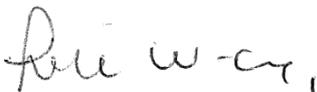


Date of issue: Tuesday, 26 November 2019

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge (Vice-Chair), Davis, Gahir, Mann, Minhas, Plenty, Sabah and Smith)
DATE AND TIME:	WEDNESDAY, 4TH DECEMBER, 2019 AT 6.30 PM
VENUE:	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE 01753 875120

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

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

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>
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3.	Minutes of the Last Meeting held on 6th November 2019	3 - 6	-
4.	Human Rights Act Statement - To Note	7 - 8	-

PLANNING APPLICATIONS

5.	P/06033/018 - 15, Bath Road, Slough, SL1 3UF <i>Officer's Recommendation: Delegate to the Planning Manager for approval</i>	9 - 64	Chalvey
6.	P/05806/007 - 23-25, Mill Street, Slough, Berkshire, SL2 5AD <i>Officer's Recommendation: Delegate to the Planning Manager for approval</i>	65 - 108	Central

PRE-APPLICATION PRESENTATION

7.	Former Octagon Site, Station Square, Slough, SL1 1QY	109 - 114	Central
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MISCELLANEOUS REPORTS

8.	Response to Consultations on Windsor & Maidenhead, Spelthorne and Aylesbury Vale Local Plans	115 - 120	All
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9.	Members' Attendance Record	121 - 122	-
10.	Date of Next Meeting - 15th January 2020	-	-

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

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, 6th November, 2019.

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

Also present under Rule 30:- Councillors Basra

Apologies for Absence:- Councillors Davis and Plenty

PART I

45. Declarations of Interest

Agenda Item 5 (Minute 50) Horlicks Factory, Stoke Poges Lane, Slough. All Committee Members declared that they had received a brochure from the applicant about the proposed development. All Members stated that they would stay and vote on the item.

46. Guidance on Predetermination/Predisposition - To Note

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

47. Minutes of the Last Meeting held on 2nd October 2019

Resolved – That the minutes of the meeting held on 2nd October 2019 be approved as a correct record.

48. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

49. Planning Application

Details were tabled in an amendment sheet of alterations and amendments received since the agenda was circulated. The committee adjourned at the commencement of the meeting to read the amendment sheet.

Oral representations were made to the Committee by the Applicant under the Public Participation Scheme, prior to the planning application being considered by the Committee as follows:-

Application P/00094/039 – Horlicks Factory, Stoke Poges Lane; the agent addressed the Committee.

Resolved – That the decisions be taken in respect of the planning application as set out in the minutes below, subject to the information, including conditions and informatives set out in the report of the Planning Manager and the amendments sheet

Planning Committee - 06.11.19

tabled at the meeting and subject to any further amendments and conditions agreed by the Committee.

50. P/00094/039 - Horlicks Factory, Stoke Poges Lane, Slough, Berkshire, SL1 3NW

Application	Decision
<p>A hybrid planning application for part outline/part detailed planning permission for a residential-led mixed use development of up to 1,300 new homes comprising; Outline planning permission for the provision of up to 746 new homes (Use Class C3), commercial (Use Class A1-A3) and ancillary facilities within new buildings extending up to 77m AOD in height; car and cycle parking; public realm, landscaping and amenity space and all associated works (with all matters reserved); and Full planning permission for the part demolition of the existing Horlicks Factory, and demolition of factory outbuildings and structures, to facilitate the erection of five new buildings ranging from one storey to 10 storeys including change of use, two storey rooftop extension, ground floor extensions and alterations to the remaining parts of the Factory, to provide 554 new homes (Use Class C3), upto 239sqm commercial floorspace (Use Classes A1-A3) and a nursery (Use Class D1), and ancillary facilities; relocation of the war memorial; car and cycle parking; public realm, landscaping and amenity space; access from Ploughlees Lane, Stoke Poges Lane and Stokes Gardens; and all associated works.</p>	<p>Delegated to the Planning Manager for:</p> <p>A. Approval subject to:</p> <ul style="list-style-type: none"> (i) the satisfactory completion of a Section 106 Agreement to secure affordable housing, financial contributions towards education improvements, sustainable transport and air quality improvements, biodiversity enhancements, recreation/open space enhancements, Travel Plans, employment and training initiatives, Control Parking Zone (CPZ) review and implementation of measures, CPZ restrictions, off-site highways works, cycle hire docking station provision and an Electrical Vehicle (EV) Car Club with review mechanism; (ii) resolution on the form of mitigation necessary (if any) following consideration of the Habitats Regulation Assessment (HRA); in respect of the objection raised by Natural England on the potential impact on Burnham Beeches Special Area of Conservation (SAC). (iii) finalising conditions and any other minor changes; or <p>B. Refuse the application if the completion of the Section 106 Agreement was not finalised by 6th April 2020 unless a longer period was agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.</p>

