confirms the development is not viable with policy compliant affordable housing prepared to accept some non compliance. Note : the applicant proposed 20% affordable but only on basis of not paying full sec 106 contributions and a non compliant tenure split. Negotiations continue regarding this matter and will be reported on the meeting amendment sheet.

6.15 Education

Seek financial contributions towards local education facilities – Early years to secondary and SEND. Total sum sought £805,791.

6.16 Local Lead Flood Authority

In summary seeking further information but have not identified a fundamental problem. Matter expected to be resolved prior to meeting.

6.17 Environmental Quality (Air Quality)

No objection subject to conditions to ensure proposal complies with Slough Low Emission Strategy Technical Report: 'Land-Use planning and Development Management' Guidance. Key aspects are :

- Car club spaces (2) ,
- Electric vehicle charging points for residents
- Fast charger for one car club space.
- Rapid charger for public use on site or nearby.
- Construction Environment Management Plan re emissions during construction process.
- Controls on gas fired heating plant.
- Travel plan & monitoring.

6.18 Environmental Quality (Environmental Noise)

No objection subject to conditions to control construction noise etc., and protect certain homes from operational noise (Ice Arena parking area) and residual noise. The noise control measures are referred to in the applicants supporting technical information.

6.19 Environmental Quality (Soil contamination) – response will be on meeting amendment sheet. Comments made at pre app stage indicated planning conditions should be applied to deal with any contamination found on the site. Initial soil report have been assessed. Most of the site is 'made ground' its height having been raised by small scale landfill mostly in the 1960s and 70s. The applicants report indicates contamination found can be dealt with.

6.20 Community Safety – no response

6.21 Parks Team

Regarding proposed enhancements to Council open space land prepared to accept the overall strategy and proposals subject to agreement of details by condition etc. and a contribution towards additional maintenance costs. Seek clarification about the new bridge specification. (Note : the central green and associated spaces within the housing area will remain privately managed). Some concerns about effect of 4 storey buildings near the stream/streamside area.

Response : all details can be covered by condition. Contribution towards additional maintenance agreed in principle by applicant; the precise amount has yet to be settled being part of negotiations on viability.

6.22 Leisure Services – no response (see Parks Team)

6.23 Landscape and Tree Officer

Request trees removed replanted in woodland area.

The impact on 3 trees not clear.

Woodland and ecological management plan needed. Proposals to be evaluated by an ecologist.

For trees planted in hard areas good practice guidance to be followed.

Bridges and pond – insufficient info on the affect of retained trees.

Unacceptable impact on category A trees London plane (3)

Conditions to cover :

Condition Pre-commencement Tree Protection

Condition: Woodland & Ecological Management Plan

Condition : landscape details.

Response : clarification sought on outstanding issues. Conditions will be applied.

PART B: PLANNING APPRAISAL

7.0 **Policy Issues**

7.1 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 June 2019.

7.2 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.

7.3 Following the application of the updated Housing Delivery Test set

out in the National Planning Policy Framework 2019, the Local Planning Authority cannot demonstrate a Five Year Land Supply. Therefore, when applying Development Plan Policies in relation to the development of new housing, the presumption in favour of sustainable development will be applied, which comprises a tilted balance in favour of the development as set out in Paragraph 11(d) (ii) of the National Planning Policy Framework 2019 and refined in case law. The 'tilted balance' as set out in the NPPF paragraph 11 requires local planning authorities to apply the presumption in favour of sustainable development (in applications which relate to the supply of housing) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.4 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. Relevant development Plan policies and Council planning guidance are listed below
- 7.5 The Slough Local Development Framework, Core Strategy 2006 – 2026,
Development Plan Document, December 2008
Core Policy 1 – Spatial Strategy
Core Policy 2 – Green Belt and Open Spaces
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, built and historic environment
Core Policy 10 – Infrastructure
Core Policy 11 - Social cohesiveness
Core Policy 12 – Community Safety
- 7.6 The Adopted Local Plan for Slough 2004 (Saved Polices)
EN1 – Standard of Design
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
EN24- Protection of Watercourses
OSC1 – Protection of Public Open Space
OSC5 - Public Open Space Requirements
H14 – Amenity Space
T2 – Parking Restraint
T8 – Cycle Network and Facilities
T9 – Bus Network
- 7.7 Other Relevant Documents/Guidance

Site Allocations Development Plan 2010
Proposals Map 2010

- 7.8 The site is Public Open Space on the Proposals Map to which Core Policy 2 and Local Plan policy OSC1 apply regarding no loss of public open space unless the stated exceptions apply. Regarding the scale and significance of loss it is important to take into account that most of the area to be developed is already developed – the former leisure centre building and its car park. Excluding the temporary car park it has not been available as public outdoor recreation space for more than 35 years.
- 7.9 Regarding the significance of the loss it is also relevant that the leisure use – the leisure centre on the open space land – has not been lost as it has moved to Farnham Road. Furthermore the Council had identified the leisure centre site as a strategic residential site at its Feb 2018 Planning Committee which indicated loss of recreation use of this particular site might be acceptable in principle having regard to the need to address housing demand.
- 7.10 Consequently it is not appropriate to treat loss of the former Montem leisure centre building and its main car park as a true loss of public open space nor as a significant matter in terms of what is being proposed.
- 7.11 The 0.376 ha site of the temporary car park (see para 3.5 above) should still be treated as loss of public open space. It was in use up until late 2016 and the temporary car park surfacing should have been removed and grass reinstated. Some small amenity areas in the proposed development area are also still public open space. This loss can be accepted because of the proposed extensive enhancement of existing open space adjacent to the proposed development and the incorporation of new open space into the new development that will all be available to the local community i.e. this will mitigate the loss. In particular the enhancements will make the woodland and streamside area more attractive for walking, play and exercise than the previous area of grass next to car park. The proposal can therefore be treated as a reasonable exception to Core Policy 2 and Local Plan policy OSC1 subject to securing implementation of the mitigation works and suitable long term management such as retention by the Council and additional maintenance money.
- 7.12 The 2010 Site Allocations Development Plan proposed the area west of the stream as a non statutory informal nature reserve. This planning application ties in with this through proposals for enhancing the biodiversity and improving access. Long term management is equally important which can be secured through a funded long term management agreement or as outlined in the paragraph above.

- 7.13 The proposal is in line with the Council's recently published Spatial Strategy consultation. Redevelopment of the site including open space/woodland enhancements is identified as key part of Chalvey regeneration.
- 7.14 Matters regarding the Habitats Regulation Assessment and the possible effects on Burnham Beeches Special Area of Conservation are covered at para. 6.9 and 6.10 above and 12.2-12.5 below..

8.0 **Housing**

- 8.1 The mix of housing is appropriate as it provides a range from 1 to 3 bedroom including 25 three bedroom houses. Some 4 bedroom homes had been sought at the early pre app stage but the applicant indicated that this is not viable. The homes comply with national space standards.
- 8.2 Regarding affordable housing adopted guidance indicates 35% would be a suitable target as it is primarily a previously developed site and the applicants claim viability is an issue. Because the site is not in commercial use the viability is not expected to have a major impact on provision of affordable housing. But the applicants refer to various high costs such as decontamination, ground conditions, utility diversion and high build costs. The applicant has offered 10% affordable housing with full planning obligation contributions or 20% with reduced contributions.
- 8.3 Apart from affordable housing the proposal complies with core strategy 3 and 4 re housing policy. Whilst Council guidance indicates below target levels of affordable can be accepted if justified the Council have not as yet accepted the results of the applicant's viability appraisal. The Council's independent advisor considers more than 20% affordable housing and all developer contributions can be funded. Negotiations on this matter have progressed and the outcome of further discussions will be reported on the meeting amendment sheet. Without a clear justification for going below the 35% affordable and policy compliant planning obligation infrastructure and related contributions the application cannot be considered to be in accordance with Core Strategy policy 4 and 10. If a non compliant percentage is accepted it is likely a viability review will be needed in the future to see if, over time, values increase substantially above costs such that a greater contribution to affordable housing could be made.

9.0 **Design and Layout Matters**

- 9.1 The housing layout deals with the site constraints and opportunities very well in general. There are some concerns which are outlined below but the overall approach as outlined in para 2.5-2.9 above is acceptable and will provide a scheme that makes good use of the site in terms housing capacity but also creates a pleasant

residential environment in particular the treatment of the public realm and linkages to and visibility of the streamside area.

- 9.2 Four storey buildings are suitable for the Montem Lane/Ice Arena frontage taking account of the size of the former leisure centre building, height of St. Martins Place opposite and bulk of the arena building.
- 9.3 So much four storey near the streamside open space could be perceived as being overbearing for the adjacent recreation and amenity use of the land and reduced sky light to the stream can have an adverse effect on ecology bearing in mind it is already shaded by trees to the south. The 4th storey is a negative feature of the southern edge of the scheme and could be judged as contrary to Core Strategy policy 8 and Local Plan policy EN1 (re design) and EN 24 protection of watercourses. Considering the significance of this point needs to take account of the overall benefits of the scheme in terms of provision of more housing and level of policy compliance. Bearing in mind the important affordable housing quantum and infrastructure funding has yet to be settled it is premature to determine if 4 storeys are acceptable or not. An update on this matter will be on the amendment sheet.
- 9.4 Living conditions and amenity are in general acceptable. Most flats are dual aspect in some way which is a positive feature. The minor non compliance with day and sun light standards of some flats is acceptable bearing in mind light standards are guidance not statutory and provide for some non compliance in urban situations. The non-compliance relates to average day light factor for combined living kitchen dining rooms. The rooms have kitchens at the rear of the room with a small window but with a overhanging walkway above it. It is likely that the main living room part of the room would be compliant
- 9.5 Garden sizes are acceptable. Private amenity space for flats is acceptable for an urban setting as most flats have balconies or private patio areas.
- 9.6 Separation distances are generally acceptable for an urban setting and medium density scheme with one exception. Three flats have bedrooms close (1.5 or 2 m) to an access to large parking area (26 spaces) with no other bedrooms away from a road or access. And the distance from rear secondary bedroom to flank habitable room windows opposite is 7.5m. Neither are ideal even for a medium density scheme.
- 9.7 The largest block (A1/A2) on Montem Lane has an arrangement that ensures most flats have dual aspect in some way. The flats partly enclose a landscaped parking area and have access to individual doors from decks at the rear of the building. The

applicants have confirmed access to the rear stair/lift cores will be controlled (fob access) and by condition ground floor entry arrangements will be agreed.

- 9.8 The relationship to adjacent homes is acceptable. Homes in Henry Rd have rear gardens adjacent. At the end of Worcester Gardens the oblique view out of some existing flat windows will be affected by 3 storey block, at a higher level, but the lack of habitable rooms in the adjacent elevation means privacy is not adversely affected.
- 9.9 The external appearance is acceptable being simple but well detailed. Cant brick details on the façade of most buildings will be an interesting and distinctive feature. And the gable ends fronting the street will provide a distinctive feature for the development. The variation in detailing and brick colour to identify the three different characters of the site – around the green, the streamside landscape pavilions and the urban Montem Lane frontage are subtle but very welcome.
- 9.10 The public realm design is good providing functional and attractive spaces. Side streets are integrated with the surrounding public realm through use of materials other than tarmac and shared surface streets are intended to soften the appearance of the access road. Car parking will not dominate the street scene much of it being between buildings or in small parking areas.
- 9.11 Overall the proposal complies with Local Plan policy H14. . It complies with policy regarding crime prevention EN 5 and core strategy policy 12 subject to conditions regarding details of door entry on block A1/A2 and boundary treatment to control access around the exterior of blocks.. It partly complies with Local Plan policy EN1, Core Strategy policy 8 with the non compliant matters referred to above at 9.6 and 9.3.
- 9.12 Heritage. The effect of the development on the setting of the adjacent Montem mound must be considered it being a Scheduled Ancient Monument. Key parts of the NPPF to take into account are para 193 which states :

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

And para. 196 :

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where

appropriate, securing its optimum viable use.

Conservation in the above paragraph 193 includes its setting.

- 9.13 The applicants heritage assessment concludes that the proposed scheme will result in less than substantial harm to the significance of designated heritage assets. In particular they say :

The proposed scheme would impact on the setting of Montem Mound, as intervening built development would remove the restored visual relationship between the asset and Windsor Castle. The proposed scheme would also introduce a new built element into the asset's immediate setting. It would result in less than substantial harm to the asset.

The reference to 'restored view' above refers to the recent demolition of the leisure centre. And they conclude that "The loss of the view from the Mound towards Windsor Castle cannot be mitigated". They recommend " consider introducing innovative ways to interpret the history of the Mound"

Regarding the "introduction of a new built element" this refers to the proposed apartment blocks.

- 9.14 Regarding the new built element, setting and the Council's duty to have special regard towards preserving or enhancing the asset and noting para 193 and 196 above it is relevant to point out, firstly, that the proposed buildings nearest to the mound will be in a similar position and height to the former leisure centre building. Secondly to bear in mind the latter had a plain brick flank wall and extensive plant in front of part of the wall facing the mound and the proposed elevations will look more attractive than the previous building. Furthermore the mound will still be seen from a distance when approaching along Montem Lane (westbound) as the corner apartment building is set back from the road as was the leisure centre building. Regarding views of Windsor Castle this had been lost for over 50 years because of the leisure centre building. Altering the proposed scheme to allow for the view would result in a substantially reduced number of homes.
- 9.15 Taking account of the above and the submitted heritage assessment the physical asset will not be changed but its setting will change but overall it is 'conserved'. And the benefit to the town of having more homes, including affordable homes and family homes, in a sustainable location is significant in relation to the 'less than substantial harm' identified by the applicant.
- 9.16 It is therefore considered that the proposal accords with Core Policy

9 and the NPPF. Historic England have not objected; their comments are at para. 6.6.. Berkshire Archaeology have made no comments.

10.0 **Open Space and Landscape**

- 10.1 Policy OSC 5 requires developments over 2 ha to have an equipped play area. Guidance states this should be 10% of the development area – this equates to 0.26 ha. The proposed green space in the centre of the site with play features and combined with nearby amenity spaces make up about 0.15 ha. But the availability of open space alongside the development together with new play features within it means the 10% guidance figure can be considered achieved particularly in an urban setting.
- 10.2 Within the housing area the landscape strategy is generally good with many street trees planned. For these to be successful they need to be carefully located to avoid becoming a nuisance for residents or damaged. And to survive precise planting details will need to be agreed by condition as noted in the Tree Officer comments. Once highway and new utility layouts are known some street trees may not be put in. 237 new trees are planned inclusive of open space enhancements.
- 10.3 The proposal indicates 3 existing trees will be retained in the access road verge. This is good in principle but for the same reason as above this may not be practical. Other existing trees are generally clear of the housing development. Some tree loss is proposed as part of woodland enhancement and access to create good sightlines. Detail of which are to be lost is to be by condition once a more accurate survey can be carried out after undergrowth clearance and better knowledge of path and bridge locations. The extent of loss needs to be balanced with the objective of minimising loss of wildlife habitat.
- 10.4 The streamside and woodland enhancements will serve the new residents and benefit the wider community by making the area more attractive and accessible as well as increasing biodiversity. Whilst the area is generally good for wildlife in general it needs to be managed to ensure it does not get overrun with plants not suited to biodiversity. And new planting can increase biodiversity. This all ties in with the Site Allocation proposal of the woodland area being an informal nature reserve referred to in para. 10.3 above.
- 10.5 The applicants have said they do not wish to take ownership of the woodland and stream area. But long term management of the enhancements does need to be secured. If it stays in the Council's ownership that will be acceptable provided the Council has access to adequate additional money. Most of the enhancements

particularly those relating to access, play and recreation are the result of the applicant's housing development and the need to mitigate loss of open space on the site. Consequently its appropriate they contribute.

10.6 Regarding enhancements to the stream itself – re its flow, erosion, reedbeds etc. the Council has put the applicant in touch with the Wildfowl and Wetland Trust who organised the recent stream water quality improvement initiative for Salt Hill Stream. WWT have not responded to a consultation but the applicant says they have been involved with the design.

10.7 Overall the landscape and enhancements to open space etc. comply with Local Plan policy EN2, EN24 and Core Strategy policy EN 8 and 9.

11.0 **Transport, Highways and Parking**

11.1 Highway and Transport consultee comments at para. 6.11-13 above cover the key considerations. In brief the proposal complies with transport policy in terms of traffic impact and trip generation and highway design and refuse arrangements cycle and residential car parking subject to certain conditions and planning obligations.

