

Registration Date:	22 March 2024	Application No:	P/19997/004
Officer:	Patrick Haran	Ward:	Upton
Applicant:	Gordon Care Services Ltd.	Application Type:	Full Planning
		8 Week Date:	12 July 2024
Agent:	Mr. Femi Awotunbo, Enviroform Associates		
Location:	101a Upton Road, Slough, SL1 2AE		
Proposal:	Planning application for a change of use from C3 to C2 (residential institution for children requiring care)		

**Recommendation:** Delegate to the Planning Manager to approval



## **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:

A) Approval subject to:

- (i) Satisfactory completion of a legal agreement to secure priority placement for children who live within the borough of Slough;
- (ii) Agreeing pre-commencement conditions, finalizing conditions and any other minor changes.

OR

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 2 June 2025 unless a longer period is agreed by the Planning Manager in consultation with Chair of the Planning Committee.

1.2 Under the current constitution, this application is to be determined at Planning Committee, as it is an application that has received 5 or more objections.

## **PART A: BACKGROUND**

### **2.0 Proposal**

2.1 The proposal is for the change of use from residential dwelling (C3) to residential children's home (C2). The Children's home will provide a home for up to 4 children age 5 - 18 years with learning disabilities. There are no external or internal structural changes proposed only some internal partitioning work to create extra bedrooms & staff office together with a wet room and stores within the building; the application seeks approval only for the change of use.

### **3.0 Application Site**

3.1 The site relates to an end of terrace, two storey, 3 bedroom dwelling on the south side of Upton Road and slightly elevated from the road. The rear boundary of the property abuts Lascelles Park.

The area is predominantly residential of generally two storey semi-detached properties with some purpose-built flats diagonally

- 3.2 opposite the site. The site lies approximately 270 metres to the south of the Town Centre boundary and approximately 180 metres to the west of the edge of the Sussex Place/Clifton Road Conservation Area. The site itself does not lie in an area specifically designated under the current local development plan.
- 3.3 For completeness, it should be noted that the site is not located in an Air Quality Management Quality Management Area (AQMA), a high risk Flood Zone. It is also not identified as a heritage asset or located within close proximity to a heritage asset and there are no trees under a Tree Preservation Order in close proximity.

#### **4.0 Relevant Site History**

- 4.1 P/04795/004  
Erection of an attached two storey three bedroom dwelling with hipped and pitched roof (part retrospective).  
Approved with Conditions; Informatives 28 April 2011.

**OFFICER COMMENT:** This consent was for the erection of the dwelling the subject of this current application.

P/19997/000  
Lawful Development Certificate for the change of use from C3 (dwelling house) to C3(b) (HMO) and an additional window on the side elevation.  
**Withdrawn** by Applicant 12 January 2023.

P/19997/001  
Lawful Development Certificate for use as C3(b) (dwellinghouse where care is provided for residents), an additional window on the side elevation and minor interior partition.  
**Refusal** CLU/D;Informatives 16 May 2023.

P/19997/002  
Lawful Development Certificate for use as C3(b) (dwellinghouse where care is provided for residents), an additional window on the side elevation and minor interior partition.  
**Refusal** CLU/D;Informatives 21 September 2023.

P/19997/003  
Lawful development certificate for a proposed change of use from dwelling C3 to C3(B) assisted accommodation for up to 6 people with learning disabilities and internal stud wall partition.  
**Refusal** CLU/D;Informatives 08 March 2024.

**OFFICER NOTE:** The reason for refusal of P/19997/003 set out that:

The proposed use is not considered to fall within Use Class C3(b) as established by Schedule 1, Part C of The Town and Country

Planning (Use Classes) Order 1987 (as amended), and would require planning permission; the Local Planning Authority cannot therefore issue a lawful development certificate.

## **5.0 Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), one site notice was displayed on 24 May 2024. The consultation period was until 14 June 2024. The site notice was displayed in a prominent position on a lamppost immediately opposite the application site.
- 5.2 There have been representations from 6 different addresses during the above public consultation.