51. Annual Monitoring Report 2018/19

Details of the Annual Monitoring Report 2018/19 were outlined for Members consideration, which included the main achievements of 2018/19, the progress of planning policies and development trends in the Borough. The report highlighted that 534 net additional dwellings were completed in Slough in 2018/19, which was lower than the average net completions over the previous five years. It was noted however that there were 858 dwellings under construction and 1297 with planning permission.

It was brought to the Committee's attention that the Five Year Housing Supply situation had changed significantly since last year, at which time the Council had a 6.5 year supply. This had fallen to a 2.1 year supply as at April 2019 and the factors contributing to this reduction were summarised. Members noted an amendment to the published figure in the Housing Land Supply tabled on page 172 of the agenda in that the 5 year identified supply was 1,995, not 1,986 as stated in the report. Where local authorities could not demonstrate a five year supply of deliverable housing the development plan policies were considered to be out of date and the 'tilted balance' must be applied in determining planning applications for housing development. It was explained that this required local planning authorities to apply the presumption in favour of sustainable development.

A number of other key indicators and trends were noted including the housing mix. 83% of housing completions last year were flats, partly due to the high number of Prior Approvals for office conversions. The results of the Housing Delivery Test were that Slough had delivered 86% of required housing over the past three years, which was below the Government's target of 95% and therefore required an action plan to be produced. In relation to the town centre, a Member asked what measures were being taken to address the decline of the town centre and specifically the retail vacancy rate. It was responded that a 'meanwhile' strategy was in place ahead of the awaited major regeneration planned for the future. Councillor Smith raised a query about comparative levels of business rates with neighbouring towns and it was agreed that further information would be provided outside of the meeting.

At the conclusion of the discussion the recommendations were agreed.

Resolved –

- (a) That the key results from the Annual Monitoring Report 2018/19, which are highlighted in this report, be noted.
- (b) That a full version of the Annual Monitoring Report 2018/19 be published on the Council's website.

52. Members' Attendance Record

Resolved – That the Members' Attendance Record be noted.

Planning Committee - 06.11.19

53. Date of Next Meeting - 4th December 2019

The date of the next meeting was confirmed as 4th December 2019.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.22 pm)