11.2 Regarding car parking for residents a ratio of 0.95 spaces per home is agreed. This is below the normal standard, that equates to 1.6 spaces per dwelling, but the circumstances for departing from the standard are outlined at 6.13 above in particular the criteria for deciding the precise level of parking outlined in Core Strategy policy 7. And it should be noted the parking standard guidance states that standards can be applied flexibly for very accessible sites.

11.3 The need for space for Claycots School parent drop off and pick up parking displaced from Montem car park because of residential development is outlined at 6.13 above. A pre app scheme had included parking places within the site. That could be used for Arena overflow and parent parking. Without on site parking an alternative is needed Highway comments having outlined why despite measures to reduce car use parent parking is still needed. The comments outline that some on street parking could take place and that St. Martins Place parking could be used. The principle of Ice Arena overflow parking displaced from Montem (98 spaces) to St. Martins Place has been agreed by the Council as owner. Agreement for the same spaces to be used, during school term time during the school day only, is still under discussion. Clear owner agreement is needed for sufficient parking to be available for the matter to be resolved unless an alternative scheme is found.

- 11.4 Local Plan policy T9 is complied with as the layout will allow for possible bus access in the future.
- 11.5 The Controlled Parking Zone required will protect parking for residents of Henry Road, Finefield Walk and Montem Lane.
- 11.6 The requested public rapid charge to address air quality issues is likely to be located in part of the lay by on Montem Lane opposite St. Martins Place.
- 11.7 A car park management plan is required by condition to ensure an equitable allocation of places between tenures, residents with plug in electric vehicles, to prevent residents retaining spaces when not needed by them and prevent renting out of spaces to non residents.
- 11.8 Regarding Henry Road it should be noted that the applicant has incorporated, at the Council's request, a turning head at the end of Henry Road but within the application site. It will benefit existing residents and refuse collection by avoiding the need to reverse down Henry Rd. It will not serve the new development other than for refuse collection for one new block and one house. The existing pedestrian route from Henry Rd through to Chalvey will be provided for.
- 11.9 The north south spine path that runs near to the stream linking Salt Hill Park with Chalvey is a key link and contributes towards non car modes of travel. The path will be retained. Enhancements to the surrounding space and surveillance from windows of new homes near it will hopefully make it a more attractive route than now. By condition the existing link to Seymour Rd (steps, path, bridge) will be improved subject to Highway Officer views on the need for this
- 12.0 **Environment Matters**
- 12.1 The following environment related matters are dealt with above under respective consultee responses – Air Quality (6.18), soil contamination (6.20) environmental noise (6.19) and drainage (6.17) re sustainable drainage. Regarding sustainable design and construction the applicant's revised supporting information indicates the Council Core Strategy policy 8 can be met by constructing the development to be 15% better than current building regulations with regard to maximum carbon emissions levels. Air source heat pumps will be used for heating the flats not gas. Other aspects of climate change are dealt with under the Transport section (re minimising travel demand and promoting non car modes of travel); and the Open Space section re biodiversity, vegetation and water quality.
- 12.2 Responding to Natural England's comments and objection in

relation to effect on Burnham Beeches Special Area of Conservation firstly the policy referred to in their comments at 6.9 above is for South Bucks. It does not apply to Slough. But the principle of mitigation for any identified significant effects is accepted. Natural England have subsequently been sent a Habitats Regulations Assessment (HRA) including information that could satisfy requirements of an Appropriate Assessment. It concluded that the development by itself would not result in adverse effects on Burnham Beeches SAC. And, re the Appropriate Assessment, that any in-combination effects (i.e. when combined with other developments within Slough and within the 5.6km zone) could be mitigated by the open space enhancements integral to the proposed development (i.e. woodland/streamside/open space enhancements etc). Furthermore it states if further mitigation is required a suitable strategy can be agreed with the applicant. Natural England have been informed of the later in particular scope for a financial contribution to mitigation projects in Slough. A response is awaited.

12.3 Informal discussions with Natural England regarding all proposed future development in Slough and the need for mitigation have been held and a way forward identified. This is based upon the solution proposed and accepted by Natural England for development at the Akzo Nobel site involving money for mitigation works within Slough and Upton Court Park being a key site for such works. Before withdrawing their objection Natural England are seeking formal adoption of the proposal as a town wide approach for future major development within the 5.6km zone referred to. An update will be provided on the meeting amendment sheet with the expectation of withdrawal of the objection.

12.4 The Council have a duty to give due regard to comments from Natural England and take into account the Habitats Regulations Assessment. The applicant is indicating the proposal i.e. the planning application including open space etc. enhancements is sufficient mitigation without the specific need for a financial contribution. And that the Council is in a position to determine the application without the objection being withdrawn.

12.5 Internal discussions on this matter continue including adopting the Appropriate Assessment. Legal advice may be sought. It is hoped further discussion with Natural England will result in withdrawal of the objection. An update on this matter will be reported on the meeting amendment sheet together with any need to change the recommendation.

13.0 **Planning Obligation**

13.1 A Section 106 planning obligation agreement is required to make the development acceptable. Headings of key obligations are below

but cannot be completed unless negotiations regarding the amount and type of affordable housing and financial contributions are satisfactorily resolved :

Financial contributions for:

- Education £ 805,791
- Mitigation re Habitats Regs Assessment £ 73,698 (subject to the outcome of further internal discussion and liaison with Natural England)
- Controlled Parking Zone £6,000 (precise sum to be confirmed by Highways)
- Travel Plan monitoring £ 6,000

- Additional open space maintenance (contribution towards) £ 120,000 – this only applies if the existing open space stays within the Council's ownership.

- All index linked BCIS

Non financial items:

- Travel Plan
- Information Pack for residents and prospective purchasers re travel plan, parking space allocation, no parking permits available.
- Sign Highways Agreement (subject to confirmation)
- Affordable Housing : up to 35%; tenure to be agreed.
- Viability review mechanism (subject to valuers advice)
- Secure adequate off site Claycots School parent parking.

13.2 The contributions listed above are all considered to meet the tests of paragraph 56 of the NPPF in that they are necessary to make the scheme acceptable in planning terms, they are directly related to the development and are fairly and reasonably related in scale and kind to the development proposed

14.0 **Conclusion and planning balance**

14.1 The housing scheme, in general, makes good use of an area of previously developed land. The loss of some open space is mitigated by adequate new provision combined with enhancement of existing woodland, meadow and streamside areas which comprise about half of the application site and can help create an informal nature reserve as proposed in the Site Allocations of 2010. The loss further open space, as defined on the Local Plan, but in reality over already developed land is not significant in the circumstance described in the report. The layout has many good features in particular integrating the development with the edge of the open areas and providing links to it. Inclusion of family houses is very welcome in an otherwise medium density scheme of

apartments. But the layout and scale of development has in places resulted in some undesirable features. These can be accepted if the overall package in particular the affordable housing and planning obligation items are satisfactory. The outcome of continuing negotiations on these matters will be reported on the meeting amendment sheet including any change to the recommendation if a satisfactory outcome is not reached. At present the affordable housing and contributions available are not acceptable. The parking provision for residents is lower than the normal standards applied but reflects the site's location and the growing need to limit use of cars. The reprovision of school parent parking that the applicant has not provided for must be satisfactorily resolved for the planning permission to be granted. Regarding proposed mitigation for the possible adverse effects on Burnham Beeches (re Habitats Regulations Assessment) and Natural England's concerns discussions with them continue with the aim of the objection being withdrawn. An update on this matter will be reported on the meeting amendment sheet together with any need to change the recommendation. .

14.2 Regarding the planning balance there are significant benefits from the provision of 212 new homes in a sustainable location and making use, in part, of previously developed land. The inclusion of 25 3 bedroom family homes in the centre of the town is an additional benefit. The proposal currently includes 10% affordable housing with full contributions towards infrastructure. This is given limited weight at this time. If the applicant is able to provide affordable housing which is policy compliant together with the appropriate infrastructure to facilitate the development and mitigate the impacts of the development then a very significant benefit would occur and would then be given substantial weight in the planning balance. Securing financial contributions for infrastructure needed as a result of new demand generated by the development will avoid some public expenditure on providing the infrastructure. The degree of benefit will be dependent upon the outcome of negotiation. Enhancements to the woodland and streamside area for recreation and biodiversity and water quality will benefit the local community. A public rapid EV charger is also a benefit in terms of air quality. A turning head for Henry Road is a local public benefit. The possible adverse effect of extra trips on Burnham Beeches is a dis benefit but mitigation works should resolve this and benefit Slough if the works are carried out in Slough as currently proposed.

14.3 The scale of development in particular 4th storey on some blocks, does result in some less desirable and un desirable features regarding living conditions and the effect of character on open space. The low parking ratio and lack of school parent parking is a possible risk regarding pressure on local street parking and traffic flow etc. which will need to be managed by the Council. The degree of risk is as yet unknown in relation to parent parking because of

unresolved issues. Additional open space maintenance for the Council might be a dis benefit.

14.4 And any decision needs to take account of there being no 5 year supply of housing at present and NPPF paragraph 11 presumption in favour of sustainable development.

14.5 Subject to the satisfactory conclusion of affordable housing and financial contributions on balance it is recommended that planning permission should be granted in this case as the benefits outweigh any adverse impacts and conflicts with specific policies and guidance.

PART C: RECOMMENDATION

15.0 Recommendation

15.1 Having considered the relevant policies and comments that have been received from consultees and local interested parties, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to:

The resolution of the outstanding Natural England objection

- Satisfactory completion of a Section 106 planning obligation agreement to secure financial contributions towards education, HRA mitigation, travel plan monitoring, controlled parking zone and additional open space maintenance costs plus secure a travel plan, information pack, highway agreement, affordable housing, and viability review, secure adequate off site school parent parking space. ;
- finalising conditions; and any other minor changes.
- agreement of the pre-commencement conditions with the applicant/agent

OR

Refuse the application if the outstanding matters are not satisfactorily concluded or if the completion of the Section 106 planning obligation is not finalised by 13th May 2021 unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

PART D: LIST OF CONDITIONS.

1. Commence within three years

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. Approved plans

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

AA5991	2000	-	Site Location Plan
AA5991	2010	-	Existing Site Sections (sheet 1)
AA5991	2011	-	Existing Site Sections (sheet 2)
AA5991	2020	C	Proposed Site Plan - Roof Level
AA5991	2021	A	Proposed Site Plan - Ground Level
AA5991	2030	-	Proposed Site Sections (sheet 1)
AA5991	2031	-	Proposed Site Sections (sheet 2)
AA5991	2032	-	Proposed Site Sections (sheet 3)
AA5991	2600	A	Block A1/A2 Level -01
AA5991	2601	A	Block A1/A2 Level 00
AA5991	2602	A	Block A1/A2 Level 01
AA5991	2603	B	Block A1/A2 Level 02
AA5991	2604	A	Block A1/A2 Level 03
AA5991	2605	-	Block A1/A2 Roof Level
AA5991	2610	-	Block A3 Level 00 & 01
AA5991	2611	-	Block A3 Level 02 & 03
AA5991	2612	-	Block A3 Level Roof Level
AA5991	2615	-	Block A4 Level 00 & 01
AA5991	2616	-	Block A4 Level 02 & 03
AA5991	2617	-	Block A4 Roof Level
AA5991	2620	B	Block B1 Level 00 & 01
AA5991	2621	A	Block B1 Level 00 & Roof Level
AA5991	2625	A	Block C1 Level 00 & 01
AA5991	2626	A	Block C1 Level 00 & Roof Level
AA5991	2630	-	Block D1 Level 00 & 01
AA5991	2631	-	Block D1 Level 02 & RF
AA5991	2635	-	Block E1 Level 00 & 01
AA5991	2636	-	Block E1 Level 02 & 03
AA5991	2637	-	Block E1 Level RF
AA5991	2640	-	Block F1 Level 00 & 01
AA5991	2641	-	Block F1 Level 02 & 03
AA5991	2642	-	Block F1 Level RF
AA5991	2645	-	Block G1 Level 00 & 01
AA5991	2646	-	Block G1 Level 02 & 03

AA5991	2647	-	Block G1 Level RF
AA5991	2650	A	Block H1 Level 00 & 01
AA5991	2651	-	Block H1 Level 02 & RF
AA5991	2655	A	Block J1 Level 00 & 01
AA5991	2656	-	Block J1 Level RF
AA5991	2660	-	3B5P Detached House Type 1
AA5991	2661	-	3B5P Detached House Type 2
AA5991	2662	-	3B5P Detached House Type 3
AA5991	2663	-	3B5P Semi Detached House Type 1
AA5991	2664	-	3B6P Wide Front House Type 1
AA5991	2665	-	3B6P Terrace House Type 1 Plans
AA5991	2666	-	3B6P Terrace House Type 1 Elevations
AA5991	2700	A	Block A1/A2 Elevations (Sheet 1)
AA5991	2701	-	Block A1/A2 Elevations (Sheet 2)
AA5991	2702	-	Block A1/A2 Elevations (Sheet 3)
AA5991	2705	-	Block A3 Elevations
AA5991	2710	-	Block A4 Elevations
AA5991	2715	-	Block B1 Elevations
AA5991	2720	A	Block C1 Elevations
AA5991	2725	-	Block D1 Elevations
AA5991	2730	-	Block E1 Elevations
AA5991	2735	-	Block F1 Elevations
AA5991	2740	-	Block G1 Elevations
AA5991	2745	-	Block H1 Elevations
AA5991	2750	-	Block J1 Elevations

Informative : the maximum number of dwellings shown on the approved plans is 212.

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. Details of building materials

Details of external materials to be used on 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 amenity of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

4. Levels

Construction of buildings and roads shall not commence until details of finished floor levels of ground floor units and finished levels of roads, paths and parking areas have been submitted to and approved in writing by the

local planning authority.

REASON In the interest of amenity, living conditions, safety of refuse collection and to be in accordance with the policy 8 of the Core Strategy 2008.

5. Landscape Design Residential Area

For the residential development area construction works shall not commence until full details of hard and soft landscaping works and details of phasing of implementation have been submitted to and approved in writing by the Local Planning Authority.

The details to be submitted shall include existing trees and hedges retained, highway sightlines, existing services and allowance for proposed services, planting plans, plant and tree sizes or numbers/densities where appropriate, species, cultivation specifications, tree, plant and grass establishment details and existing and finished ground levels. The details shall include play features, tree pit design, underground modular systems, sustainable urban drainage integration. Phasing shall provide for rear garden trees to be planted prior to occupation of the associated dwelling.

The landscaping works shall be carried out as approved and in accordance with the approved phasing. All landscaping works shall be carried out before the end of the next planting season following completion of the buildings within the development.

REASON To ensure the landscape proposals are clearly defined, appropriate and in the interest of the visual amenity of the development, the surrounding area and future residents. And in the interest of sustainability (biodiversity and climate change) and public health (space for recreation). And to be in accordance with Core Strategy policy 8, 9, 10 and Local Plan policy EN3, OSC5.

6. Landscape Design, streamside and woodland area

For the streamside and woodland area landscaping construction works shall not commence above ground floor slab level of any approved building until full details of hard and soft landscaping works and details of phasing of implementation have been submitted to and approved in writing by the Local Planning Authority.

The details to be submitted shall include existing trees and hedges retained, existing trees transplanted, existing services and allowance for proposed services, planting plans, plant and tree sizes or numbers/densities where appropriate, species, cultivation specifications, tree, plant and grass establishment details and existing and finished ground levels. The details shall include play and recreation features, paths, signage, spring outlet feature, the 2 bridges, works to the stream bed and banks, improvements to path, steps and bridge on existing path

link to Seymour Rd. Notwithstanding the layout details submitted as part of the application the details shall also include precise bridge and childrens slide locations (coordinated with tree survey results (known and to be surveyed) and root protection provisions approved pursuant to condition 9). Bridge details shall include a full specification including information on life span of elements of the bridge. [reference to design and access statement landscape ? tbc]

The extent of the streamside shall be the full length of it within the application site from Bath Rd to Church St.

All hard and soft landscaping works shall be carried out as approved, in accordance with the approved phasing details and all works shall be completed before occupation of 200 dwellings.

REASON To ensure the landscape proposals are clearly defined, appropriate and in the interest of the visual amenity of the development, the surrounding area and future residents. And to mitigate the loss of open space within the site. All in the interest of sustainability (biodiversity and climate change) and public health (space for recreation). And to be in accordance with Core Strategy policy 8, 9, 10 and Local Plan policy EN3, OSC1 and EN24.