The matters raised in these representations are summarised below:

- Whilst we understand the need for supportive living for people with disabilities, it's also important as a neighbourhood that we maintain peace and social prosperity for everyone. Particularly as unlike other areas in the Local authority Upton Road is a very well-established & quiet family area.
- How does conversion of family houses into HMOs fit with SBC's planning policies and preservation of family housing strategy. At what point do we consider that we have 'enough' HMOs for a family street within a conservation area?
- This change of use would see the character of the house and road change for the worst, it would no longer be a 'safe and pleasant' road to live in.
- The possibility of having multiple occupants who may bring issues such as anti-social behavior/drugs for example is a huge concern.
- We already have parking issues in the area and this will add more to the growing problem of parking on Upton Road.
- HMO will require commercial size bins which will add more trouble in bin collection and also add an odd mark to the well preserved street scene.
- This is a quiet residential road that reflects the ward, properties are rarely sold on this road making it a sought-out area to live in. This application together with the excising adjacent property which also operates as HMOs is verging on a hotel, showing lack of consideration towards current residents.

- Currently the property front and rear gardens have been very poorly maintained by the landlord. This should be a stipulation within the HMO license agreement that provision be made for regular upkeep of a high standard.

5.3 Subsequent to that consultation process a number of documents were received from the applicant pertaining to management operations processes of the site which were made publicly available on the Council's website on 05 September 2024 and a further site notice was displayed on 11 November 2024 with responses due by 03 December 2024.

A further 7 representations were received which tend to repeat previous representations as set out below:

- The two adjacent properties are also HMO's, with one visited by carers at various hours of the day and the other property has had police visit on numerous occasions, ambulances regularly and fire brigade.
- The HMO will also have people living in it that do not have any real ties to the area with a decline in the friendliness and character of the road.
- The presence of another HMO risks the road having an undesirable and unwanted commercial element in what is otherwise a friendly family dominated road.
- It is important to note that 101a Upton Road has 2 adjacent properties which also operate as HMOs - with the one next door already offering similar care services to adults with learning difficulties.
- The site backs onto Lascells Playing Fields and it is a well recognised problem that drugs are sold in the area. Placing vulnerable children/young adults in a drug dealing high risk zone is not acceptable to me nor should it be to SBC.

5.4 The above matters that are material planning considerations have been considered in the assessment planning appraisal section of the report, including the principle of the use, character of the area, noise/disturbance, and car parking.

## **6.0 Consultations**

### **6.1 Slough Children First**

The number of children in secure children's homes (residential settings) has increased by 12% from 2023 to 2024.

The Council has a duty to ensure that Slough children in care have suitable accommodation within the local authority's area that meets the children's needs.

Whilst Slough's numbers of looked after children have been slightly below national indicators, there has been an increase from 49 per 10, 000 in 2017/18 to 58.4 per 10, 000 in 22/23 (an increase of 19%).

As a result, we are finding that we have more children with complex needs that require residential homes, despite having limited availability of suitable homes within Slough or surrounding areas.

We are currently placing nationwide at very expensive costs, due to the market being influenced by demand rather than supply.

Regarding Supported Accommodation (16 plus cohort) we have 90 children placed of which 50 are placed in Slough.

This application is in relation to a residential home in Slough which generally caters for children up to 18 years depending on needs. FYI we currently have 15 children placed in residential homes of whom only 1 child is placed in Slough. Therefore, it is fundamental for us to stimulate and influence the local market to provide quality residential homes in Slough and in so doing have the opportunity for SCF to invoke section 106 on Planning applications for all residential homes, whereby we could get priority placements over any other LAs & be able to negotiate local preferential rates which are commercially competitive. The challenges we face as Slough Children First are:

1. Commercially competitive local homes.
2. Homes of the right quality.
3. Homes that cater for our Children and Young People with complex needs – those hard to match with other children.
4. Emergency placements while we seek the right quality and quantity homes, at the right time and cost within Slough (right place).

5. Providers that prioritise Slough children by ensuring they contribute to Social Value and localising provisions to deliver fit for purpose services for Slough children and young people within Slough.