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

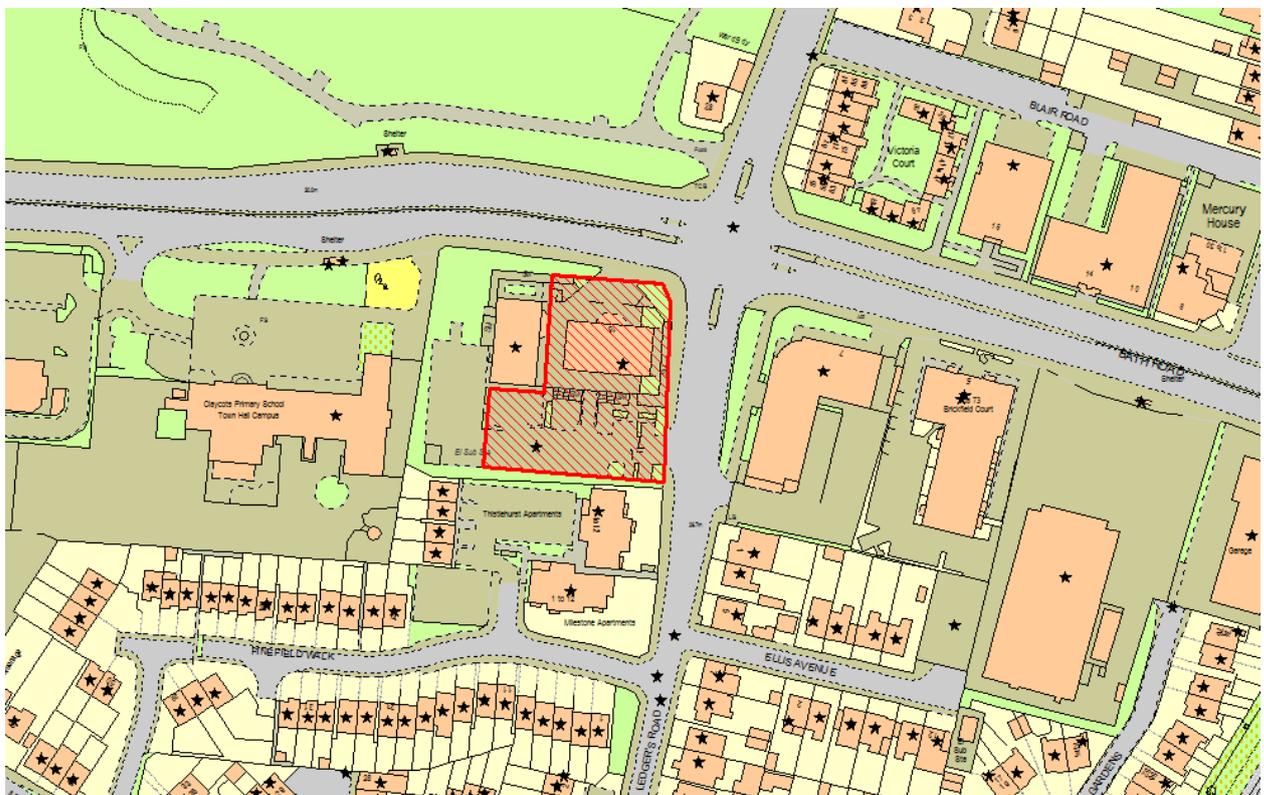
USE CLASSES – Principal uses	
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
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:	15-Jul-2019	Application No:	P/06033/018
Officer:	Christian Morrone	Ward:	Chalvey
Applicant:	Vivant Homes (Bath Road) Ltd	Application Type:	Major
		13 Week Date:	14 October 2019
Agent:	Mr. Alex Kitts, RPS 20 Farringdon Street, 7th Floor, London, EC4A 4EN		
Location:	15, Bath Road, Slough, SL1 3UF		
Proposal:	Demolition of existing roof. Three storey extension above existing second floor and part 4 and part 6 storey rear extension to existing building to provide 24 residential flats (17 x 1 bed; 7 x 2 bed). Installation of vehicle access gates, fencing, change of access to 17 Bath Road, provision of car parking, cycle storage, refuse storage area. External alterations to existing building including revisions to fenestration, elevations and addition of terraces. Boundary treatment and landscaping.		

Recommendation: Delegate to Planning Manager for approval



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies and planning considerations set out above, it is recommended the application be delegated to the Planning Manager:

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 Agreement to secure the financial contributions set out in paragraph 19.1;
- 2) satisfactory details of the positioning, size, and finishing material of the air intakes and extracts for mechanical ventilation;
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 27th March 2020 unless a longer period is agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.

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:

- Removal of existing roof and constriction of a three storey extension over the existing second floor level to provide third, fourth and fifth floor levels over existing building.
- Part six storey, part four storey rear extension.
- Proposed extensions to provide 24 residential flats (17 x 1 bed; 7 x 2 bed).
- Development to be carried out in at the same time as the recently approved Prior Approval for a change of use from offices to 24no. residential flats (3 x studio and 21 x 1 bed flats) within the existing ground, first, and second floors.
- External alterations to existing building including revisions to fenestration and elevations including non opening windows which serve the properties fronting Bath Road.
- Boundary treatment and landscaping.
- 15 parking spaces (including 4 Electric Vehicle charging bays) at surface level and within basement.
- 25 secure cycle parking spaces within basement.

Amendments since the original submission:

The application was originally submitted with balconies; however, these have since been removed due to the issues around exposure to poor air quality (see the 'impact on Air Quality' section in the planning assessment). For the same reason the windows serving the properties fronting Bath Road are now proposed to be non-opening with ventilation and cooling provided mechanically. The access arrangements to the neighbouring office has also been slightly revised / clarified since the original submission, (see the 'impact on highways, access and parking' section in the planning assessment).