7. Landscape management plan residential development site

No development hereby permitted shall take place after completion of the roof of the first dwelling to receive a roof until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas other than the privately owned domestic gardens, shown on the landscape plan approved pursuant to condition 5 and shall include a time scale for implementation.

The plan shall also include arrangements to allow public access to the open space with play features (referred to as village green in the application) within the middle of the residential area.

The plan shall be implemented in accordance with the approved details.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Policy EN3 and OSC 5 of The Adopted Local Plan for Slough 2004.

8. Soft Landscape Maintenance

Within a five year period following the implementation of the soft landscaping scheme (approved pursuant to condition 5 and 6), if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the

next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON To ensure the establishment of planting and long term retention of landscaping within the development to meet the objectives of Policy EN3 and OSC 5 of The Adopted Local Plan for Slough 2004 and Core Strategy 2008 policy 8 & 9.

9. Boundary treatment

No development shall commence above ground floor slab level until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until its associated boundary treatment (including external spaces adjacent to the building) is in place in accordance with the approved details and shall be retained and maintained thereafter.

The details shall include, for houses, access gates to rear garden gates suitable for refuse bins together with lock details and construction detail to show how future mortice locks (usable from both sides) could reasonably be fitted.

REASON In the interests of the visual amenity of the area and crime prevention accordance with Policy EN3 of the Adopted Local Plan for Slough 2004 and Core Strategy 2008 policy 12.

10. Tree Protection

No development shall commence until a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall have been submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatment works.
- e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where

- they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
 - h) a specification for scaffolding and ground protection within tree protection zones.
 - i) Tree protection during construction indicated on a TPP and construction activities clearly identified as prohibited in this area.
 - j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
 - k) Boundary treatments within the RPA
 - l) Methodology and detailed assessment of root pruning
 - m) Arboricultural supervision and inspection by a suitably qualified tree specialist
 - n) Reporting of inspection and supervision
 - o) Methods to improve the rooting environment for retained and proposed trees and landscaping
 - p) Veteran and ancient tree protection and management

The development thereafter shall be implemented in strict accordance with the approved details.

(Informative : The following British Standards should be referred to:

- a) BS: 3998:2010 Tree work – Recommendations
- b) BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations)

REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with (Core Strategy 2006 - 2026 (adopted December 2008) and pursuant to section 197 of the Town and Country Planning Act 1990

11. Cycle storage

No construction works above ground floor slab level of an individual building shall be begun until details of its cycle storage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until its associated cycle storage has been provided in accordance with the approved details and shall be retained and maintained thereafter. The details shall include visitor spaces shown on the approved layout.

REASON To ensure that there is adequate and secure cycle parking available at the site in accordance with Policy T8 of The Adopted Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

12. Refuse Bin Stores

No apartment shall be occupied until its associated refuse store has been provided (1) in accordance with the approved building drawings and (2) with path access to the store from the adjacent highway in accordance with the approved layout and levels approved pursuant to condition 4 and (3) with a dropped kerb where the path meets the highway or roadway at the collection point. The store and path shall be retained and maintained thereafter.

REASON In the interest of public health and safety of operatives and to be in accordance with Local Plan policy EN1.

13. Lighting Scheme

No dwelling shall be occupied until its associated exterior lighting has been installed in accordance with details that have first been submitted to and approved in writing by the local planning authority. The lighting shall be retained and maintained thereafter in accordance with the details approved. The details shall include location, type and levels of illumination. Associated exterior lighting means any that serves the access to the dwelling or serves the external space around the dwelling.

REASON To ensure that a satisfactory lighting scheme is implemented as part of the development in the interests of residential and visual amenity and to comply with the provisions of Policy EN1 of The Adopted Local Plan for Slough 2004.

14. Crime prevention and entry points

No construction work shall commence above ground floor slab level (or lower ground for block A1/A2) of an individual apartment block building until its access control measures have been submitted to and been approved by the local planning authority. The access control measures shall comprise control of entry to the building (front and rear door, bike store and for block A1/A2 entry from car park to deck, entry to lift and stair well). No apartment dwelling in a block shall be occupied until its blocks associated entry point control measures have been installed in accordance with the approved details and shall be retained and maintained thereafter.

REASON In the interest of crime prevention and to be in accordance with policy 12 of the Core Strategy 2008.

15. Noise attenuation and ventilation measures

No dwelling shall be occupied in the identified area described below until its associated glazing and ventilation have been installed in accordance with details at table 5-2 of the submitted report - Noise & Vibration Assessment WSP Date: Oct 2020 Ref/ Revision: 1a. The identified dwellings are those with facades coloured yellow or blue on drawing at

Figure 1 in appendix H of the above document (info. note i.e. generally but not specifically dwellings along or near the south west and north east sides of the site). The glazing and ventilation shall be retained and maintained thereafter.

REASON : In the interest of the living conditions of future residents in site and to be in accordance with Slough Core Strategy 2006-2026 policy 8.

16. Car Club Spaces and charger

No more than 150 dwellings shall be occupied until 2 car club parking spaces have been laid out in accordance with details (marking/signing/location/club) that have first been submitted to and approved in writing by the local planning authority. (Informative – liaise with Environmental Quality team re Town Centre Electric Car Club)

No more than 150 dwellings shall be occupied until the 2 car club spaces have been installed with a useable fast charge electric vehicle charging point (to serve both spaces). The charge point shall be Type 2 socket and be rated to at least 7kW and be in accordance with details that shall have first been submitted to and approved in writing by the local planning authority.

The car club spaces and charger shall thereafter be maintained and retained as approved.

REASON In the interest of public health in particular air quality; in the interest of reducing carbon emissions and car use and to be in accordance with Slough Core Strategy 2006-2026 policy 7 & 8

17. Electric Vehicle Charging Point Rapid Public

No more than 150 dwellings shall be occupied until the lay by on Montem Lane within the application site has been installed with a useable rapid 50 kW charge electric vehicle charging point in accordance with details that shall have first been submitted to and approved in writing by the local planning authority. (informative , the layby is public highway; highway authority agreement will be needed to carry out the work).

REASON In the interest of public health in particular air quality and reducing carbon emissions and to be in accordance with Slough Core Strategy 2006-2026 policy 8.

18. Electric Vehicle Charging Points Houses

No house with its own parking space shall be occupied until its respective electric vehicle charging infrastructure has been installed and is available for use. The charging infrastructure shall be Type 2 socket and be rated to at least 3.6kW 16amp to 7kW 30amp single phase. The charging point shall be maintained and retained thereafter.

REASON In the interest of public health in particular air quality and reducing carbon emission and to be in accordance with Slough Core Strategy 2006-2026 policy 8.

19. Electric Vehicle Charging Points Flats

No flat in a block with proposed electric vehicle charging point(s) shall be occupied until the blocks respective electric vehicle charging infrastructure has been installed and is available for use in accordance with an approved scheme that has first been submitted to and been approved in writing by the local planning authority. The charging infrastructure shall be Type 2 socket and be rated to at least 3.6kW 16amp to 7kW 30amp single phase. The scheme shall identify 10% of the parking spaces for flats that will have charging points and spaces shall be distributed across the development in terms of the various parking areas for flats. The charging points shall be maintained and retained thereafter.

REASON In the interest of public health in particular air quality and reducing carbon emissions and to be in accordance with Slough Core Strategy 2006-2026 policy 8.

20. Gas fired boilers

Any individual gas fired boiler fitted in a home shall be specified and fitted such that it will emit no more than 40mg NOx/kWh.

REASON In the interest of public health in particular air quality and to be in accordance with Slough Core Strategy 2006-2026 policy 8.

21. Construction Environment Management Plan

Development shall not commence until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. The construction of the development shall be carried out in accordance with the approved Construction Environment Management Plan. The Plan shall include details of :

Dust Management Plan with details of dust monitoring
Loading, unloading and storage of plant and materials
Turning space for construction vehicles within the site
Parking for site operatives and visitors' vehicles
Management of construction traffic and access/haul routes and delivery hours (see below)
Wheel cleaning facilities and arrangements for removal of mud from public highway
Measures to limit nuisance from noise and vibration at 22 Henry Rd and 63 Montem Lane.
Hoarding lines that will not obstruct the existing tarmac path that runs above the stream bank from the arena to Newberry Way.

Construction Hours (see below)

Complaints procedures

Delivery hours shall not be at peak periods Mon-Fri 0700-10.00; 16.00-19.00.

Construction activity audible at the site boundary shall not take place between the hours of 18:00 to 08:00 Monday to Friday 13:00 to 08:00 hours Saturday and at no time on Sunday nor public holidays.

REASON In the interest of the living conditions of residents adjacent to the site; users of the adjacent highway, public health (re air quality), all in accordance with Development Plan policies.

22. Vehicle and plant emissions

Construction vehicles using the site shall meet a minimum of EURO 6/VI engine emission standards.

Non-road mobile machinery of net power between 37kW and 560kW used for demolition and construction shall meet NOx (Nitrogen Oxides) and Particulate Matter engine emissions standards in EU Directive 97/68/EC and its subsequent amendments. The standard to be met is stage IV (the development being classified as major).

(Informative : The requirements may be met using the following techniques; (a) Reorganisation of NRMM fleet (b) Replacing equipment (with new or second hand equipment which meets the policy) (c) Retrofit abatement technologies (d) Re-engining. All eligible NRMM should meet the standards above unless it can be demonstrated that the machinery is not available or that a comprehensive retrofit to meet both PM and NOx emission standards is not feasible.

REASON In the interest of public health in particular air quality in general and minimising further air quality problems within identified Air Quality Management Areas in the Borough and in accordance with Slough Core Strategy 2006-2026 policy 8.

23. Sustainable Design and Construction Development

No dwelling shall be occupied in a building until that buildings associated low or zero carbon energy scheme measures have been installed and are operational. The scheme measures shall be installed in accordance with the submitted details in report Desco Ltd Energy Strategy Montem Lane rev 2 dated Dec 2020 in particular use of air source heat pumps for apartments and buildings to be constructed to be 15% better than Building Regulations 2013 part L1A in terms of carbon emissions and TER.

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008.

24. Rain Water Storage

Prior to the occupation of each house that has a down pipe on its rear or side elevation a rain water storage container shall be installed in accordance with the following (unless otherwise agreed by the local planning authority) : The butt or tank capacity shall be at least 150 litres for two bedroom houses and be at least 200 litres for houses with three or more bedrooms.

REASON In the interest of sustainable development in particular reduction of fresh water consumption in accordance with Policy 8 of the Core Strategy 2008.

25. Thames Water, water supply, timing

There shall be no occupation beyond the 49th dwelling until confirmation has been provided that either (1) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or (2) a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON The development may low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues.

26. Surface water

No construction works shall commence until details and management of the surface water drainage system have been submitted to and approved in writing by the Local Planning Authority. No home shall be occupied until the drainage system that serves that dwelling and its associated access from the existing public highway and associated hardstandings has been implemented in accordance with the approved details. No more than 200 dwellings shall be occupied until the full drainage system has been implemented in accordance with the approved details. The system shall be retained thereafter and maintained thereafter in accordance with the approved management details.

No surface water from the development shall drain onto the public highway.

REASON To prevent the risk of flooding in accordance with Policy 8 of the Core Strategy 2006-2026. And to minimise danger and inconvenience to highway users.

27. New access

No development shall commence until details of the new means of access are submitted to and approved in writing by the Local Planning Authority. The access shall be formed, laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Adopted Vehicle Crossover Policy.

The access shall be constructed to base course level prior to its use for access to the construction of buildings or access for vehicles involved with site earthworks. No dwelling shall be occupied until the access has been completed.

(Informative : a highway works agreement will need to be completed before works in the public highway commence).

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions prejudicial of general safety along the neighbouring highway in accordance with Policy 7 of the Core Strategy 2008. And in order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

28. Yellow Box at access junction

No dwelling shall be occupied until a yellow box or Keep Clear road markings at the site access junction has been marked out. (Informative : a minor highway works agreement will need to be completed before works commence).

REASON in the interest of road safety and free flow of traffic in particular to ensure vehicles can ingress and egress the site in the event vehicles queue back from the Montem Lane / A4 Junction.

29. Internal access roads, paths, parking

No dwelling shall be occupied until the internal access roads footpath and vehicular parking and turning space serving that dwelling has been provided in accordance with approved plans. The 200 th dwelling shall not be occupied until all the access roads footways and footpaths and vehicular parking and turning spaces have been provided in accordance with approved plans and they shall not be used for any other purpose in the future.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network; and to encourage use of non car modes of travel. All in accordance with Core Strategy 2008 policy 7.

30. Car Park Management Scheme

No construction work above ground floor slab level shall commence until a car parking management scheme has first been submitted to and been approved by in writing by the local planning authority. No dwelling shall be occupied the car park management scheme has been implemented in accordance with the approved scheme. The scheme shall include details to ensure parking spaces are not permanently linked to specific dwellings, how spaces will be allocated to occupiers who need them, what happens when dwellings are sold, how electric charging point parking spaces are allocated, the equitable provision of spaces for affordable housing tenants, identification of visitor spaces, management of correct use of spaces.

Informative: Sec 106 obligation requires details of the scheme to be available to prospective purchasers.

REASON In the interest of the free flow of traffic and road safety on the nearby public highway. And to ensure optimum use of parking spaces and electric vehicle charging points re sustainable development.

31. Spine path Bath Rd to Newberry Way

The pedestrian and cycle path running east of the stream from Bath Road to Newberry Way shall remain open during the construction works unless a temporary diversion is necessary and has been formed/laid out and signed in accordance with details first submitted to and approved in writing by the local planning authority.

REASON In the interest of safty and convenient access for pedestrians and cyclists.

32. Phase 1 Desk Study and Preliminary Risk Assessment

Development works shall not commence until a Phase 1 Desk Study (DS) has been has been submitted to and approved in writing by the Local Planning Authority. The Phase 1 Desk Study shall be carried out by a competent person in accordance with Government, Environment Agency and Department for Environment, Food and Rural Affairs (DEFRA) guidance and approved Codes of practices, including but not limited to, the Environment Agency model procedure for the Management of Land Contamination CLR11 and Contaminated Land Exposure Assessment (CLEA) framework, and CIRIA Contaminated Land Risk Assessment Guide to Good Practice C552. The Phase 1 Desk Study shall incorporate a desk study (including a site walkover) to identify all potential sources of contamination at the site, potential receptors and potential pollutant linkages (PPLs) to inform the site preliminary Conceptual Site Model (CSM) and Preliminary Risk Assessment (PRA).

REASON: To ensure that the site is adequately risk assessed for the proposed development and in accordance with Policy 8 of the Core Strategy 2008.

33. Phase 2 Intrusive Investigation Method Statement

Should the findings of the Phase 1 Desk Study approved pursuant to the Phase 1 Desk Study condition identify 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.

34. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy

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.

35. Remediation Validation

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.

36. Removal of Permitted Development rights - outbuildings

Notwithstanding the terms and provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order), Schedule 2, Part 1, Class E no buildings greater than 25 cubic metres shall be erected, constructed or placed on the site without the express permission of the Local Planning Authority.

REASON In the interest of residential amenity in particular retaining gardens that are small for the size of property and location of the development.

37. Removal of Permitted Development rights – extensions

Notwithstanding the terms and provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order), Schedule 2, Part 1, Class A no building shall be enlarged more than 5 cubic metres without the express permission of the Local Planning Authority

REASON In the interest of residential amenity in particular the protection of garden space.