## 6.2 Transport and Highways

### Assessment of Car Parking Requirement and Impact on Road Network:

SBC Transport Officers would have no objection to the proposed change of use from C3 to C2 Children's Care Home Use. The proposals are not considered likely to cause a noticeable impact on car parking capacity of the surrounding streets or on vehicle queue lengths given the minimal number of staff/children based on site. The NPPF states that applications for development should only be refused on highways/transport grounds if there would be '*An unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'. SBC Transport Officers conclude there would not be a severe impact on congestion and queue lengths compared to the previously permitted use as a C3 residential dwelling.

The existing driveway provides 2 car parking spaces measuring 2.4m x 4.8m which exceeds the requirements of the adopted SBC Car Parking Standards. Up to 3 cars may be accommodated depending on the size and orientation of vehicles. This means that 2-3 staff vehicles could be accommodated on site at any one time.

The 2 car parking spaces provided meet SBC Parking Standards for C2. Although the C2 parking standards do not refer to children's care homes; they do provide a parking standard for C2 Nursing Homes. The standards for C2 Nursing Homes are exceeded; given they require a minimum of 1 car space per 4 bedrooms and 5 bedrooms are proposed on site. Therefore the 2 car parking spaces are considered sufficient for expected demand and in accordance with Slough's Car Parking Standards. There is not expected to be any overspill of staff vehicles onto the surrounding roads.

Upton Road is a residents parking zone which will also ensure there is no overspill of parked vehicles onto Upton Road. However, if visitors need to attend the children's care home by car then visitors would be able to park for free at Hatfield Road Car Park which is 650m (8 minutes walk) from the site. There is also potential for staff to travel to/from the site via bus given the site is located 450m (7 minutes' walk) from the nearest bus stop (Mountbatten Close) where the No.5 bus offers an hourly service between the site and Cippenham, Chalvey, Datchet, Poyle, Slough Town Centre, Heathrow Terminal 5.

The proposed site plan does not appear to offer a secure and covered cycle store. Details of secure and covered cycle storage for 2 bicycles should be secured by planning condition to ensure staff have the option of travelling to work by bicycle. The Slough Developer's Guide requires that for C2 Nursing Homes there is 1 secure cycle space per 1 staff and 1 per 10 staff for visitors.

### 6.3 **Environmental Protection**

No comments received.

## 7.0 **PART B: PLANNING APPRAISAL**

### **Policy Background**

#### 7.1 National Planning Policy Framework 2023

Section 2: Achieving sustainable development  
Section 6: Building a strong, competitive economy  
Section 9: Promoting sustainable transport  
Section 12: Achieving well-designed and beautiful places

#### 7.2 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (adopted December 2008)

Core Policy 1 – Spatial Strategy  
Core Policy 7 – Transport  
Core Policy 8 – Sustainability and the Environment  
Core Policy 11 – Social Cohesiveness  
Core Policy 12 – Community Safety

#### 7.3 The Adopted Local Plan for Slough 2004 (Saved Policies)

Policy EN1 Standards of Design  
Policy EN5 Design and Crime Prevention  
Policy H14 – Amenity Space  
Policy H23 – Residential Children's Homes  
Policy T2 – Parking Restraint

#### 7.4 Other Relevant Documents/Guidance

Local National Planning Practice Guidance (NPPG)

#### 7.5 The Proposed Spatial Strategy (Nov 2020)

Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This set out a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough.



The consultation document contained a revised Local Plan Vision which supports the Council's vision for Slough as a place where people want to "work, rest, play and stay."

It should be noted that the consultation document for the Proposed Spatial Strategy does not contain any specific planning policies or allocate any sites. It made it clear that the existing planning policy framework for Slough would remain in force until replaced by new Local Plan policies in the future. Nevertheless, it sets out the most up to date statement of the Council's position with regards to strategic planning issues. As a result, it is relevant for the consideration of this application (but only very limited weight can be afforded to the specific and strategic guidance therein).

## 7.6 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 in December 2023.

The National Planning Policy Framework 2023 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.

Planning Officers have considered the revised National Planning Policy Framework 2023 which has been used together with other material planning considerations to assess this planning application.