3.0 **Application Site**

3.1 The application site is located within the defined town centre boundary and is positioned on the southern side of Bath Road on a corner plot with the Bath Road and Ledgers Road junction. The site is currently occupied by a detached three storey building with additional semi basement level. The site is accessed via a pedestrian access from the external stepped frontage along Bath Road, and the vehicular access is taken from the side in Ledgers Road. The site includes shared basement and surface level parking with the neighbouring office building at 17 Bath Road. Approximately 48 car parking spaces at surface level and basement level are allocated for the application site. The existing building is currently vacant and was recently as offices (B1a Use Class) occupied by Burger King Head offices.

3.2 Neighbouring the site to the west is an existing three storey office building similar in scale, form, and design as 15 Bath Road. To the east on the opposite corner plot by the Bath Road and Ledgers Road junction is a five storey detached office building (7 Bath Road). To the north on the opposite side of Bath Road is Salt Hill Park which is designated as Public Open Space. Neighbouring the site to the south is the recently built-out four storey flats fronting Ledgers Road (Thistlehurst Apartments, Planning ref. P/15909/000), and two storey terrace housing to the western rear of the flats with car parking in between.

3.3 Approximately 40 metres to the northeast is a Grade II listed structure Milestone and approximately 40 metres to the north is 28 Bath Road and to the east is Claycots Primary School which are both are locally listed buildings.

4.0 **Relevant Site History**

4.1 The most relevant planning history for the site is presented below:

F/06033/017 Notification for prior approval for a change of use from offices (B1a Use Class) to 24no. residential flats comprising 3 x studio and 21 1 bed flats (C3 Use Class).

Approved with conditons: 18-Aug-2019.

[Not implemented].

F/06033/016 Notification for prior approval for a change of use from offices (B1a Use Class) to 29no. residential flats (C3 Use Class).

Approved with conditons: 20-Feb-2019.

[Not implemented].

P/15909/000 Demolition of 8 & 10 Ledgers Road and construction of 73 dwellings (2 & 3 bedroom houses; 1 & 2 Bedroom Flats) and associated parking, landscaping and highway works.

Approved with conditons:06-Mar-2015

[Implemented and occupied].

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), following revised plans, two site notices were displayed outside the site on 06/08/2019 and following amendments on 29/10/2019. The application was advertised as a major application in the 02/08/2019 edition of The Slough Express and following amendments on 21/10/2019. Neighbour letters were sent out on 24/07/2019 and following amendments on 25/10/2019 to the following addresses:

Former Town Hall, Cctv Suite, 19, Bath Road, Slough, SL1 3UQ, 19, Bath Road, Slough, SL1 3UQ, First Floor, 7, Bath Road, Slough, SL1 3UA, The Lodge, 28, Bath Road, Slough, SL1 3SR, 67, Blair Road, Slough, SL1 3ST, 75, Blair Road, Slough, SL1 3ST, 71, Blair Road, Slough, SL1 3ST, 57, Blair Road, Slough, SL1 3ST, 61, Blair Road, Slough, SL1 3ST, 65, Blair Road, Slough, SL1 3ST, 63, Blair Road, Slough, SL1 3ST, 55, Blair Road, Slough, SL1 3ST, 59, Blair Road, Slough, SL1 3ST, Avco Systems, 17, Bath Road, Slough, SL1 3UF, 7, Bath Road, Slough, SL1 3UA, Third Floor, 7, Bath Road, Slough, SL1 3UA, Ground Floor, 7, Bath Road, Slough, SL1 3UA, Fourth Floor, 7, Bath Road, Slough, SL1 3UA, Second Floor, 7, Bath Road, Slough, SL1 3UA, Milestone Apartments, Flat 11, 2, Finefield Walk, Slough, SL1 2QE, Thistlehurst Apartments, Flat 10, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 7, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 4, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 11, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 8, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 5, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 2, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 12, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 9, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 6, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 3, 4, Finefield Walk, Slough, SL1 2QQ,