38. Woodland & Ecological Management Plan

to be inserted if required (only needed if no commitment for land to remain in SBC ownership & additional costs agreed)

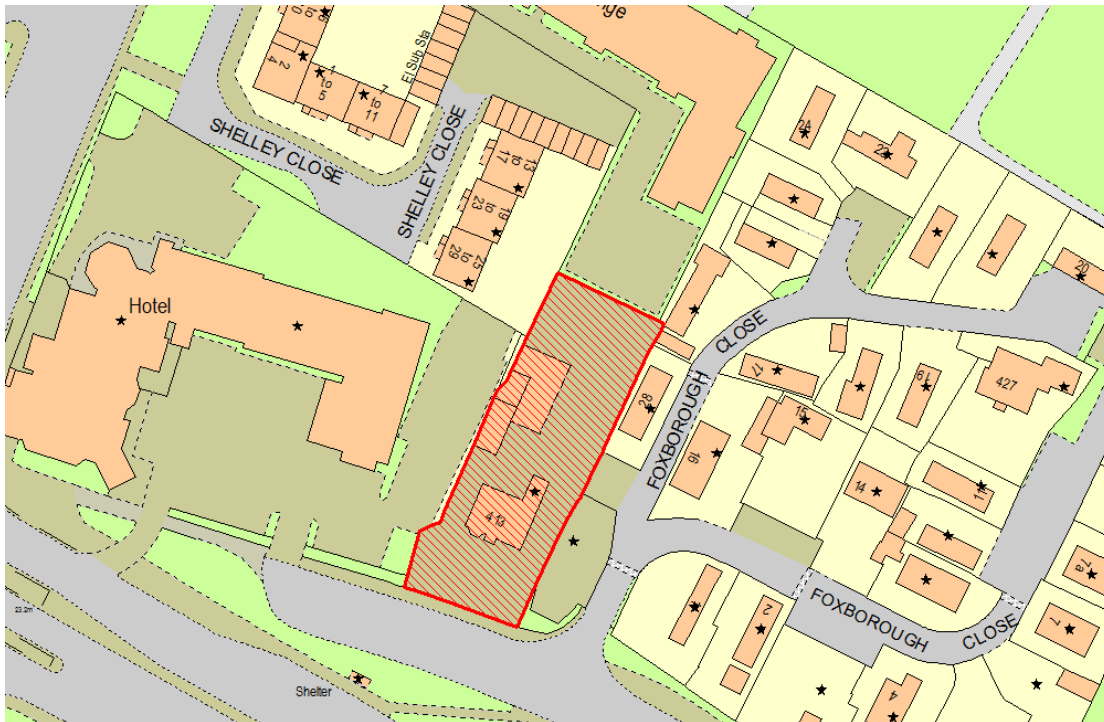
INFORMATIVE(S):

1. Informatives to be completed.

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Registration Date:	03-Jul-2020	Application No:	P/00331/004
Officer:	Michael Scott	Ward:	Foxborough
Applicant:	Mapgro	Application Type:	Major
		Extension of Time:	31 Jan 2021
Agent:	Zyntax Chartered Architects, 8, Arborfield Close, Slough, SL1 2JW		
Location:	Austin Brothers, 413, London Road, Slough, SL3 8PS		
Proposal:	Construction of 14no. flats comprising 10no. 2-bedroom flats, 3no. 1-bedroom flats and 1no. studio flat with associated parking and amenity.		

Recommendation: Delegate to the Planning Manager for approval



SUPPLEMENTARY REPORT

1.0 SUMMARY OF RECOMMENDATION

- 1.1 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 delegated to the Planning Manager for approval subject to: no substantive concerns are raised by the Local Lead Flood Authority; in order to finalise conditions and agree pre-commencement conditions; and any other minor changes
- 1.2 Under the current constitution, this application is to be determined at Planning Committee, as it is an application for a major development comprising more than 10 dwellings.

2.0 Introduction

- 2.1 At the meeting of the Planning Committee on 14th October 2020, Members deferred the determination of the application; so that, officers could hold further discussions with the applicant and their agent regarding their “parking concerns”.
- 2.2 Members expressed views on the proposed parking provision. Essentially these were that the scheme should meet the Council’s parking standards. This supplementary report considers the parking and transport matters. The previous report submitted to the Planning Committee in October 2020 is attached as Appendix which considered the other material planning considerations.
- 2.3 The applicant has responded with a revised form of development. They have introduced four additional parking spaces and confirmed that all of the new total of 18 spaces would be provided with electric vehicle charger facilities. This has been facilitated by reducing the footprint of the ground floor of each of the two proposed buildings in order to accommodate some undercroft parking. Accordingly, the scheme is now described as comprising “10no. 2-bedroom flats, 3no. 1-bedroom flats and 1no. studio flat”. There are only corresponding changes to appearance and no other changes to the substantive scheme.
- 2.4 Furthermore, the applicant’s have submitted a transport consultant’s report setting out their justification for the revised car parking provision, as well as, addressing issues raised by the Highway Authority regarding manoeuvrability within the site.

3.0 **Parking and highways**

3.1 Highways have reviewed the applicant's Transport Statement and made the following comments:

The planning application is for the development of 14 dwellings comprising:

- 10 2-bedroom apartments;
- 3 1-bedroom apartments; and
- 1 studio flat

18 parking spaces are proposed with the provision of 14 allocated parking spaces at a ratio of 1 allocated parking space per dwelling. It is proposed that four parking spaces would be provided for the use of visitors. 14 [sic – NOTE – all 18 spaces would have] Electric Vehicle Charging Points will be provided for the parking spaces allocated to dwellings in accordance with the requirements of Table 7 of the Slough Low Emissions Strategy (2018 – 2025).

SBC Highways and Transport Comments

Vehicular Access

The proposed crossover has been situated on the site's western boundary at the request of SBC to provide the best possible separation between the site access and the junction of Foxborough Close with the London Road service road. Drawing No. ITB16328-GA-001-Rev C displays visibility from the proposed site access, displaying 2.4m x 26.6m to the right of the proposed access and 2.4m x 43m to the left of the access. It is considered that this level of visibility is appropriate for this access when taking into account the location of the access and the likely speed of vehicles along this section of the London Road service road.

Layout

The Transport Statement provides vehicle tracking of each parking space on Drawing ITB16328-GA-00-Rev-A which demonstrates that large estate cars can ingress and egress the majority of parking spaces on the proposed site layout. However the tracking requires dry steering for the vehicle to access the majority of parking spaces and the tracking also demonstrates that an estate car cannot access Space 7 without overhanging the edge of the space as the space does not meet the minimum dimensions of 2.4m x 4.8m. SBC cannot accept a layout where dry steering is necessary to ingress/egress each parking space. The applicant benefits from an empty site and therefore the proposed parking layout should be designed to allow ease of maneuverability for vehicles.

Tracking has also been provided which demonstrates that a Fire Tender can safely ingress/egress the site in a forward gear.

Access by Sustainable Travel Modes

The site has an SBC PTAL rating of 1b which indicates a low level of public transport accessibility. PTAL ratings with Slough range from 1a in the areas with least access to public transport and a PTAL of 5 within the Town Centre area surrounding Slough Railway Station and the Bus Station. The site is located approximately 4,000m from Slough Town Centre and the main High Street.

Drainage

The submission included an assessment of the Sustainable Urban Drainage Scheme (SUDS) options produced by Drainage Consultant GeoSmart. The report identifies that a site investigation is required to investigate groundwater levels and formation thicknesses and to confirm infiltration rates, before it can be confirmed whether surface runoff can be drained on site or whether a connection to the public sewer network.

SBC require the completion of the Site Investigation before agreement of the drainage strategy.

It is recommended that final details of the drainage strategy are secured by condition if the site investigation cannot be completed prior to determination. No surface water from the development should drain onto the public highway.

Trip Generation and Traffic Impact

The Transport Statement for the proposed development has estimated the site's potential trip generation based on trip rates obtained from the TRICS database. The assessment concludes that the proposed development will generate 3 two-way trips during the A.M and P.M peak hours, which SBC consider an unrealistically low level of trip generation for a development in this location with at least 14 car parking spaces. The trip rates are not considered acceptable and are based on inappropriate survey data.

The applicant is required to revise the trip rates obtained for the site to ensure they are based on survey sites which are compatible with the site location for the proposed development and those sites have been selected based on the guidance contained within the TRICS Good Practice Guide (2021).

SBC request that the revised trip generation assessment is completed on the following basis:

- Consideration of survey sites in Edge of Town/Suburban Locations in close proximity to the Strategic Road Network, similar to the 413 London Road site;
- Removal of survey site: DS-03-C-02 – Burton Road, Derby. This TRICS survey was completed on a Saturday and the data is inappropriate for estimating the development site's trip generation for the peak hours on a weekday. The survey for this site recorded 0 two-way trips during the AM Peak Hour and 1 two-way trips during the PM Peak Hour. The inclusion of this data results in a lower average trip rate. As stated in Paragraph 11.5 of the TRICS Good Practice Guide, users should not mix weekday and weekend surveys together in a selected trip rate calculation, as this produces a "hybrid" profile which is not representative of any day.
- Removal of survey site: DS-03-C-03 - Caesar Street, Derby. This site has 16 parking spaces for 30 dwellings and a ratio of 0.533 parking spaces per dwelling. Therefore the vehicular trip rate per dwelling from this site is uncomparable with the proposed development at 413 London Road. The inclusion of this data results in a lower average trip rate.

The TS states in paragraph 5.2.2 that trip rates have been obtained on the basis that 100% of the development will comprise privately owned housing, '*when in reality there will be an element of affordable flats*' and therefore the trip rates provide an overly robust assessment. However Section 16 of the application forms states that all of the housing provided will be private, market housing. Therefore it is accurate for the assessment to be undertaken on the basis of 100% privately owned/rented dwellings, but the assessment cannot be considered overly robust for this reason.

Parking

The proposed development is required to provide a number of parking spaces compliant with the Slough Borough Council Parking Standards, as detailed in comments provided by SBC on 23rd October by email. The Slough Core Strategy (2008 – 2026) identifies that minimum parking standards should continue to be applied in existing residential areas, stating that: '*The minimum parking standards may continue to be applied to any small scale residential development that is allowed within the existing residential areas under the Spatial Strategy. This would take account of the expected levels of car ownership and recognize the importance of promoting good design in order to protect the character and amenities of the suburban areas*' – Paragraph 7.132. Therefore the SBC Parking Standards should be applied given the site is a small scale residential development in an existing residential area. The parking requirement for the proposed development is provided below in Table 1:

Table 1: Parking Requirement for 413 London Road

	Spaces Per Dwelling (Existing Residential Area)		Required Spaces (Allocated)	
	Car	Cycle	Car	Cycle
1 Bedroom Flat	1.5	1	6	4
2 Bedroom Flat	2.0	1	20	10
Total			26	14

Source: Slough Borough Council Developers Guide – Part 3: Highways and Transport.

As detailed above in Table 1, 26 parking spaces are required for the proposed development based on the SBC Parking Standards for an existing residential area with fully allocated parking. Allocated parking is considered most appropriate for this site to prevent the overspill of parked vehicles onto Foxborough Close or the London Road service road. The proposals are a shortfall of 12 spaces compared to the SBC Parking Standards

Alternatively, if a suitable communal parking layout can be proposed, 23 parking spaces will be required. The proposed 14 spaces still represent a shortfall of 9 spaces against the SBC Parking Standards. The TS highlights that the SBC parking standards will be applied flexibly for residential development in very accessible locations. However, the site cannot be considered highly accessible given it sits outside of the Town Centre and outside of Langley Village Centre. The site has a PTAL rating of 1b which indicates low public transport accessibility. Slough Town Centre has a PTAL rating of 5. In addition, the site is situated in close proximity to Junction 5 of the M4. From the M4, drivers can connect to several motorways including the M25, M40, A404M and M3. Therefore the site location makes the car the most attractive transport mode for journeys to destinations within the wider sub-region such as Reading, Newbury, Maidenhead, Basingstoke and West London, particularly given Highways England's Smart Motorway scheme will increase M4 capacity between junctions 3 and 12.

The submitted TS highlights journey times from Slough and Langley to key destinations, however the TS does not acknowledge time required for residents to travel from the site to the rail stations or frequency/waiting time of the rail and bus services. The close proximity of the M4 will therefore ensure the car is the most attractive travel mode for destinations outside of Slough.

Therefore SBC do not consider this a sustainable location suitable to support low levels of Car Ownership or parking provision below the

Slough Borough Council Parking Standards.

The TS prepared by i-Transport includes Car Ownership Data for flats within Foxborough Ward, which were recorded in the 2011 Census and this demonstrates that average car ownership within the ward is 0.78 cars per flat. This data cannot be accepted as justification for the proposed parking ratio because the TS does not detail if the data has been extracted based on tenure which is important given there is a relationship between disposable income, tenure and car ownership. The Car Ownership data for flats should be provided solely for privately rented/owned flats given the proposed flats will be entirely privately rented/owned.

In addition the proposed development site is situated within the south of the Foxborough Ward and accessibility differs across the Foxborough Ward with dwellings in the north located in closer proximity to Langley Station and the retail offering on Langley High Street. SBC request that the Car Ownership data for flats is instead provided for Slough 0013E where public transport accessibility and levels of car ownership are likely to better represent the site. SBC also request that data is provided for only privately rented/owned flats, given the application forms state that the flats will comprise entirely market housing with none of the flats let as social or affordable housing.

Servicing and Refuse Collection

The TS provides vehicle tracking which demonstrates that a delivery vehicle measuring 7.170m long can safely ingress and egress the site in a forward gear.

The TS also provides tracking which shows that the refuse vehicle would reverse into the site access to allow the vehicle to egress the site onto the London Road service road in a forward gear. It is assumed waste collection would then occur whilst the refuse vehicle waits within the site access.

Summary and Conclusions

Mindful of the above, I am satisfied that this proposal will have a detrimental affect on the operation of the local highway network. I would therefore recommend that the application be revised in accordance with my comments. If this cannot be achieved then this application should be refused for the reason(s) given:

Prematurity

The proposed development is premature until such time that the applicant has demonstrated that the application, if approved, will not be detrimental to the safe operation of the adjacent and wider highway network. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

Poor Layout

The layout as submitted is unacceptable and as such would result in an unsatisfactory form of development. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

Car Parking

The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted is likely to lead to additional on street car parking or to the obstruction of the access to the detriment of highway safety and convenience. The development is contrary to Slough Borough Council Local Plan Policy T2.

3.2 These observations were sent to the applicant who has responded to the matters raised; namely:

- Layout – Although most vehicles now have power steering, the tracking was demonstrated using dry-steering, which is appropriate as spaces are usually entered in a number of turns. As such, the agent disputes that dry steering is not acceptable. The diagrams use a large estate car, as it provides a robust assessment. The single space which did not meet the proper dimensions has been altered to comply on the revised site layout drawing.
- Accessibility – Foremost, the agent's dispute that accessibility should be assessed in terms of distance from Slough Town centre; as, they provided considerable data on the range of facilities within Langley, which is a designated District Centre, lies close-by and demonstrates that the site is a sustainable location. (i) The site is within 50m and 235m respectively of the east- and west-bound bus stops on the A4, which have nine bus services an hour. There are further bus stops on Langley High Street within 500 metres. (ii) They consider Langley rail station, with Crossrail services, to be an attractive draw, which would encourage future residents to make the additional effort to reach this station, or alternatively use a bus to Slough main railway station and avail themselves of the greater range of services there. (iii) Their response states "that 80% of journeys shorter than 1 mile are made of foot" (taken from 'Planning for Walking 2015 by Chartered Institution of Highways and Transportation); so, it identifies the considerable number of local facilities within reasonable walking (defined as upto 1600 metres). And adds those facilities within the average cycle distance (defined as upto 5200 metres) of the site. As such, they conclude the site is accessible for residents using sustainable modes of transport. (iv) The report sets out that 55% of the existing residents in the local area commute to Heathrow, Slough, Maidenhead, Windsor, Bracknell, Langley, Colnbrook, and Hounslow. So, the public transport accessibility of the site to those destinations

would represent a opportunity to utilise sustainable modes of transport for employment.

- Trip generation – They have recalibrated the trip generation using the parameters set by SBC Highways. They then concluded that the site would generate 6-7 trips per hour, which would have no material impact on the operation of the highway network.
- Parking provision – Further to their analysis of car ownership rates and SBC Highways comment of the tenure of the proposed development, they have revised their calculations and conclude that some 16 spaces would be required. As the revised scheme now provides 18 spaces, they set out that this would be sufficient. Furthermore, there is unrestricted kerb-side parking on the access road immediately adjacent the site, which can accommodate some six vehicles were overflow parking to be required occasionally.

3.3 The Highway Authority (HA) has been asked to respond and their final views are still awaited.

4.0 **Summary and Conclusion**

4.1 The revised scheme provides 18 car parking spaces for 14 units – a ratio of 1:1.3 Whereas the Council’s car parking standards represent 1:1.8 for allocated parking and 1:1.6 for communal parking.

4.2 There are bus stops immediately close-by and within reasonable walking distance of the site, which offer direct services to a wide range of destinations, as well as links to rail services at Langley and Slough railway stations.

4.3 The internal site layout demonstrably functions. The tracking diagrams illustrate the functionality of the layout and it is not acceptable to dismiss the approach on the basis of dry steering. There are no concerns for fire/emergency vehicle using the layout.

4.4 Paragraph 109 of the National Planning Policy Framework states that *‘Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’*.

4.5 As such, it is necessary to make the following points to address Highway’s three reasons for refusal:

- (a) It is inappropriate to argue that the proposals are “premature”, because the applicant has set out how the scheme does not impair the safe operation of the adjacent highway in their Transport Statement. It is for the Highway Authority to explain in

what manner the scheme would be detrimental to the users of the highway network.