## 8.0 Planning Considerations

8.1 The planning considerations for this proposal are:

- Principle of Development
- Design and Impact on Street Scene and Character
- Impact on Neighbouring Uses/Occupiers
- Car Parking

## 9.0 Principle of Development

9.1 Chapter 8 of the NPPF 2023; 'Promoting healthy and safe communities', states that planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which, among other things: b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; and: c) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

9.2 Core Policy 4 of the Core Strategy 2008 sets out that the Council will resist the loss of family accommodation, which is defined as:

*"A fully self-contained dwelling (with a minimum floor area of 76sq.m.) that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached and semi-detached dwellings and town houses but not flats or maisonettes."* Adopted Core Strategy 2008

9.3 The subject site would satisfy the tests for family accommodation set out in Core Policy 4. This application therefore relates to a single-family dwelling house falling within use Class C3 (Dwelling Houses). The intended use would fall under C2 (Residential Institutions).

9.4 The proposal entails the use of the premises as a home for up to four children from age 5 to 18 who have learning disabilities, living with professional care personnel who would be operating in shifts so that there would be 24-hour cover with a minimum of two staff during the night.

9.5 It is noted that concerns have been raised through the neighbour consultation process that the use would be as a House in Multiple Occupation (HMO) but that is not considered here to be the case. Contrary to the proposed use, HMOs do not provide professional care and there would be few controls over behaviour or tenure.

9.6 In Officer's opinion, the proposed use would be more akin to a single family use and similar to the form of a family dwelling. Indeed, in a recent determination at 32 St Johns Road, Slough (Ref: P/11372/003), which was allowed at appeal, (Ref: APP/J0350/W/24/3346862) on 13 October 2024, the Inspector concluded that:

*"Together with the carers, who would operate under the "Loco-Parentis" principle, serving as substitute parents on behalf of the placing authority, it would effectively operate akin to a family home. The level of occupancy (3 or 4 children + 2 adult carers) would be no different to those that could potentially live in the four-bedroom bungalow as a private home."*

9.7 Whilst there would be additional staffing during the day, the comments above are considered to be appropriate to this current application where

the principle of C2 uses in other family dwellings in the borough has been established through other recent consents, including for reference at:

- 91 Granville Avenue (Ref: P/05004/004, approved 22 April 2022)
- 1 Cippenham Lane (Ref: P/05190/006, approved 1 August 2022)
- 6 Trent Road (Ref: P/19979/002, approved 4 July 2023)
- 1 Two Mile Drive (Ref: P/20335/000, approved 4 Dec 2023)
- 7 Aintree Close (Ref: P/12548/001, approved 4 Dec 2023)
- 53 Cromwell Drive (Ref: P/13792/002, approved 23 April 2024)
- 11 Princes Street (Ref: P/09514/001, approved 27 August 2024)

9.8 Having regard to the above, in Officers' opinion, the criteria of a fully self-contained dwelling would continue to be met and it would not be unreasonable to assume that the dwelling could be converted back to a C3 dwelling with no external or internal structural changes being proposed.

9.9 Further to the above, however Policy H23 of the Local Plan states that proposals for the conversion of houses to residential children's homes or the erection of new ones will not be permitted unless they comply with all the following criteria:

- a) they are in appropriate locations with good access to local schools, community facilities and public transport;
- b) they are in appropriate large properties which are capable of providing at least six bedrooms;
- c) they do not require large scale extensions or alterations which would alter the character of the property;
- d) they provide appropriate on-site car parking which meets the aims of the integrated transport strategy;
- e) they have adequate sized gardens;
- f) there will be no adverse impact on neighbouring residential properties particularly as a result of increased noise; and
- g) the proposal is not located within a Residential Area of Exceptional Character.

9.10 In this case, the site is located within 300 metres of the town centre boundary and is considered to be appropriately located with good access to local schools, community facilities and public transport. The property is capable of providing at least six bedrooms and no extensions or external alterations are proposed. Matters around car parking and the amenities of neighbouring residential properties will be discussed further in this report, but the site is not within a Residential Area of Exceptional Character and there is sufficient garden space to the rear.