Thistlehurst Apartments, Flat 1, 4, Finefield Walk, Slough, SL1 2QQ, 12, Finefield Walk, Slough, SL1 2QR, 10, Finefield Walk, Slough, SL1 2QR, 8, Finefield Walk, Slough, SL1 2QR, 6, Finefield Walk, Slough, SL1 2QR, Milestone Apartments, Flat 7, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 9, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 1, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 4, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 2, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 5, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 3, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 8, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 10, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 6, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 12, 2, Finefield Walk, Slough, SL1 2QE, Thistlehurst Apartments, 4, Finefield Walk, Slough, SL1 2QQ, 5, Ledgers Road, Slough, SL1 2QZ, 3, Ledgers Road, Slough, SL1 2QZ, 1, Ledgers Road, Slough, SL1 2QZ, 49, Blair Road, Slough, SL1 3ST, 51, Blair Road, Slough, SL1 3ST, 53, Blair Road, Slough, SL1 3ST, 41, Blair Road, Slough, SL1 3ST, 47, Blair Road, Slough, SL1 3ST, 45, Blair Road, Slough, SL1 3ST, 43, Blair Road, Slough, SL1 3ST, Car Parking Spaces, 1516, Bath Road, Car Parking Spaces, 151, Bath Road.

5.2 The public consultation period expired 19th November 2019 and no letters of representation have been received.

6.0 **Consultations**

6.1 Local Highway Authority:

No objections. Case Officer Note: refer to section 14 of this report for detailed Planning Officer assessment.

6.2 Thames Water:

No objections. Informatives recommended.

6.3 Neighbourhood Protection / Environmental Services:

No comments received. Should any comments be provided they will be reported on the Amendment Sheet.

6.4 Contaminated Land Officer:

I have reviewed the **Phase 1 Preliminary Risk Assessment Report** (Ref. no. JER8122/001R) dated May 2019, and prepared by RPS Consulting Services Ltd.

Please see my comments below:

- There was limited access to the site during the site walkover carried out in December 2018, thus the condition of the inside of the building was not assessed.
- According to the conclusions and recommendations of the report, some type of ground investigation should be undertaken in order to confirm the ground conditions, and thus plan accordingly for the preferred development option.

Based on the above, the following conditions standard conditions should be placed on the Decision Notice:

1. Phase 2 Intrusive Investigation Method Statement
2. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy
3. Remediation Validation

6.5 Lead Local Flood Authority:

No objections:

The general principles for the surface water drainage proposals are acceptable based on the provided information. Therefore, a condition is required to secure a detailed drainage design.

6.6 Environmental Quality (Air Quality & Noise)

Air Quality:

Slough Borough Council has adopted the Low Emission Strategy, therefore assessment and mitigation should be in line with this Strategy. Due to the significance of air quality impacts, Slough Borough Council reserve the right to determine scheme impact in accordance with published Low Emission Strategy, which forms part of the air quality action plan and paragraph 181 of the National Planning Policy Framework.

The development is classified as a MAJOR scheme, due to the site's proximity to AQMA 4. Nearby monitoring (SLO 37) located on Bath Road suggests that future occupants may be exposed to poor air quality due to the high traffic flow of 34,790 vehicle movements (2018 data) on Bath Road, causing an exceedance of the AQO for NO₂ (40ug/m³).

Defra background air quality data maps have been used to determine baseline NO₂ concentrations. However, Defra pollutant maps have a lower background NO₂ concentration than what was recorded at the automatic station SLH 4 located on Bath Road. The AQIA states "Defra modelled

background concentrations for the local area are likely to decrease between 2017 to 2022". From 2016 to 2017, the NO_x concentration increased rather than decreased as predicted by Defra.

The developers AQIA predicts that concentrations between 27.5ug/m³ - 30.6ug/m³ can be achieved on this area of Bath Road within 2 years, however the closest diffusion tube location (SLO 37) recorded 40ug/m³ in 2018. This concentration is unlikely to reduce to the modelled value without significant mitigation, therefore SBC lack confidence in reported modelling results.

The developer has proposed to install mechanical ventilation with filtration systems to mitigate against NO₂ concentrations originating from Bath Road. However, use of mechanical ventilation to improve internal air quality would only be considered suitable if future occupants were not able to open windows. Allowing openable windows would compromise the filtration system and the ventilation scheme would be ineffective. On these grounds, the application should be refused.