- (b) There are no grounds for the HA to conclude that the layout is “unacceptable”. The applicant has demonstrated the layout is accessible for future residents, their visitors, and emergency services.
- (c) Whilst it is acknowledged that the proposals do not meet the Council’s parking standards, the applicant has sought to provide documentation to justify their parking proposals in relation to the factors relating to accessibility to local facilities and car ownership. They have sought to demonstrate that any overspill can be safely accommodated and argue that there would not be any obstruction of the access.

4.6 To date the Highway Authority have not identified an unacceptable impact on highway safety or a “severe” impact; so, refusal would not be warranted.

4.7 Furthermore, Paragraph 110 of the NPPF sets out that “within this context, applications for

- (a) give priority to pedestrian and cycle movements, both within the scheme, and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, ...
- (b) address the needs of people with disabilities and reduced mobility to all modes of transport
- (c) create places that are safe, secure and attractive
- (d) allow for efficient delivery of goods, and access by service and emergency vehicles; and,
- (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”

4.8 The applicant has demonstrated the close proximity of the site to bus services and provided not only cycle facilities but also electric charging points to all 18 parking spaces. It is considered that the development would be safe, secure and attractive. The accommodation would have level access thresholds and lifts to each floor level to meet the needs of all persons.

4.9 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.” The Local Planning Authority can not demonstrate a Five Year Land Supply and therefore 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 should be applied.

- 4.10 The report identifies that the proposal complies with some of the relevant saved policies in the Local Plan and Core Strategy, but identifies where there is a conflict with the Development Plan, namely the lack of full compliance with the Council's Parking Standards.
- 4.11 In coming to a conclusion, officers have given due consideration to the benefits of the proposal in providing 14 new flats towards the defined housing need at a time where there is not a Five Year Land Supply within the Borough and the re-use of a previously developed brownfield site. The Local Planning Authority considers therefore that any adverse impact of the development, arising from a shortfall in car parking provision with regard to the Council's Parking Standards, would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2019 taken as a whole.
- 4.12 On balance, the application is recommended for approval, as it is considered that there are benefits from the formation of fourteen residential units in a sustainable location; so, it is suggested that planning permission should be granted in this case. The benefits of supplying fourteen extra units in a tilted assessment has been shown to significantly and demonstrably outweigh any adverse impacts and conflicts with specific policies in the NPPF.

5.0 **PART D: LIST CONDITIONS AND INFORMATIVES**

1. Commence within three years

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. 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) Undated drawing No. 12-19-02H, Recd On 27/11/2020
- (b) Undated drawing No. 12-19-03-1-D, Recd On 22/11/2020
- (c) Undated drawing No. 12-19-03-2-D, Recd On 22/11/2020
- (d) Undated drawing No. 12-19-04D, Recd On 22/11/2020
- (e) Undated drawing No. 12-19-05C, Recd On 28/07/2020
- (f) Undated drawing No. 12-19-06-1-D, Recd On 22/11/2020
- (g) Undated drawing No. 12-19-06-2-D, Recd On 22/11/2020
- (h) Undated drawing No. 12-19-07D, Recd On 22/11/2020

- (i) Undated drawing No. 12-19-08D, Recd On 22/11/2020
- (j) Undated drawing No. 12-19-09D, Recd On 22/11/2020
- (k) Undated drawing No. 12-19-13E, Recd On 27/11/2020
- (l) Site Solutions Combined report by Argyll Environmental ref. no. AEL-0016-LSC-960329, Dated Jan. 2019, Recd On 03/07/2020
- (m) SuDSmart Pro (GeoSmart Information) Report Ref: 72248R1, Dated 2019-10-30, Recd On 03/07/2020
- (n) Transport Statement by i-Transport ref: MC/GT/ITB16328-002, Dated 14th December 2020, Recd On 14/12/2020

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the amenity of the area, so as to comply with the Policies in the Development Plan.

3. New finishes to building works

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 to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

4. New surface treatments

Prior to the commencement of the development hereby approved, the external materials to be used in the construction of the access and circulation roadways, pathways and communal areas within 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 to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenity of the

locality in accordance with Policy EN1 of The Local Adopted Plan for Slough 2004.

5. Tree Protection Measures

Measures to protect the adjacent trees in Shelley Close during the construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and thereafter provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained as an amenity for the local area.

6. Drainage (SuDS)

No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall include:

- a. Full results of the proposed drainage system modelling for the 1 in 1, 1 in 30 and 1 in 100 storm events plus climate change , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep (if applicable);
- b. Further infiltration testing at formation level;
- c. Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe and manhole reference numbers;
- d. Full details of the proposed SuDS features and any flow control measures;
- e. Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development

7. Phase 2 Intrusive Investigation Method Statement

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 C665 & C552 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

8. Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy

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 Land Contamination: Risk Management (LCRM) 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

9. Remediation Validation

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

10. Landscaping

Construction of the buildings above ground floor level shall not commence on site until details of an arboricultural method statement in conjunction with a detailed bee-friendly landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, and details of hardsurfaces which shall include compliance with the surface water drainage mitigation as approved under condition 6 of this planning permission.

On substantial completion of the development, the approved scheme of hard landscaping shall have been constructed. The approved scheme of soft landscaping shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 – 2026.

11. Boundary Treatment

Construction of the buildings above ground floor level shall not commence on site until details of the proposed boundary treatment including position, external appearance, height and materials of all boundary walls, fences and gates have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been implemented on site. It shall be retained at all time in the future.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

12. Bins & Recycling facilities

Construction of the buildings above ground floor level shall not commence on site until details of the proposed bin store (to include siting, design and external materials) shall be submitted to for approval by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained for this purpose.

REASON In the interests of visual amenity of the site in accordance with Policy EN1 of The Local Plan for Slough 2004.

13. Privacy Screening

No part of the development hereby permitted shall be occupied until a scheme of privacy screening to the sides of the balconies to prevent conflicts of privacy within the proposed development has been submitted to and approved by the Local Planning Authority. The approved scheme shall be installed on site in accordance with the approved details prior to the first occupation of the development and retained at all time on the future.

REASON In the interests of the visual and neighbour amenity, and to ensure no overlooking into the neighbouring sites to help ensure that there would not prejudice wider redevelopment in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and H9 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements

of the National Planning Policy Framework 2019.

14. Crime Prevention

No development above ground floor slab shall commence until a secure access strategy and secure letter/parcel drop strategy in line with the principles of Secured by Design and in consultation with Thames Valley Police has been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall not be occupied or used until written confirmation of Secured by Design accreditation has been submitted to the Local Planning Authority. The approved security measures shall be retained thereafter.

REASON In order to minimise opportunities for crime and anti-social behavior in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 (saved policies) and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework 2019.

15. Refuse collection strategy

Prior to first occupation of the development, a management strategy ('the strategy') to be used by the management company for the transfer of waste/recycling bins to collection points and the collection of bins shall be submitted to and approved in writing by the Local Planning Authority. The waste/recycling storage facilities shall be provided in accordance with the approved drawings and shall be retained at all times in the future for this purpose, and the strategy shall be complied with for the duration of the development.

REASON: In the interests of visual amenity of the site and in the interests of highway safety and convenience in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

16. Cycle storage

Prior to the first occupation of the development hereby permitted details of the cycle parking provision (including the location, the security measures of the facilities and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained 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 2019.

17. Car parking provision

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 2019.

18. External Site Lighting

No part of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

19. Level Access

The ground floor entrance doors to the Development shall not be less than 1 metre wide and the threshold shall be at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the main lobbies.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

20. Obscured glazing

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), each of the windows on the flank elevations shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The window(s) shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

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

21. No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) 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 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 and to ensure the visual character and appearance of the facades are preserved in accordance with Policies EN1 and H15 of The Adopted Local Plan for Slough 2004 and to ensure the development does not prejudice the future development of adjoining lands; so, as to protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

INFORMATIVES:

1. In dealing with this application, the Local Planning Authority has

worked with the applicant in a positive and proactive manner through requesting amendments. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

2. Thames Water:

Waste Comments

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. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email:

developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

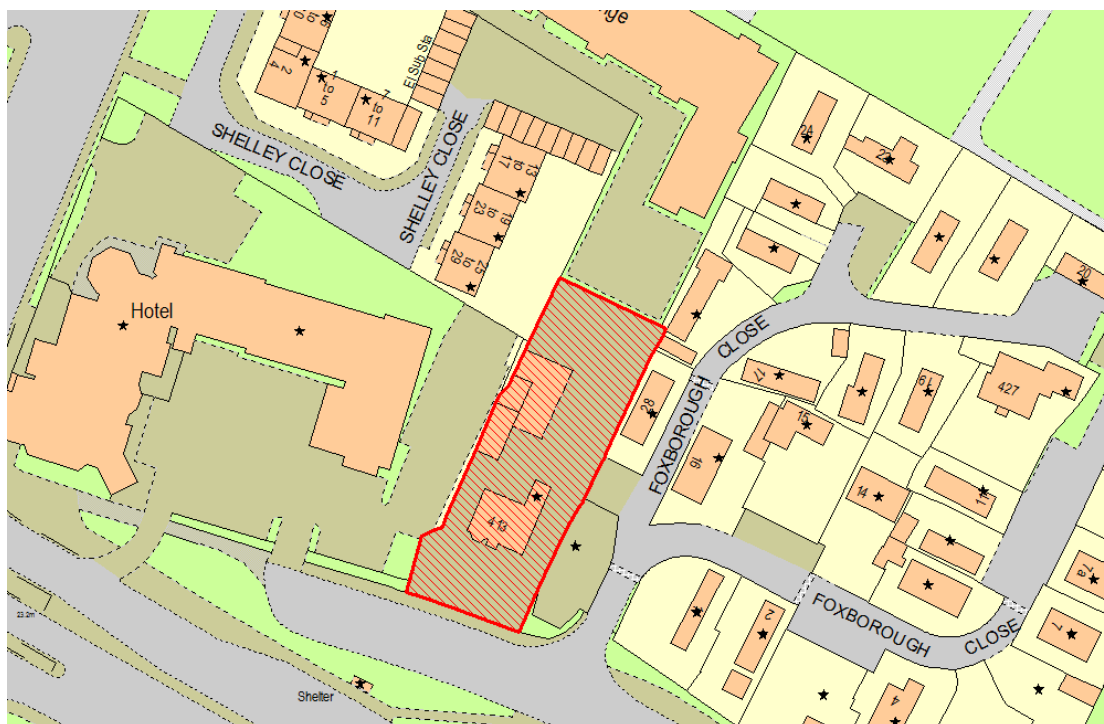
The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed

development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

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.

Registration Date:	03-Jul-2020	Application No:	P/00331/004
Officer:	Michael Scott	Ward:	Foxborough
Applicant:	Mappgro Ltd	Application Type:	Major
		13 Week Date:	02 Oct 2020
Agent:	Zyntax Chartered Architects, 8, Arborfield Close, Slough, SL1 2JW		
Location:	413, London Road, Slough, SL3 8PS		
Proposal:	Construction of 14no. flats comprising 13no. 2 bedroom flats and 1no. studio flat with associated parking and amenity.		

Recommendation: Delegate to the Planning Manager



P/00331/004

1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and a local interested party, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to: no substantive concerns are raised by the Local Lead Flood Authority; in order to finalise conditions and agree pre-commencement conditions; and any other minor changes.
- 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 This is a full planning application for:
- Construction of two four-storey buildings – being three-storeys with roof level accommodation.
 - Provision of 14 residential units (seven units in each block).
 - Surface parking providing 14 communal spaces for the proposed residential units. Two of these spaces shall be provided with electric charging facilities.
 - The provision of cycle parking facilities for future residents and visitors.
 - Secure bin and recycling storage facilities.
 - Formation of a new vehicular access to the access road fronting the site leading to London Road.

3.0 **Application Site**

- 3.1 The site, which is now cleared, formerly comprised a detached two-storey property with surrounding yard and was used as the Langley Commercial Centre for light and heavy commercial vehicle sales. It is accessed from the service access road alongside the north side of London Road.

- 3.2 There is no particular undulation within the site but ground levels generally fall consistently from the rear (northern end) towards the front of the site facing London Road. A similar fall from north to south is observed on the adjacent sites; though, there is a difference in levels between the adjacent land at Foxborough Close, where ground levels are some 500mm. higher than the application site across the respective boundary.
- 3.3 To the west lies the Toby Carvery/Travelodge site where the main commercial buildings and the hotel accommodation are two-storeys in height. There is an area of surface level car parking between the nearest part of this complex of buildings and the boundary of the application site.
- 3.4 To the east lies Foxborough Close, an estate of low-rise detached properties in a low-density setting.
- 3.5 To the north-west lies a development of three-storey blocks of flats in Shelley Close with the Telephone Exchange to the rear on the northern boundary of the application site. The structures in each case are set well away from the common boundaries.
- 3.6 A line of tall and mature, deciduous trees lie along the boundary outside the application site within the control of the freeholder at Shelley Close.
- 3.7 To the south across the width of London Road (A4) lies the Marriot Hotel, which is a multi-storey hotel complex set in its own landscaped grounds.
- 3.8 For completeness, it should be noted: the site lies within an area outside of the Town Centre on the Proposals Plan; the site is not in a Conservation Area; there are no heritage assets in the vicinity; the location lies over 100 metres outside of the M4 corridor Air Quality Management zone; and, it does not lie in Flood Zone requiring a Flood Risk Assessment.

4.0 **Relevant Site History**

- 4.1 Whilst no relevant planning history has been identified for the site, it is noted that an application was received on 19th November 2019 for

Outline planning permission for residential development of 2no. 3 and half storey buildings accommodating 17no. residential flats - comprising 12no. 2 bedroom flats, 4no. 1 bedroom flats and a studio flat with associated car parking spaces for 17 cars, secure storage for 17 cycles and bin store and was registered under SBC ref: P/00331/003. However, that application was withdrawn without a formal determination.

- 4.2 Following officer's comments and concerns with the proposals set out in P/00331/003, the application was withdrawn prior to a formal determination. The applicant's agent then submitted a Pre-application submission for comments.
- 4.3 The Pre-application scheme sought advice on a reduced set of proposals comprising 14 units based on two similar blocks in a revised site layout. Those proposals were the basis of the original form of this current application.
- 4.4 That advice confirmed that the principle of a loss of an employment generating use on the site would be acceptable and that the introduction of flatted residential blocks would be appropriate.

5.0 **Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020 three site notices were displayed - on the fencing on the site frontage on London Road, at the entrance to Foxborough Close and on a lamppost in Shelley Close - on 13/07/2020. The application was advertised as a major application in the 04/09/2020 edition of The Slough Express.

6.0 **Consultations**

- 6.1 Local Highway Authority:

Access

The existing access to the site is a crossover, rather than a bellmouth junction. The crossover and junction of Foxborough Close are approximately 1 metre apart, from the end of the dropped kerb to the give-way line for the junction of Foxborough Close.

The existing access appears to benefit from good visibility in both directions and good forward visibility of oncoming traffic for vehicles turning right into the site. However, visibility from the existing crossover can be blocked by vehicles turning out of or into Foxborough Close.

The existing crossover is not compliant with the SBC Vehicular Crossing Guidance. This guidance sets out that crossings at junctions are usually refused as they can potentially cause obstruction to motorists' line of sight and that a vehicular crossing is not allowed within 5 metres of a junction.

Therefore the applicant is required to situate the access on the western boundary of the site frontage to ensure suitable distance from the junction with Foxborough Close and that the two junctions do not interfere with the visibility from either.

A review of publicly available collision data (<https://www.crashmap.co.uk/Search>) indicates that there is no existing accident problem on the service road which would be exacerbated by the increased vehicle numbers.

Drainage

The applicant is required to provide details of surface water disposal from the access and car parking area. No surface water from the development should drain onto the public highway.

Trip Generation

No assessment has been provided of the site's trip generation potential. However the potential vehicular trip generation of the site has been assessed by SBC Highways and Transport is not considered a concern given the small scale of development.

Access by Sustainable Travel Modes

The site is situated approximately 50m and 225m from bus stops on the A4 which are served by the No. 4, No. 81, No. 702 and No. 703 bus services which provide services to Slough Town Centre, Bracknell and Maidenhead. The site is situated approximately 1.3km walk from the shopping facilities on Langley High Street. The site is situated approximately 1.0km from Foxborough Primary School and approximately 400m from Holy Family Catholic School.