9.11 Having regard to the above, Officer's are of the opinion that the specific set of circumstances pertaining to this proposal are considered to satisfy the test for C2 use. However, any planning permission for C2 in general would enable the premises to be used for the entire use class, which

includes not only residential accommodation and care to people in need of care (such as this proposal) but also residential schools, colleges and training centres, hospitals, nursing homes. The character of these other forms of C2 is considered to not be appropriate or justified for the change from family accommodation and, as such, a condition of any approval for this application should be that it does not involve any other form of C2 use other than that specified.

9.12 Further to the above, Core Policy 11 (Social Cohesiveness) states that the development of new facilities which serve the recognised diverse needs of local communities will be encouraged. In this case, to ensure priority is placed for local communities, a legal agreement is recommended to be progressed upon approval, so placements are prioritised to children who reside within Slough.

9.13 In light of the above assessment, officers are of the opinion that the proposal would be in accordance with Core Policies 4 and 11 of the Core Strategy 2008, Policy H23 of the Local Plan 2004 and the requirements of the National Planning Policy Framework 2023.

## **10.0 Design and Impact on Street Scene and Character**

10.1 NPPF 2023 makes it clear that good design is fundamental to what the planning and development process should achieve. The proposal is considered against Core Policy 8 of the Core Strategy and EN1 of the Local Plan 2004, which seek to ensure proposals reflect a high standard of design and are compatible with and/or improve their surroundings.

10.2 There would be no changes to the form or fabric of the property. As such, it would remain as per its current appearance and would not affect the character of the area as the use of the dwelling would be intended to operate as a C3 dwelling. With the appeal at 32 St John's Avenue, as referred to above, the Inspector stated that *"No physical alterations are proposed; consequently, there would be no visual change to the appearance of the property or the street scene. Therefore, the proposed development would accord with CS Core Policy 8, which requires development to respect its location and surroundings and reflect the street scene."*

10.3 In this instance, the same assessment would apply and to ensure the Care Home is not used as any other type of institution under the C2 Use Class, which could also include boarding schools and residential colleges etc. a condition is recommended restricting this to the care home as proposed.

10.4 There is considered to be adequate space to the front of the site to provide adequate refuse storage and a further condition is recommended to ensure the property is not occupied until bin storage has been provided in accordance with the standards set out in the Slough Developers Guide.

10.5 Given the distance from the site to the Sussex Place/Clifton Road Conservation Area (CA), and that only internal changes are proposed, no impacts to the CA are identified.

10.6 Having regard to the above, the proposal is considered to be in accordance with Core Policy 8 of the Core Strategy and EN1 of the Local Plan 2004, which seek to ensure proposals reflect a high standard of design, are compatible with and/or improve their surroundings.

### **11.0 Impacts on the amenities of neighbouring occupiers**

11.1 Core Policy 8 (Sustainability and the Environment) of the Slough Local Development Framework Core Strategy (2006 – 2026) indicates that development should respect its location and surroundings and ensure that no significant harm to neighbours results from the proposal.

11.2 Core Policy 12 (Community Safety) of the Core Strategy 2008 states that all new development should be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime. Activities which have the potential to create anti-social behaviour will be managed in order to reduce the risk of such behaviour and the impact upon the wider community.

11.3 Policy EN5 of the Local Plan states that all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour. Planning permission will not be granted unless all the following criteria have been adequately considered in drawing up a scheme:

- a) limited number of access points;
- b) provision of secure boundaries such as fences, walls or landscaping around private and public spaces;
- c) well lit external areas subject to maximum natural surveillance without any potential hiding areas;
- d) use of suitably robust materials; and
- e) use of defensive landscaping to deter intruders.

11.4 This development would not involve any external extensions or alterations and thus not create any effects from overshadowing, loss of outlook, privacy or increased sense of enclosure to neighbouring occupiers, and its use is not considered to result in a detrimental level of increase in the noise and disturbance.

11.5 Concerns have been raised through the neighbour consultation process that the change of use would see the character of the house and road change for the worst and that it would no longer be a 'safe and pleasant' road to live in. Concern was also raised around the possibility of having multiple occupants who may bring issues such as anti-social behaviour (such as noise/domestic issues/drugs use for example).