As this site is considered a MAJOR development, offsetting the air quality impact through contribution to a project within the Low Emission Strategy Programme is expected.

A contribution of £25,000 to the Clean Air Zone feasibility study is required, which aims to bring about compliance in the shortest possible time. Implementation of a Clean Air Zone on Bath Road would reduce NO₂ exposure to future occupiers of the development and would deem the development acceptable.

SBC also request a £2,500 contribution towards a 5 year diffusion tube monitoring programme, which will cover office time, laboratory analysis and AQ reporting. This will allow SBC to fully understand the air quality conditions on the proposed development facade and the impact of traffic from Bath Road on the future occupants.

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. It is stated in the AQIA that EV provision will be provided for all parking spaces on site.
- Construction Environmental Management Plan (CEMP) shall be produced and shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report and dust management methods. It shall also include construction traffic route plans.
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report

- The Travel Plan shall be monitored and include details of the promotion of sustainable travel, including electric vehicle use and usage of the EV charging infrastructure.
- Air intakes for mechanical ventilation must be situated away from pollution sources -at height or at the back of the development/ away from major roads.
- Contribution of £25,000 towards the Clean Air Zone Feasibility Study (Project 67 of the Low Emission Strategy Programme).
- Contribution of £2,500 towards a 5 year diffusion tube monitoring programme.

Noise:

All facades of the building are exposed to high noise levels originating from road traffic on Bath Road and Ledgers Road. The North, East and West Facades experience 68dB LAeq,16h, 62dB LAeq8h, and 85dB LAmax. The South Façade experiences 60dB LAeq16h, 53dB LAeq,8h, and 75dB LAmax.

In accordance with 'ProPG: Planning & Noise – Professional Practice Guidance on Planning & Noise', aspects of good acoustic design have been incorporated into the development design, however as stated in the report, additional mitigation is required to ensure internal noise levels do not exceed standards specified in BS 8233. These are as follows:

North, East and West Elevations:

- Glazing: 47dB Rw combined secondary glazing system, and the balcony door should be protected to an extent by the proposed solid glass balcony upstand. The precise specification should be confirmed at detailed design stage. At this time a Rw 44 dB unit should be allowed for. Secondary glazing system formed from min. 6mm glass/16mm air/4mm glass/150mm void with absorbent reveal lining/6mm pane (or equal and approved)
- Ventilation; individual apartment Mechanical Ventilation With Heat Recovery MVHR systems are required, with acoustically attenuated inlet and discharge ducts. Trickle and through wall ventilation is not permitted. Noise from the operation of MVHR systems must not exceed 30dB LAeq in noise sensitive rooms.
- Building Fabric: External Wall Construction with either a cavity masonry wall or timber framed wall capable of achieving a Weighted Sound Reduction of 52dB Rw, flat roof with 100mm reinforced concrete capable of achieving a Weighted Sound Reduction of 52dB Rw.

South Elevations:

- Glazing: Double glazed unit formed from 8.8mm Laminated Pane/ 16mm Air/ 10 mm Pane in suitable frames (or equal and approved), able to achieve 44dB Rw
- Ventilation (bedrooms): Passive ventilation system Greenwood MA3051

(or equal and approved), or apartment MVHR, able to achieve 55dB Dne,w. Noise from the operation of MVHR systems must not exceed 30dB LAeq in noise sensitive rooms.

- Ventilation (living rooms): High performance trickle vent Window Greenwood EHA574 (or equal and approved), or apartment MVHR, able to achieve 44dB Dne,w.

Glazing and ventilation specifications (including details of ventilation noise outputs) chosen for the development must be submitted to SBC for approval prior to construction, to ensure future occupants are not exposed to unacceptable levels of noise.

6.7 Crime Prevention Design Advisor:

Case Officer Note: Awaiting comments on revised security strategy. Comments to be provided on the Amendment Sheet.

6.8 Viability Specialist:

The proposal would not support policy compliant affordable housing due to the scheme resulting in a negative residual deficit of when applying the policy requirement.

6.9 Daylight and Sunlight Advisor:

No objections. Case Officer Note: refer to section 11 of this report for detailed Planning Officer assessment.