Parking

14 car parking spaces are proposed which is equivalent to the provision of one space per dwelling. Where all spaces are assigned/allocated, the SBC Parking Standards require the provision of 0.5 visitor spaces per dwelling. 8 visitor parking spaces would be

required by the parking standards.

The applicant is required to confirm whether parking spaces will be allocated or unallocated and to detail where visitor parking will be provided for the development.

The applicant is required to provide swept path analysis which demonstrates a large car (5.1m long to DB32 Specification) can ingress and egress each parking space and has sufficient turning space to ingress and egress the site in a forward gear.

The applicant is required to confirm whether Electric Vehicle Parking will be provided in accordance with the Slough Low Emissions Strategy (2018 – 2025).

Cycle Parking

Two secure cycle store are displayed on the proposed site plan which contains parking for 16 bicycles. The applicant is required to clarify whether visitor cycle parking will be provided in addition in the form of Sheffield stands outside the development. The SBC Developers Guide – Part 3 – Highways and Transport requires that cycle spaces for visitors are needed for blocks of flats of 10 or more units.

Servicing and Deliveries

It is proposed that waste collection will take place directly from the service road from London Road, with the bin store provided at the front western boundary of the site with access for residents from the parking forecourt. 6 x 1100L Euro bins can be accommodated within the enclosure.

It would appear the distance between the rear block and the bin collection store exceeds the maximum carry distances required by the SBC guidance for Refuse and Recycling Storage for new Dwellings (November 2018).

The SBC guidance requires that the bin storage area should be located not more than 30m from the dwelling that it serves and the distance between where a wheeled bin is sited and the nearest practicable position at which the collection vehicle can stop must not exceed 10m for bulk bins such as 1100L euro bins.

Therefore the applicant is required to amend the proposed site plan to ensure that the distance between the proposed bin store and proposed dwellings is compliant with the guidance.

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.

NOTE: The applicant submitted revisions in response to these matters. Highways final comments will be reported on the Amendment Sheet.

6.2 Thames Water:

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 and set out various matters, which are included under Informatives

6.3 Lead Local Flood Authority

No comments received. Any comments received will be reported on the Amendment Sheet.

6.4 SBC Scientific Officer

The report is a brief summary of the main potentially contaminative uses at the site. Based on the most recent use of the site as a vehicle sales yard, the report recommends further intrusive ground investigation, in order to safeguard the more sensitive proposed human health receptor.

Based on the above, I recommend the Conditions [as set out in 23.0 below] are placed on the Decision Notice

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Planning Policy Framework and National Planning Policy Guidance:

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

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

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, built and historic environment
Core Policy 10 – Infrastructure
Core Policy 11 - Social cohesiveness
Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Policies)

EN1 – Standard of Design
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
H9 – Comprehensive Planning
H11 – Change of Use to Residential
H13 – Backland/Infill Development
H14 – Amenity Space
T2 – Parking Restraint
T8 – Cycle Network and Facilities

Other Relevant Documents/Guidance

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

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 June 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 cannot demonstrate a Five Year Land Supply. Therefore,

when applying Development Plan Policies in relation to the development of new housing, the presumption in favour of sustainable development will be applied, which comprises a tilted balance in favour of the development as set out in Paragraph 11(d) (ii) of the National Planning Policy Framework 2019 and refined in case law. The 'tilted balance' as set out in the NPPF paragraph 11 requires local planning authorities to apply the presumption in favour of sustainable development (in applications which relate to the supply of housing) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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 The planning considerations for this proposal are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Housing mix
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Flooding & Drainage
- Trees & Landscaping
- Land contamination
- S.106 Contributions

8.0 **Principle of development**

8.1 The current proposals entail the change of use of a site formerly in an employment generating use to provide residential accommodation.

8.2 The National Planning Policy Framework 2019 encourages the effective and efficient use of land. These proposals involve the replacement of a redundant use and the formation of new residential accommodation. As such, the proposals comply with the overall thrust of the NPPF.

8.3 The loss of the former employment generating use, as a vehicle sales and repair business, in this case does not raise any policy issues, as the scale and location of the employment generated was not significant or related to a designated Existing Business Area.

8.4 Core Policies 1 and 4 which seek high-density, non-family type housing

to be located in the Town Centre. In the urban areas outside of the town centre, new residential development is expected to be predominantly family housing. The application site lies outside of the Town Centre in a sustainable location and thus there is a presumption in favour of family housing.

- 8.5 Whilst the site is located outside of the Town Centre, it is considered that flatted accommodation is more appropriate in this case, as it reflects the existing flatted residential mix in the wider area comprising Shelley Close, Quantock Close, Cheviot Road and Grampian Way – with the exception being the specific case of the low density homes in Foxborough Close.
- 8.6 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high-quality homes which should be considered in the context of the presumption in favour of sustainable development. The site is considered to be located in a sustainable location as it benefits from access to public transport, education, retail, leisure, employment and community facilities.
- 8.7 Paragraph 8 of the NPPF sets out that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 8.8 Paragraph 9 of the NPPF stresses that sustainable solutions should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 8.9 In Core Policy 1 the Council seeks a scale and density of development that will be related to a site's current or proposed accessibility, character and surroundings.
- 8.10 In Core Policy 8 the Council seeks all development to be sustainable, of high-quality design that respects its location and surroundings, in that it should respect the amenities of adjoining occupiers and reflect the street scene and local distinctiveness of the area.
- 8.11 Accordingly, in Core Policy 9 the Council states development will not be permitted where it does not respect the character and distinctiveness of existing townscapes. The impact of the current proposals is considered in section 10.0 below.
- 8.12 As a scheme that entails an infilling of the street scene, attention must be paid to each limb of Policy H13, of which criteria (a), (b), (c), (d) and (f) are relevant. In summary, the issues turn on the scale of any infilling development.
- 8.13 Having regard to the National Planning Policy Framework 2019 and the

Local Development Plan, there are no objections to the principle of flatted residential development on this site.

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

9.1 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, EN2 and H13.

9.2 As described above, the local area is a somewhat eclectic mix of built forms. The restaurant and motel complex adjacent to the west has a large footprint and is generally of two-stories in height; albeit these are of commercial rather than domestic proportions. Immediately opposite at the junction of Langley High Street and London Road lies the twelve-storey flatted block at Poplar House. The flatted blocks in Shelley Close adjacent to the application site are three-storeys with a high pitched roof and the Telephone Exchange has a large linear footprint and an overall two-storey but non-residential scale. Whilst Foxborough Close is low-rise, the flatted blocks in Grampian Way, which form a significant part of the street scene on London Road to the east, are three-storeys with pitched roofs. On the south side, across the extensive width of the London Road in this location, lies the part three/part four storey bulk of the Marriot Hotel.

9.3 The proposals would be not out-of-keeping with the general massing and scale of the area; albeit of a fresh and different form from any of the existing forms of development in this area. Most importantly in the overall street scene of the north side of London Road in this locality, these proposals would not be prominent or harmful to visual amenity. The three-storey façade of the new blocks would reflect the scale of the three-storey blocks in Grampian Way to the east. Whilst the third floor accommodation would be raked back to avoid the new buildings seeming to be more dominant.

9.4 The local area features a range of building finishes, type of materials and styles of design. All of the existing stock of buildings are 20th century in origin, with most being post-1945. There are mainly brick finishes; though Poplar House and Foxborough Close are not.

9.5 The proposals are for a contemporary design using a palette of materials – a buff facing brick, zinc horizontal cladding with stone coloured render panels on elevations and vertical cladding at roof level, and grey uPVC fenestration and fittings – which would provide a crisp

finish to the proposed buildings and reflect the local brick vernacular character whilst offering a contrast in detailed appearance.

- 9.6 The site would be laid out with soft and hard landscaping to ensure the scheme would complement the general feel and visual amenities of the locality.
- 9.7 The proposals entail railings to the London Road frontage, which would offer views of the scheme and the site, as well as avoid any concerns for inter-visibility between vehicles and pedestrians at the new access.
- 9.8 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area. The proposals therefore comply with Core Policy 9 of the Core Strategy and the requirement of the National Planning Policy Framework, as such the scheme is considered to therefore comply with Policies EN1, EN2 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework 2019.

10.0 **Impact on amenity of neighbouring occupiers**

- 10.1 The National Planning Policy Framework 2019 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.
- 10.2 The proposals, as more fully described above, entail two blocks of four-storey accommodation – one to the rear of the other – so that the western flanks are adjacent to the side boundary with the Toby Carvery complex and access road and parking areas of the Shelley Close flats, with a line of trees within that site on this boundary.
- 10.3 The western flank would have a number of window openings. At ground, first and second floor levels these would each be a secondary window to light the sink area of the open plan kitchen part of the living rooms in those units. At third floor level these would be secondary windows, to a bedroom and the living room of the top floor flat. In all cases, these would be conditioned to ensure no overlooking of the neighbouring site for the benefit of existing occupiers and any potential impact should these sites be redeveloped. As there would be balconies to the flats, these would be conditioned to ensure screening on the

west side for the same reason.

- 10.4 There would be flank wall openings on the eastern elevation to provide lighting to the stair and circulation areas within the two blocks. Given the purpose and degree of distance from the boundary with Foxborough Close, it side is considered these opening would not require obscured glazing.
- 10.5 The siting of the two blocks would be close to the western and northern boundaries of the site. In each case the neighbouring sites are laid out as parking and landscaped areas.
- 10.6 The nearest block in Shelley Close lies some 13 metres for the common boundary and there is a line of trees within that site; so, given the siting of the rear block of the two at the application site, there would be an overall degree of separation of some 15 metres. Therefore, it is considered, the proposals would not be overbearing or obtrusive on the outlook for the occupiers of those existing flats.
- 10.7 There would be a significant degree of separation – some nine metres - between the proposed two blocks at the application site and the two lower scale homes in Foxborough Close on the eastern edge of the site. Furthermore, it is noted that there is a high – some two-metre high - close boarded fence on the boundary, immediately at the rear of this pair of Foxborough Close properties; so, their rear facing views are restricted but each benefits from having dual aspect. Therefore, it is considered, the proposals would not be overbearing or obtrusive on the amenities of the occupiers of those existing dwellings.
- 10.8 In conclusion, it is considered that there would be no adverse harm for neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2019.

11.0 **Mix of housing**

- 11.1 The National Planning Policy Framework seeks to deliver a variety of homes to meet the needs of different groups in the community. This is largely reflected in local planning policy in Core Strategy Strategic Objective C and Core Policy 4.
- 11.2 The proposals would provide a mix of one one bedroom “studio” and 13no. two-bedroom flats. Given the location of the site and its particular

site circumstances, it is considered that the mix would be appropriate and thus acceptable.

12.0 **Living conditions for future occupiers of the development**

12.1 The National Planning Policy Framework 2019 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 All of the units would meet the Council's internal space standards, as set out in the Technical Housing Standards 2015.

12.3 In terms of the levels of daylight, aspect, and outlook, it is considered that each unit has satisfactorily levels of amenity. Each flat has its primary windows either facing north or south, while some have secondary windows on the flank, where those facing west would be obscured. There is a distance of over 15 metres between the two blocks; so, it is considered that there would be no loss of privacy for the occupiers of either block and no overbearing of the one building upon the others amenities.

12.4 Each block would be provided with a lift and an independent access from an entrance on the east side of the new building. A condition requires level access at the threshold of the block.

12.5 Each of the residential units would have some private amenity space – either a balcony, roof terrace or at ground floor level, a patio adjacent to the living accommodation. Additionally, the site lies within 750m. of Kederminster Park.

12.6 Based on the above, on balance, 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 H11of the Adopted Local Plan.

13.0 **Crime Prevention**

13.1 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.

13.2 As stated above, each block would have its own access. Each access would have a good level of natural surveillance within the public realm. A condition requiring details of the measures to be incorporated to reduce and prevent criminal activity is set out below.

13.3 There would be a separate secure cycle storage facility to serve each block.

14.0 **Highways and Parking**

14.1 The National Planning Policy Framework states that planning should seek to promote development that 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 and 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 109 of the National Planning Policy Framework states that *'Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.

14.2 The proposed access has been changed to accord to the original concerns expressed by Highways. As such, access would be taken on the western side of the frontage to ensure the greatest degree of separation from the access to Foxboruogh Close. The details of boundary treatment are reserved by condition; though the application shows visibility can be created on the basis of low level means of enclosure.

14.3 A drainage channel has been shown in more detailed drawings to demonstrate no discharge of rain water from the site on to the public highway.

14.4 It is noted that the scale of the scheme would lead to a low level of traffic generation. A comparison with the level of traffic generated by the former use of the site does not raise concerns.

14.5 It is noted that there are various bus services with a wide range of destinations within the immediate and close vicinity of the site. As such, it is considered that the site is in a sustainable location.

14.6 The application has been clarified to satisfy the requirement for an

unallocated on-site parking regime and that car parking spaces are each able to be easily accessed, with swept path diagrams showing the manoeuvring for each and wider spaces adjacent to fences and walls. Furthermore, this is to be conditioned to ensure the availability of the electric charging spaces. Any overspill visitor parking would be readily accommodated in the access road to the front of the site, where there are no restrictions on the kerb side parking areas.

- 14.7 Subject to a condition to ensure the security of the proposed facilities to serve the future occupiers and visitors to the proposed development, cycle parking would be provided in accordance with the Council's standards.
- 14.8 The proposals entail two bin and recycling areas. As one of these is provided beyond the requisite distance laid out by Highways for collections services, there shall need to be a Management Strategy required by a condition to cover the arrangements on site to ensure collection services are satisfactory.
- 14.9 Based on the above, and subject to the conditions set out below, it is considered that the proposals would not lead to severe harm to highways users and thus are 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 **Flooding & Drainage**

- 15.1 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 15.2 According to the EA flood maps, the site is located in Flood Zone 1. It is at low risk of tidal, fluvial, groundwater flooding, surface water flooding and flooding from artificial sources. As the site is located in Flood Zone 1, the proposals do not require a Flood Risk Assessment.
- 15.3 Changes in government legislation from April 2015, require major developments to provide measures that will form a Sustainable Drainage System. Sustainable Drainage Systems (SuDS) are an effective way to reduce the impact of urbanisation on watercourse flows, ensure the protection and enhancement of water quality and encourage the recharge of groundwater in a natural way. The National Planning Policy Framework states that the surface run-off from site

cannot lead to an increase from that existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. In the scenario where infiltration techniques are not possible, attenuation will be required in order to reduce surface water run-off.

15.4 Submission documentation setting out the applicant's drainage strategy has been forwarded to the Council's consultants, Hampshire CC, who act as the Local Lead Flood Authority. A condition is set out below to ensure the scheme meets with appropriate standards. Any update will be provided on the Amendment Sheet.

16.0 **Trees & Landscaping**

16.1 The scheme entails two new residential blocks set in hard and soft landscaping, which would provide communal areas and some private amenity space for the ground floor units. There would be limited scope but some trees could be provided, subject to careful consideration of the specific spacing and choice of species. Overall, it is considered that the scheme would enhance the visual amenity of the area.

16.2 Details of planting and boundary treatments, as well as, the measures to protect the health of the existing trees adjacent to the site, shall be subject to conditions.

17.0 **Land Contamination**

17.1 The submission documentation identified that the site has potentially been contaminated by the historic land uses. As such, the SBC Scientific Officer has recommended conditions requiring appropriate intrusive investigation and subsequent mitigation to ensure no harm to future occupiers.

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 or the users of the surrounding facilities. In the interest of not worsening air quality problems in other parts of the town it will be important, if the proposal is approved, to minimise emissions from travel demand through encouraging non-car modes of travel, which would be enhanced by the scheme's compliance with the Council's requirements for cycle storage facilities and infrastructure for Electric Vehicles.

- 18.2 Electric charging points have been sought in accordance with the Local Environmental Strategy, which seeks to mitigate air quality concerns from additional traffic and parking, it must be noted that the developer shall be required to include two charging points. The Low Emission Strategy does not form part of the Local Development Plan, the presumption in favour of sustainable development within the National Planning Policy Framework applies. Here it is considered that the any potential harm from the proposals would not result in any harmful impacts that would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the Policies in National Planning Policy Framework taken as a whole.

19.0 **s.106 Contributions**

- 19.1 The proposals entail the introduction of 14 new dwellings. As such, the scheme does not trigger either affordable housing or an educational contribution under the Council's policies.