- 11.6 However, in Officer's opinion, the proposed use is not related to one that would have the potential to create anti-social behaviour in the way that the use as a HMO might. It is noted that reference has been made in a number of neighbour submissions as to the presence of existing HMOs in the street, including at the adjoining property, No.101 and the property adjoining that, No.99 Upton Road.
- 11.7 In that regard, it would certainly seem to be the case that No.99 Upton Road is in use as an HMO where it is registered as such with the Council. However, reviewing the planning history of No.101 Upton Road does not suggest its use as a HMO or care home and real estate websites list it as a single dwelling as of November 2024. Further investigation into the use of No.101 Upton Road can be reported to Members prior to the meeting but it is an important planning principle that each application has to be considered on its merits.
- 11.8 In this case, the applicant is registered with both the Care Quality Commission and Ofsted and through the course of the application has provided a number of policy documents including; a Noise Management Plan, Behavioural Management Plan, Good Neighbour Policy, Safeguarding Child Protection Procedures, CCTV Policy and Waking Night Procedures.
- 11.9 This is in line with the Children's Homes (England) Regulations 2015 and standards to promote positive behaviour and measures of control, restraint and discipline which, whilst falling outside of planning legislation is caught through other legislation. It is also the case that unless the regulator (Ofsted) determine that the facility has practical, clear, and realistic methods of managing any behaviour (including excess noise) then the home will not be registered, i.e., no children can be placed in the home.
- 11.10 In terms of site security, the property as existing has a secure entrance to the front and boundary fencing to the rear and is considered compliant with Policy EN5 of the Local Plan. Regarding the safety and welfare of each young person, staff do observations and record each young person's movements on daily recorded logs. A condition is recommended to secure CCTV for additional security.
- 11.11 It is considered here that comings and goings from the property would be akin to a residential dwelling, where staff will always supervise and monitor children, with weekly timetable, structure and routines to go to school, make meals, take part in activities and attend appointments as children in a family home would.
- 11.12 Given the intended form of occupation which, as noted is considered to be akin to a family in residence rather than an institutional care home or HMO, it is considered that there would be no significant harm to the

11.13 residential amenities of the adjacent and nearby residents with regards to noise or disturbance.

11.14 Due the scale of the change of use, it is considered acceptable in this instance, and the disturbance to neighbouring occupiers would be no greater than could be reasonably expected in a residential location. Therefore, officers consider that the residential amenities of neighbouring occupiers would not be significantly impacted.

11.15 Notwithstanding that, a condition is also recommended to ensure that the capacity shall be a maximum 4 children aged 5 to 18 years and to ensure the premises shall be used only as described in the application to prevent any other purposes under Class C2, which may result in an increased level of disturbance.

Having regard to the above, it is considered that with the additional information received and recommended conditions, the amenity of neighbouring occupiers and community safety is satisfactorily addressed in accordance with Core Policies 8 and 12 of the Core Strategy 2008 and Policy EN5 of the Local Plan 2004.

## **12.0 Car Parking**

12.1 Core Policy 7 of the Core Strategy 2008 states that all new development should reinforce the principles of the Integrated Transport Strategy, which seeks to ensure new development is sustainable and located in the most accessible locations, thereby reducing the need to travel. Core Policy 7 also states that development should be appropriate to both its location and the scale of the 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.

12.2 Policy T2 of the Local Plan states that within all developments that attract an increase in the number of trips, the level of on-site parking provision for the private car will be restricted to a maximum level in accordance with the principles of the Integrated Transport Strategy. Residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems, protect the amenities of adjoining residents, and not result in an adverse visual impact upon the environment.

12.3 As noted previously in this report, the Council's Transport Officers have reviewed the proposals and confirm that up to 3 cars may be accommodated on the driveway to the front depending on the size and orientation of vehicles, meaning that 2-3 staff vehicles could be accommodated on site at any one time.