6.10 Landscape Advisor:

The loss of any established soft landscape within 15 Bath Road would not have an impact. There is considerable scope for meaningful improvements to the frontage, sides and rear of the property all of which have a high profile being close to a major road through the borough.

Conversion of the office block to residential should mean that there is an overall improvement to the landscape to make the environs more 'homely'. No detailed landscape plan has been provided to support the application.

New soft landscape should include as a minimum.

Intensive green roofs (150mm deep substrate) with wild flowers and or terracing on all flat roofs which will improve outlooks for residents. New tree planting and shrub beds that will establish and provide a better relationship with the main road.

I suggest conditions to secure detailed landscaping.

6.11 Fire Authority:

No comments received. Comments to be provided on the Amendment Sheet should they be received.

6.12 Heritage Advisor:

No objection.

15 Bath Road is a late 20th century office development (with prior approval for residential use) set back from Bath Road and on the corner of Bath Road and Ledgers Road. The application proposes the construction of a linked 6-storey residential development to the rear.

The application has been accompanied by a Heritage Statement which assesses the impact of the development upon designated and non-designated heritage assets in the vicinity (in accordance with NPPF para. 189).

There is only 1 designated heritage asset that could be impacted by the proposals in terms of its setting, this is a grade II listed milestone on the south side of the Bath Road, east of the junction with Ledgers Road. By their nature milestones are small roadside structures, its 'setting' now comprises the busy Bath Road and the office buildings behind which make a neutral contribution to its significance - the proposed development to the west will not have any impact upon its significance.

I would agree with the findings of the Heritage Statement that consider the significance of non-designated heritage assets will be preserved - views of the side of Slough Town Hall from Ledgers Road will be reduced by the development to the rear but this is not considered to be overly harmful. The Bingo Hall, 3 Bath Road and 28 Bath Road are considered to have their settings preserved.

In summary the proposal is considered to preserve the setting and therefore the significance of both designated and non-designated heritage assets in the locality, it accords with Local Plan Policy and the relevant heritage based policies within the NPPF; no objection.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

- 7.1 National Planning Policy Framework 2019:
Chapter 2. Achieving sustainable development
Chapter 4. Decision-making
Chapter 5. Delivering a sufficient supply of homes
Chapter 6: Building a strong, competitive economy

Chapter 7: Ensuring the vitality of town centres
Chapter 8. Promoting healthy and safe communities
Chapter 9. Promoting sustainable transport
Chapter 11. Making effective use of land
Chapter 12. Achieving well-designed places
Chapter 14: Meeting the challenge of climate change, flooding and coastal change
Chapter 16: Conserving and enhancing the historic environment

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 5 – Employment
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 9 – Natural and Built Environment
Core Policy 10 – Infrastructure
Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Polices)

EN1 – Standard of Design
EN2 – Extensions
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
EN17 – Locally Listed Buildings
H9 – Comprehensive Planning
H11 – Change of Use to Residential
H14 – Amenity Space
T2 – Parking Restraint
T7 – Rights of Way
T8 – Cycle Network and Facilities

Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document 2010
- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map (2010)
- Nationally Described Space Standards
- Slough Low Emission Strategy 2018 – 2025
- DEFRA Technical Guidance TG (16)
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017

Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires

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

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

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

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

7.2 The planning considerations for this proposal are:

- Land use
- Housing mix
- Impact on the character and appearance of the area
- Impact on Heritage Assets
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Air Quality
- Sustainable design and construction
- Surface water drainage
- Contaminated Land
- Affordable housing and Infrastructure
- Section 106 Requirements
- Equalities Considerations
- Impact on biodiversity and ecology
- Presumption in Favour of Sustainable Development

8.0 **Land Use**

8.1 The site is located within the defined Town Centre, outside the defined Shopping Area and comprises an existing detached vacant office building which benefits from a recent prior approval change of use to residential flats.

8.2 The National Planning Policy Framework seeks to support the role that town centres play at the heart of local communities. Planning should promote the long-term vitality and viability of town centre by taking a positive approach to their growth, management and adaptation. This includes recognising that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

8.3 Core policy 5 of the Core Strategy states that outside Existing Business Areas, the change of use or redevelopment of existing offices to residential will be encouraged where this is considered appropriate. Core Policies 1 and 4 of the Core Strategy seeks high density flatted development to be located within the town centre and urban areas.