20.0 **Conclusion relating to Planning Balance**

- 20.1 In the application of the appropriate balance, it is considered that there are benefits from the formation of fourteen residential units in a sustainable location; so it is suggested that planning permission should be granted in this case. The benefits of supplying fourteen extra units in a tilted assessment has been shown to significantly and demonstrably outweigh any adverse impacts and conflicts with specific policies in the NPPF.

21.0 **Equalities Considerations**

- 21.1 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either residing in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority

has given due regard for the needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (e.g.: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation). In particular, regard has been had with regards to the need to meet these three tests:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;
- Take steps to meet the needs of people with certain protected characteristics; and;
- Encourage people with protected characteristics to participate in public life (et al).

21.2 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access. Furthermore, a condition is set out to ensure level thresholds at the entrance to each block.

21.3 It is considered that there will be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development e.g.: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures under other legislation covering environmental health should be exercised as and when required.

21.4 In conclusion, it is considered that the needs of individuals with protected characteristics have been fully considered by the Local Planning Authority exercising its public duty of care, in accordance with the 2010 Equality Act.

22.0 **PART C: RECOMMENDATION**

22.1 Having considered the relevant policies set out below, and comments that have been received from consultees and a local interested party, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject to: no substantive concerns are raised by the Local Lead Flood Authority; in order to finalise conditions and agree pre-commencement conditions; and any other minor changes.

23.0 **PART D: LIST CONDITIONS AND INFORMATIVES**

1. Commence within three years

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. 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) Undated drawing No. 12-19-01C, Recd On 28/07/2020
- (b) Undated drawing No. 12-19-02D, Recd On 14/09/2020
- (c) Undated drawing No. 12-19-03C, Recd On 28/07/2020
- (d) Undated drawing No. 12-19-04C, Recd On 28/07/2020
- (e) Undated drawing No. 12-19-05C, Recd On 28/07/2020
- (f) Undated drawing No. 12-19-06C, Recd On 28/07/2020
- (g) Undated drawing No. 12-19-07C, Recd On 28/07/2020
- (h) Undated drawing No. 12-19-08C, Recd On 28/07/2020
- (i) Undated drawing No. 12-19-09C, Recd On 28/07/2020
- (j) Undated drawing No. 12-19-10B, Recd On 22/08/2020
- (k) Undated drawing No. 12-19-11, Recd On 23/09/2020
- (l) Undated drawing No. 12-19-13, Recd On 29/09/2020
- (m) Site Solutions Combined report by Argyll Environmental ref. no. AEL-0016-LSC-960329, Dated Jan. 2019, Recd On 03/07/2020
- (n) SuDSmart Pro (GeoSmart Information) Report Ref: 72248R1, Dated 2019-10-30, Recd On 03/07/2020

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the amenity of the area, so as to comply with the Policies in the Development Plan.

3. New finishes to building works

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 to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

4. New surface treatments

Prior to the commencement of the development hereby approved, the external materials to be used in the construction of the access and circulation roadways, pathways and communal areas within 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 to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Adopted Plan for Slough 2004.

5. Tree Protection Measures

Measures to protect the adjacent trees in Shelley Close during the construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and thereafter provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained as an amenity for the local area.

6. Drainage (SuDS)

No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall include:

- a. Full results of the proposed drainage system modelling for the 1 in 1, 1 in 30 and 1 in 100 storm events plus climate change , inclusive of all

- collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep (if applicable);
- b. Further infiltration testing at formation level;
- c. Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe and manhole reference numbers;
- d. Full details of the proposed SuDS features and any flow control measures;
- e. Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development

7. Phase 2 Intrusive Investigation Method Statement

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 C665 & C552 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

8. Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy

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 Land Contamination: Risk Management (LCRM) 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

9. Remediation Validation

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

10. Landscaping

Construction of the buildings above ground floor level shall not commence on site until details of an arboricultural method statement in conjunction with a detailed bee-friendly landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, and details of hardsurfaces which shall include compliance with the surface water drainage mitigation as approved under condition 6 of this planning permission.

On substantial completion of the development, the approved scheme of hard landscaping shall have been constructed. The approved scheme of soft landscaping shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 – 2026.

11. Boundary Treatment

Construction of the buildings above ground floor level shall not commence on site until details of the proposed boundary treatment including position, external appearance, height and materials of all boundary walls, fences and gates have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been implemented on site. It shall be retained at all time in the future.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

12. Bins & Recycling facilities

Construction of the buildings above ground floor level shall not commence on site until details of the proposed bin store (to include siting, design and external materials) shall be submitted to for approval by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained for this purpose.

REASON In the interests of visual amenity of the site in accordance with Policy EN1 of The Local Plan for Slough 2004.

13. Privacy Screening

No part of the development hereby permitted shall be occupied until a scheme of privacy screening to the sides of the balconies to prevent conflicts of privacy within the proposed development has been submitted to and approved by the Local Planning Authority. The approved scheme shall be installed on site in accordance with the approved details prior to the first occupation of the development and retained at all time on the future.

REASON In the interests of the visual and neighbour amenity, and to ensure no overlooking into the neighbouring sites to help ensure that there would not prejudice wider redevelopment in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and H9 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

14. Crime Prevention

No development above ground floor slab shall commence until a secure access strategy and secure letter/parcel drop strategy in line with the principles of Secured by Design and in consultation with Thames Valley Police has been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall not be occupied or used until written confirmation of Secured by Design accreditation has been submitted to the Local Planning Authority. The approved security measures shall be retained thereafter.

REASON In order to minimise opportunities for crime and anti-social behavior in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices) and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework 2019.

15. Refuse collection strategy

Prior to first occupation of the development, a management strategy ('the strategy') to be used by the management company for the transfer of waste/recycling bins to collection points and the collection of bins shall be submitted to and approved in writing by the Local Planning Authority. The waste/recycling storage facilities shall be provided in accordance with the approved drawings and shall be retained at all times in the future for this purpose, and the strategy shall be complied with for the duration of the development.

REASON: In the interests of visual amenity of the site and in the interests

of highway safety and convenience in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

16. Cycles storage

Prior to the first occupation of the development hereby permitted details of the cycle parking provision (including the location, the security measures of the facilities and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained 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 2019.

17. Car parking provision

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 2019.

18. Car Park Management Plan

No part of the development hereby permitted shall be occupied until a car park management scheme has been submitted to and been approved in writing by the Local Planning Authority. The Scheme shall include measures:

- a) To ensure that spaces cannot be owned/let/allocated to anyone who is not a resident or does not have a car/need a parking space.

- b) To ensure spaces are not permanently linked to dwellings.
- c) Stating how two electric vehicle charging point spaces will be made available to residents with plug-in vehicles.
- d) How use of charging point spaces by non plug-in vehicles will be restricted.

No dwelling shall be occupied until the car park management scheme has been implemented as approved. Thereafter, the allocation and use of car parking spaces shall be in accordance with the approved scheme.

REASON to ensure the parking spaces are in optimum use 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.

19. External Site Lighting

No part of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

20. Level Access

The ground floor entrance doors to the Development shall not be less than 1 metre wide and the threshold shall be at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the main lobbies.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

21. Obscured glazing

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), each of the windows on the flank elevations shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The window(s) shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

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

22. No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) 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 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 and to ensure the visual character and appearance of the facades are preserved in accordance with Policies EN1 and H15 of The Adopted Local Plan for Slough 2004 and to ensure the development does not prejudice the future development of adjoining lands; so, as to protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

INFORMATIVE(S):

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it would preserve and/or enhance the character and appearance of a conservation area; so it is in accordance with the National Planning Policy Framework.
2. Thames Water

Waste Comments

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. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921

(Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

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.

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: January 2021

PART 1**FOR INFORMATION****Planning Appeal Decisions**

Set out below are summaries of the appeal decisions received recently from the Planning Inspectorate on appeals against the Council's decisions. Copies of the full decision letters are available from the Members Support Section on request. These decisions are also monitored in the Quarterly Performance Report and Annual Review.

WARD(S)**ALL**

Ref	Appeal	Decision
Y/17684/001	545, Bath Road, Slough, SL1 6AB The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m, with a maximum height of 3.59m, and an eaves height of 2.8m	Appeal Dismissed 30 th November 2020
P/15307/002	53, Lansdowne Avenue, Slough, SL1 3SG Lawful development certificate for an existing change of use from dwellinghouse (Use Class C3) to a House of Multiple Occupation (Sui Generis)	Appeal Dismissed 1 st December 2020
P/13413/004	Wisteria, Bath Road, Colnbrook, Slough, SL3 0HZ Construction of a first floor side extension, part single storey, part two storey rear extension and new outbuilding at rear of the garden for use as a gym and day room.	Appeal Dismissed 3 rd December 2020
P/03147/002	13, York Avenue, Slough, SL1 3HP Change of use from existing dwelling house in to 7 bed HMO (Retrospective)	Appeal Dismissed 7 th December 2020
P/18028/000	7, Amberley Road, Slough, SL2 2LR Conversion of garage into habitable room and construction of a single storey front extension	Appeal Dismissed 7 th December 2020
P/12953/004	10, Stewart Avenue, Slough, SL1 3NH Construction of a single storey front and rear extension, part single storey, part two storey side extension and and new dormer to the rear	Appeal Dismissed 8 th December 2020



Appeal Decision

Site visit made on 20 October 2020 by Scott Britnell MSc FdA MRTPI

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2020

Appeal Ref: APP/J0350/D/20/3250114

545 Bath Road, Slough SL1 6AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 (as amended).
 - The appeal is made by Mr Geoff Lock against the decision of Slough Borough Council
 - The application Ref Y/17684/001, dated 10 September 2019, was refused by notice dated 3 February 2020.
 - The development proposed is ground floor rear extension and all associated works.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. A determination as to whether prior approval is required is sought in this matter for the erection of a single storey rear extension. The extension would extend 4.5 metres beyond the rear wall of the dwelling, would have a maximum height of 3.59 metres and eaves of 2.8 metres (these dimensions have been taken from the application form and are not disputed). I observed at my visit that the proposal has been commenced with the walls and roof structure in place.

Main Issue

4. I consider that the main issue in this appeal is whether or not the proposed development would comprise development permitted by Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 (as amended) (GPDO).

Reasons for the Recommendation

5. In cases where it is proposed to build an extension under Schedule 2, Part 1, Class A of the GPDO, following the partial demolition of the dwellinghouse, the part to be demolished should be considered as part of the original dwelling. The existing elevations and floor plans show a single storey flay roofed projection to the rear of the appeal dwelling. This element, which has now been removed,

appears to have been part of the original dwelling house and there is no evidence before me to suggest otherwise. The proposed extension must therefore be assessed on the basis that it would also extend beyond a wall forming a side elevation of the original dwellinghouse.

6. Schedule 2, Part 1, Class A, Paragraph A.1 (j) (iii) of the GPDO states that development is not permitted if the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse. As the proposed extension would extend across the entire width of the appeal dwelling, the proposal cannot benefit from permitted development.
7. In any event, the proposed development has already been commenced and prior approval cannot be granted for development that has already begun, whether or not it is wholly or partially completed. As such, even if the proposed extension were to qualify as permitted development, prior approval could no longer be granted for the proposal.

Conclusion and Recommendation

8. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR



Appeal Decision

Site visit made on 12 November 2020

by Simon Hand MA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 December 2020

Appeal Ref: APP/J0350/X/20/3251303 53 Lansdowne Avenue, Slough, SL1 3SG

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Faz Hassan against the decision of Slough Borough Council.
 - The application Ref P/15307/002, dated 21 January 2020, was refused by notice dated 9 March 2020.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
 - The use for which a certificate of lawful use or development is sought is an existing change of use from a dwellinghouse (Use Class C3) to a House of Multiple Occupation (Sui Generis).
-

Decision

1. The appeal is dismissed.

Costs

2. An application for costs was made by the Council and is the subject of a separate letter.

Preliminary Matters

3. The appeal is for a Lawful Development Certificate. This is purely a question of whether the change of use described in the application is lawful. Matters of planning policy or the merits of the change of use are not relevant to my consideration of the case.
4. The application concerns a change of use from a C3 dwellinghouse to a sui generis HMO, although it is clear from the appellant's representations that an HMO use had begun in 2012, that does not however affect my consideration of whether a sui generis HMO was lawful on 21 January 2020.

Reasons

5. On visiting the property I could see it was well maintained and set out as an HMO. There was a large shared kitchen and separate shower room and toilet on the ground floor and a further bathroom on the first floor. There were 6 bedrooms, each currently with a single occupant, although the appellant has an HMO licence for 8 people, and the fact there are currently only 6 is just a coincidence as the appellant is hoping to have 8 occupants. The property is clearly in use as an HMO.

6. The application is to determine whether a sui-generis HMO would be lawful and the answer is no. Ordinarily planning permission is required for a change of use from a C4 HMO to a sui generis HMO. The difference between 8 occupants and 6 is usually considered to be material, there are more comings and goings and greater pressure on the facilities within the dwelling as well as a greater impact on the amenity of neighbours, demand for parking etc. No argument has been made that this sui-generis HMO is any different and no evidence has been provided at all to suggest why the material change of use from a C4 use to a sui-generis HMO would be lawful.
7. This is presumably because the matter was fully aired in a recent appeal¹ (issued in July of this year), where the Inspector found the change from a 6 person HMO to a sui generis HMO with 8 people was a substantial one. The appeal was dismissed because of the loss of a family dwelling and impact on neighbours' amenities.
8. The time period for immunity from enforcement for a material change of use from a C4 use to a sui generis use is 10 years, and the HMO use (in whatever form) only began in 2012 so the 10 year period has not been exceeded.

Simon Hand

Inspector

¹ APP/J0350/W/20/3245018



Appeal Decision

Site visit made on 30 November 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2020

Appeal Ref: APP/J0350/D/20/3256925

Wisteria, Bath Road, Colnbrook, Slough SL3 0HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr K Hafeez against the decision of Slough Borough Council.
 - The application Ref P/13413/004, dated 4 February 2020, was refused by notice dated 6 April 2020.
 - The development proposed is described as 'proposed part single part two storey side and rear extension and outbuilding'.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. The proposal includes a number of elements, with extensions to the side and rear, and an outbuilding. The Council have not raised an issue with the outbuilding and rear extensions, and state that extant planning approval exists for these. Based on the evidence provided I have no reason to reach a different conclusion.

Main Issues

3. Therefore, the main issues are the effect of the proposed first floor side extension on:
 - i) the living conditions of the occupiers of 'Littlecot' with particular regard to outlook; and
 - ii) the character and appearance of the host building and surrounding area.

Reasons

Living conditions

4. The appeal site is occupied by a 2-storey detached dwelling with single storey elements to the west and rear elevations. Adjacent to the appeal site is 'Littlecot', a detached single storey dwelling. This has three windows and a partially glazed entrance door on its east elevation. These would face directly onto the proposed first floor side extension.
5. The additional mass and bulk at first floor level would bring the built form closer to 'Littlecot'. Due to the mass, bulk and proximity of the extension the

proposal would be visually intrusive from the side elevation windows of 'Littlecot'. This would result in a significant overbearing impact, harmful to the outlook of the occupiers of the neighbouring property from a significant number of windows. Whilst the extension would be set away from the boundary with reduced eaves and ridge, this would not entirely mitigate the sense of enclosure.

6. Therefore, in conclusion on this main issue the proposed first floor side extension would harm the living conditions of the occupiers of 'Littlecot' with particular regard to outlook. As such, the proposal would be contrary to Policies H15, EN1 and EN2 of the Local Plan for Slough, Adopted 22nd March 2004 (LP) and paragraph 127 of the National Planning Policy Framework (the Framework). These local and national policies seek to ensure high quality design that protects the living conditions of adjoining occupiers by ensuring a compatible relationship between nearby properties is provided.