- 12.4 Upton Road is a residents parking zone which will also ensure there is no overspill of parked vehicles onto Upton Road. However, if visitors need to attend the children's care home by car then visitors would be able to park for free at Hatfield Road Car Park which is 650m (8 minutes walk) from the site. There is also potential for staff to travel to/from the site via bus given the site is located 450m (7 minutes' walk) from the nearest bus stop (Mountbatten Close) where the No.5 bus offers an hourly service between the site and Cippenham, Chalvey, Datchet, Poyle, Slough Town Centre, Heathrow Terminal 5.
- 12.5 The Council's Transport Officers recommend a number of conditions be included if consent is granted to ensure parking spaces are provided prior to the first use of the establishment, restrictions on any gates that may restrict on site car parking and details to secure appropriate provision of cycle parking and bin storage.
- 12.6 Subject to the imposition of those conditions the Council's Transport Officers conclude that there would not be a severe impact on congestion and queue lengths compared to the previously permitted use as a C3 residential dwelling.
- 12.7 As such, it is considered that the parking provided would be suitable for the needs of the proposed use and in accordance with Policy T2 of the Local Plan 2004 and Core Policy 7 of the Core Strategy 2008.

### **13.0 Equalities Considerations**

- 13.1 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 (eg: 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).



13.2 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.

14.0 **PART C: RECOMMENDATION**

14.1 Officer's consider that the public benefits significantly outweigh any minor adverse impacts, as the change of use would secure homes for children who are residents of Slough. Having considered the public benefits of the scheme, relevant policies set out in this report, the representations received from all consultees and residents; as well as all other relevant material considerations it is recommended that the application be delegated to the planning manager for approval.

15.0 **PART D: RECOMMENDED CONDITIONS**

15.1. **CONDITIONS:**

1. Time Limit

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 documents hereby approved unless otherwise agreed in writing by the Local Planning Authority.

(a) Drawing No. ENV/1SGP 0102 - Plans, Received 22/03/2024

(b) Drawing No. ENV/1SGP 0101 – Floor Plans, Received 22/03/2024

(c) Drawing No. ENV/1SGP 0103 – Roof Plans, Received 22/03/2024

(d) Drawing No. ENV/1SGP 0202 - Elevations, Received 22/03/2024

(e) Drawing No. ENV/1SGP 0201 - Elevations, Received 22/03/2024

(f) Location Plan @ 1:1250, Received 22/03/2024

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. Use Restriction

The premises shall be used only as a Residential Children's Home as described in the application and the accompanying Design & Access Statement and no other use within the Town and Country Planning (Use Classes) Order 1987 (As Amended) Class C2.

REASON The proposal is considered acceptable for the specific purpose set out in the application having been assessed against the Council's policies for the retention of family housing and no other purpose under Use Class C2, in accordance with Core Policy 8 of the Core Strategy 2008.

### 4. Capacity

The capacity of the hereby permitted residential children's home shall be occupied by a maximum 4 children aged 5 - 18 years.

REASON To protect and safeguard the future residents in accordance with Core Policies 8, 11 and 12 of the Core Strategy (2008) and Policies EN5 and H23 of the Local Plan (2004).

### 5. Site Layout

Prior to the development hereby approved first being brought into use, 2 no. car parking spaces shall be provided and made available for use in connection with the C2 residential development and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business, commercial or residential use and retained thereafter.

REASON: In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of 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.

### 6. Cycle Parking

No development shall be begun until details of the cycle parking provision for 2 bicycles (including location, housing and cycle

stand details) have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

#### 7. Bin Storage

No part of the development shall be occupied commence until bin storage has been provided in accordance with the standards set out in the Slough Developers Guide.

REASON: To ensure that adequate refuse storage is provided to serve the development.

#### 8. CCTV

The development shall not be occupied until a scheme for internal/ external CCTV has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include locations, mounting heights and equipment specifications.

REASON: To ensure that community safety is satisfactorily addressed in accordance with Core Policy 12 of the Core Strategy 2008 and Policy EN5 of the Local Plan 2004.

### **INFORMATIVE(S):**

#### 1. Positive and Proactive Statement

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. Legal Agreement

The applicant is reminded that a legal agreement should be entered into, to ensure that the children's care home as hereby approved shall ensure priority is placed for Slough Children First.

### 3. Highways

No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.