Character and appearance

7. Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, Adopted 16th December 2008 (CS) and Policy EN1 of the LP seek high quality design that respects its location and surroundings. Pursuant to this I have had careful regard to the Council's guidance, in particular Chapter 5 of the Slough Local Development Framework, Residential Extensions Guidelines Supplementary Planning Document, Adopted January 2010 (SPD). However, the document is clear at paragraph 1.2.7 that each case needs to be assessed on its own merits as every circumstance cannot be foreseen.
8. The proposed first floor side extension would be set back from the front elevation of the building, which includes a projecting two-storey bay window. It would be set in from the side boundary of the appeal site and the existing ground floor. Furthermore, it would be clearly lower in height than the main body of the house. As such, despite its slightly unusual roof form, with reduced eaves, the proposal would appear subservient to the host building. Furthermore, views of the proposal are filtered by the existing landscaping that is subject to protection¹. Given this and the wide range of architectural style in the vicinity, the proposal would satisfactorily assimilate into its location and surroundings.
9. Therefore, in conclusion on this main issue the proposed first floor side extension would not harm the character and appearance of the host building and surrounding area. As such, in this regard the proposal would not conflict with Core Policies 8 and 9 of the CS, Policy EN1 of the LP, paragraph 127 of the Framework, or guidance within the Council's SPD. However, this does not mitigate my conclusions on the first main issue.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR

¹ The Urban District Council of Staines: Tree Preservation Order No. 29



Appeal Decision

Site visit made on 1 December 2020

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th December 2020

Appeal Ref: APP/J0350/W/20/3245330

13 York Avenue, Slough SL1 3HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Faz Hassan against the decision of Slough Borough Council.
 - The application Ref P/03147/002, dated 24 January 2019, was refused by notice dated 2 December 2019.
 - The development is change of use from existing dwellinghouse into 7 bed HMO.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The development has been carried out and therefore planning permission is being sought retrospectively. The appeal has been determined using the plans submitted to the Council as they provide the basis for which planning permission is being sought.

Main Issues

3. The main issues are whether the development;
 - (a) accords with the development strategy for the area, in relation to the type of housing;
 - (b) has an intensity that is appropriate in relation to the character of the area and living conditions of neighbouring occupiers; and
 - (c) provides sufficient levels of parking to preserve highway safety.

Reasons

Type of Housing

4. The site is located in an area comprised predominantly of dwellinghouses along York Avenue. Core Policy 4 of the Slough Local Development Framework Core Strategy 2008 is clear in that changes of use should not result in the net loss of family housing i.e. dwellinghouses occupied as a single household. This is on the basis that there is an existing shortage of such housing in the area, resulting in overcrowding. The development is therefore in conflict with policy insofar as it has resulted in the loss of such housing at the site. Even though the physical nature of the property may not change to any great extent, meaning it could revert to a dwellinghouse in the future, the change of use would still preclude the site being used as a dwellinghouse and consequently there would still be a loss of housing in this context.

5. Consequently, and overall, the development does not accord with the development strategy for the area and conflicts with Core Policy 4 of the Slough Local Development Framework Core Strategy 2008. Among other things, the policy seeks to ensure that areas in Slough retain sufficient levels of housing to meet population growth demands.

Character

6. Saved Policy H20 of the Slough Local Plan 2004 is clear that development involving houses in multiple occupation will not be permitted unless the use of the site does not result in loss of amenity of adjoining occupiers. In this regard, the character of the site should not change to the extent that the living conditions of neighbouring occupiers, which in this case typically comprise dwellinghouses occupied by single households, are harmed.
7. The development delivers seven bedrooms. It is not clear how many bedrooms were contained at the site when it was in use as a dwellinghouse, but nonetheless the development would still deliver a material increase in the intensity of the use by virtue of being a change of use to a large house in multiple occupation, which is implicitly different in its character compared to a dwellinghouse illustrated by the fact they share different use classes.
8. Each of the seven bedrooms could be occupied by separate individuals living as different households. This in turn could generate seven different social networks and usage habits of the site. This is unlikely to be comparable with a dwellinghouse occupied as a single household, where the social networks are more likely to be mutual between occupants. For example, two parents and their four children living as a single household would have a single extended family network, whereas seven separate households would have seven separate extended family networks potentially visiting the site.
9. Consequently, a large house in multiple occupation is likely to generate comings and goings in excess of a dwellinghouse occupied by a single household, changing the character of the site to the extent where there are levels of additional disturbance in the immediate vicinity. As a result of this change in character and the increased levels of disturbance, the living conditions of neighbouring occupiers would be harmed.
10. Overall, the development is not of an appropriate intensity and changes the character of the site to the extent it harms living conditions of neighbouring occupiers. It therefore conflicts with Policy H20 of the Slough Local Plan 2004, which among other things seeks to ensure that development involving houses in multiple occupation does not result in the loss of neighbouring amenity.

Highway Safety

11. Saved Policy H20 of the Slough Local Plan 2004 is clear that development involving houses in multiple occupation will not be permitted unless appropriate levels of on-site parking spaces are provided. The Council contend that the four parking spaces fall short of the requirement of one parking space per bedroom, and therefore the development should provide seven parking spaces in order to be compliant. However, the integrated transport strategy is not before me and therefore I cannot verify these parking requirements.

12. Nonetheless, in a similar context to the development's effects on the character of the area, there would be a material increase in the intensity of the use at the site. Correspondingly, there would be a representative increase in parking demand in the immediate vicinity. During my site visit, it was apparent that the area was dominated by parking for private vehicles, and in terms of making a qualitative assessment, there does not appear to be sufficient levels of parking to absorb the quantum of parking demand that is likely being generated by the development.
13. The site may be located to good public transport links, and other sustainable means of travel such as bicycle storage may exist at the site, however there is no evidence to suggest that occupants would be required to use these services or that they are more convenient than the private car to help encourage more sustainable forms of transport. Consequently, there is no evidence that parking demand can be adequately mitigated or that parking stresses would not be generated. Consequently, there is a real risk of indiscriminate parking along the highway to the detriment of highway safety.
14. Overall, the development fails to provide sufficient levels of parking to preserve highway safety and therefore conflicts with Saved Policy H20 of the Slough Local Plan 2004. Among other things, the policy seeks to ensure development comes forward with on site parking, pursuant to maintaining highway safety.

Other Matters

15. It is acknowledged that the internal specification of the property may meet the space standards required. However, this caters for the living conditions of occupiers and does not mitigate the effects of increased disturbance on neighbouring occupiers generated by a change in character. In a similar context, although there may have been no objections from neighbouring occupiers, a lack of objection does not mean the development is otherwise acceptable. The development has been assessed in planning terms, in accordance with the development plan and the evidence submitted.
16. Notwithstanding any permitted development rights that may exist, the development does not fall within the use class of a small house in multiple occupation. Consequently, even though the number of bedrooms would increase by a seemingly limited number, the separate use classes are indicative of the thresholds that mark a change in a uses character, which has been assessed accordingly under the appeal.

Conclusion

17. For the reasons given, the appeal is dismissed.

Liam Page

INSPECTOR



Appeal Decision

Site visit made on 1 December 2020

by **Peter Mark Sturgess BSc (Hons), MBA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: Monday, 07 December 2020

Appeal Ref: APP/J0350/D/20/3260324

7 Amberley Road, Slough, SL2 2LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by J Harbour against the decision of Slough Borough Council.
 - The application Ref P/18028/000, dated 25 March 2020, was refused by notice dated 9 July 2020.
 - The development proposed is single storey front extension and conversion of existing garage to habitable use.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are;
 - The effect of the development on the character and appearance of the area; and
 - whether the development makes adequate provision for on-site parking.

Reasons

Character and appearance

3. The appeal property is an end terrace house in a terrace of four. All the houses in the terrace have a single storey front projection which contains a garage. All the projecting garages are of a similar size and shape and are joined on to their neighbour. The houses have gardens and parking areas to their fronts.
4. The front projections add to the rhythm of the terrace and their uniform width, when viewed from Amberley Road and from the spur road and footpath opposite, contribute to the character and appearance of the area. The widening of the garage would disrupt this rhythm of the terrace by changing the proportions of the front projection. As a consequence, the appeal proposal would be viewed as an incongruous and prominent addition to the front of the dwelling which would harm the character and appearance of the area.
5. The development plan is comprised of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document (CS) and the Local Plan for Slough from March 2004 (LP). Both these plans pre-date the current version of the National Planning Policy Framework (the Framework).

6. The relevant policy of the CS is Core Policy 8 which seeks, amongst other things, to promote a high quality of development in the Borough. The relevant policies of the LP are EN1, EN2 and H15 which all require new development, amongst other things, to be of a high standard of design and be compatible with their surroundings.
7. Despite their age, the policies relevant to this appeal are consistent with the current version of the National Planning Policy Framework (the Framework) as this contains policies at paragraphs 124 and 127 which seek to create high quality buildings and developments which are sympathetic to local character. I therefore give these policies substantial weight in the determination of this appeal.
8. As a result, I find that the appeal proposal is in conflict with the above policies of the CS and the LP, as it would lead to the development of an incongruous and prominent addition to the existing house which would harm the character and appearance of the area.

Provision of on-site parking

9. The whole of the front of the house is currently used for car parking. At the time of my site visit there were two cars parked on the forecourt 1 in front of the garage and 1 to its right-hand side and the garage door was open. Although the appeal proposal would extend the garage to its right when viewed from the street, it is clear from my observations at the site visit and in the information supplied by the appellant in the statement of case that the site could still accommodate 2 cars should the proposal go ahead.
10. Core Policy 7 of the CS and Policy T2 of the LP recognise that the level of parking should be appropriate to its location and to the scale of development proposed. This should, according to the policies, also take account of local parking conditions.
11. The site in its existing state accommodates 2 cars, one in front of the garage and the other to its side. The garage itself, at the time of my site visit, appeared to be used for storage. In addition, the appellant has asserted that the garage itself is too small for modern vehicles, stating it has an 'opening width of 2.2m' and a maximum internal width of 2.3m. Moreover, Amberley Road itself is not subject to parking restrictions.
12. I am satisfied that should the appeal proposal be implemented that the current amount of parking available on the forecourt of the dwelling could be retained. It also appears to me that there is additional parking available in Amberley Road should that be needed. Therefore, the level of parking which would be available to the users of the property should the proposed development go ahead is appropriate to its location and the scale of the development proposed. The appeal proposal in this regard is consistent with Core Policy 7 of the CS and Policy T2 of the LP.

Other Matters

13. The appellant has suggested that should the development which is the subject of this appeal be rejected then he would make use of permitted development (PD) rights to extend upwards. In his view this would have a greater physical presence and visual impact on the host dwelling and the street scene than the appeal proposal.

14. The PD rights referred to by the appellant have been recently introduced and proposals to make use of these rights require prior approval from the local planning authority before any proposal is implemented. Neither party to this appeal has indicated that prior approval has been applied for or given for an extension of this nature. Therefore, it is my view that there is only a theoretical possibility that a development utilising PD rights under class AA will take place and as a consequence I can give this very little weight in the determination of this appeal.

Conclusion

15. Notwithstanding that I found that the site can adequately accommodate the level of car parking appropriate to its location I also found that the proposal would harm the character and appearance of the area and therefore the appeal is dismissed.

Peter Mark Sturgess

INSPECTOR



Appeal Decision

Site visit made on 1 December 2020

by **Peter Mark Sturgess BSc (Hons), MBA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 08 December 2020

Appeal Ref: APP/J0350/D/20/3250078

10 Stewart Avenue, Slough, SL1 3NH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Zabear Abbas and Shegutta Farooq Bowken against the decision of Slough Borough Council.
 - The application Ref P/12953/004, dated 18 December 2019, was refused by notice dated 4 March 2020.
 - The development proposed is 2 storey side and part rear extension and front porch and rear dormer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has argued that the proposed rear dormer would be permitted development (PD). The matter of whether the proposed dormer is PD is not before me as part of this appeal. Within the context of an appeal under section 78 of the Act it is not within my remit to formally determine whether the proposed dormer requires planning permission as raised by the appellant. However, I shall consider the evidence as to whether permission is required so far as it is material to the appeal. If the appellant wishes to ascertain whether the development would be lawful, they may make an application under s191 or s192 of the Act. I cannot consider the rear dormer in isolation as I am required to consider the scheme applied for as a whole.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the area; and
 - the effect of the development on the living conditions of the occupiers of the neighbouring houses.

Reasons

Character and appearance

4. Stewart Avenue is a cul de sac made up of houses of varying styles. The end of the cul de sac is terminated by a row of terraced houses, with two pairs of

- semi-detached houses, including the appeal property, flanking them. The rest of the cul de sac appears to consist of semi-detached houses.
5. Whilst there is at least one example of a two-storey side extension in the road, it is set well back from the front walls of the dwelling to which it is attached. Other side extensions are set back, single storey and appear to have been constructed at the same time as the original dwelling.
 6. Houses in Stewart Avenue are largely unaltered. The gaps between them are uniform, interrupted by the occasional two storey extension set well back from the front elevation and the original single storey side projections. The appeal proposal would represent a significant change to the original house and unbalance the pair of semi-detached houses of which it forms part. A significant part of the gap between the appeal property and No 8 would be closed.
 7. Moreover, the symmetry with the pair of semi-detached houses on the opposite side of the end of the cul de sac would be lost. The gaps between houses and the symmetry between the two pairs of semi-detached houses at the end of the cul de sac are an important part of the character of the area. Consequently, the appeal proposal would harm the character and appearance of the area when viewed from the turning area at the end of Stewart Avenue, as it would introduce a large and incongruous addition to the appeal property. This would unbalance its overall appearance when viewed with its attached neighbour and therefore not be sympathetic to the other houses in the locality.
 8. The development plan is comprised of the Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document (CS) and the Local Plan for Slough from March 2004 (LP). Both these plans pre-date the current version of the National Planning Policy Framework (the Framework).
 9. The relevant policy of the CS is Core Policy 8 which seeks, amongst other things, to promote a high quality of development in the Borough. The relevant policies of the LP are EN1 and H15 which all require new development, amongst other things, to be of a high standard of design and be compatible with their surroundings.
 10. Despite their age, the policies relevant to this appeal are consistent with the current version of the National Planning Policy Framework (the Framework) as this contains policies at paragraphs 124 and 127 which seek to create high quality buildings and developments which are sympathetic to local character. I therefore give these policies substantial weight in the determination of this appeal.
 11. The Residential Extensions Guidelines Supplementary Planning Document (2010) (SPD) also expects, amongst other things, extensions to be in keeping with the design of the original house and its surroundings and be designed to be in proportion to the original house.
 12. As a result, I find that the appeal proposal is in conflict with the above policies of the CS and the LP, as it would lead to the development of an incongruous addition to the existing house and its surroundings which would harm the character and appearance of the area.

Living conditions

13. The appeal proposal would introduce a two-storey flank wall close to the boundary with the neighbouring property at No 8. This would extend along the boundary with the garden of No 8. Its relationship with No 12 would be different, in that the two-storey extension would be on the opposite side of No 8, and there is already a single storey extension on its boundary.
14. Given the distance of the two-storey extension from the boundary with No 12 and the presence of an existing single storey extension, albeit slightly shorter, on this boundary, I consider that the living conditions of the occupiers of No 12 would be preserved by the appeal proposal.
15. However, given the scale, height and length of the proposed extension in relation to the boundary of the garden of No 8, I consider that this would create an overbearing relationship, which would result in a loss of outlook from the ground floor windows. Furthermore, it would harm the enjoyment of the occupiers of No 8 of the part of the garden closest to the house by restricting the outlook from the garden.
16. Policy CP8 of the CS expects, amongst other things, developments to respect their surroundings. ENV1 of the LP emphasises the importance of a development's relationship with nearby properties. H15 expects developments to have no significant impact on the amenity of adjoining occupiers. This approach is reinforced by Policy DP 6 of the SPD.
17. I find that the appeal proposal is in conflict with these policies of the development plan. It would result in a two-storey wall close to the boundary of the neighbouring property, thereby unacceptably harming the outlook the occupiers of the property currently enjoy.

Other Matters

18. The appellant has argued that the two-storey side extension is stepped back from the front elevation. However, it is stepped back from a projecting gable and is in line with the rest of the front elevation. Moreover, the ground floor of the proposed extension would be inline with both the projecting gable and the single storey ground floor extension. This would make the setback proposed less noticeable and so would not overcome the conflicts identified with the policies of the CS or LP set out above.

Conclusion

19. I find that the appeal must be dismissed.

Peter Mark Sturgess

INSPECTOR

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MEMBERS' ATTENDANCE RECORD 2020/21
PLANNING COMMITTEE

COUNCILLOR	27/5	24/6	29/7	26/08 Ext.	9/9	14/10	11/11	9/12	13/1	10/2	10/3	14/4
Dar	P	P	P	P	P	P	P	P				
M. Holledge	P	P	P	Ap	P	P	P*	P				
Ajaib						P	P	P				
Davis	P	P	Ap	P	P	P	Ap	Ap				
Gahir	P	P	P	P	P	P	P	P				
Mann	P	P	P	P	P	P	P	P				
Minhas	P	P	P	P	P	P	P	Ap				
Plenty	P	P	P	P	P	P	P	P				
Sabah	P	P	P	P*	P							
Smith	P	P	P	P	P	P	P	P				

P = Present for whole meeting
 Ap = Apologies given

P* = Present for part of meeting
 Ab = Absent, no apologies given

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