8.4 The site is located within the defined Town Centre, outside the defined Shopping Area and outside any Existing Business Areas. The proposal seeks to demolish the existing roof and extend upon and to the rear of the existing vacant office building. The existing building has a recent prior approval change of use to residential flats which was granted on 18/08/2019 and would need to be completed within 3 years to comply with the prior approval permission. Given the prior approval has not been completed, the proposal for flats could potentially be carried out as a extension to the existing office building which could either remain as an office or be converted to flats within 3 years under the prior approval.

8.5 *Existing building to remain as office:*

The demolition of the existing roof would result in the loss of functional office space at third floor level and air conditioning plant on the roof. The planning history includes two prior approval permissions (refs. F/06033/017 granted on 18/08/2019 and F/06033/016 granted on 20/02/2019). The F/06033/016 prior approval permission included the entire building including the roof void to be converted into residential flats.

8.6 Residential flats above offices are not wholly incompatible uses subject to satisfying other relevant material planning considerations. These have been assessed below and it has been found that in this instance retaining the offices on the lower floor would not result in a compatible use with the proposed residential flats. This is due to issues around residential amenity, parking, and servicing. A detailed assessment of these issues is carried out below in the relevant sections of the planning assessment.

8.7 *Existing building to be converted to flats via prior approval:*

The more recent prior approval (ref. F/06033/017 granted on 18/08/2019) does not include the roof void as part of the change of use to residential flats. The prior approval and the scheme would incorporate its own access and into the existing building that would be independent from the flats proposed in this application.

8.8 The prior approval procedure allows the change of use to either the whole of a building or to part of the building, and therefore the demolition of the roof as part of this planning application would not prejudice the implementation of prior approval flats. An extension to residential flats to provide additional would be compatible subject to satisfying other relevant material planning considerations. These have been assessed below and it has been found that subject to conditions the proposal would be compatible with the prior approval flats

8.9 *Compatibility of uses:*

Based on the above, the proposed extension to provide residential flats would be an acceptable use in combination with the more recent prior approval (ref. F/06033/017 granted on 18/08/2019). However, the proposal would not be an acceptable use in combination with the existing office building.

8.10 It is established that planning permission should not be refused where a concern or impact can be overcome by means of imposing a planning condition. Given the office building is within the red line of the application site and the developer has control over this building, a planning condition can be included to ensure the proposed development is only carried out in combination with the prior approval permission F/06033/017 granted on 18/08/2019. The developer has agreed to this condition which has been included in this list of conditions.

8.11 Based on above, the proposal would be an acceptable use of the land.

9.0 **Mix of housing**

9.1 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 D and Core Policy 4.

9.2 The proposal would provide 17no. one bed flats and 7no. two bed flats which, over a small site as proposed provides mix of homes appropriate for the location that would help achieve sustainable, inclusive and mixed communities.

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

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

10.2 The proposed enlargements would include the removal of the existing hipped roof and extend the building above second floor level to provide third, fourth and fifth floor levels. The proposal also includes a rear extension that would be part six storey and part four storey in height.

10.3 *Height, scale, and mass:*

The proposed additional height on the existing building would result in a building similar in the height as the neighbouring building to the east on the opposite corner plot by the Bath Road / Ledgers Road junction (no. 7 Bath Road). The proposal would be approximately two storeys higher than the overall height of the adjacent neighbouring building at no. 17 Bath Road, however, as there is a separation distance of approximately 8 meters and given the urban character of the area, the additional height would not appear as over dominant or out of scale in relation to this neighbouring building.

10.4 Although there would be a noticeable increase in height, scale, and mass, when viewed from the surrounding area, as the application site is located on a corner plot with Bath Road / Ledgers Road, the adjacent highway provides a good degree of openness. This provides ample separation distance from the existing neighbouring buildings to the north and east and from the Public Open Space at Salt Hill Park to satisfactorily mitigate from the increase in height scale, and mass.

10.5 The proposed rear extension would extend beyond the southern rear elevation on existing hardstanding areas, planters, and approximately five parking spaces and up to the existing vehicular access into the site from Ledgers. This rear extension would be six storeys in height where it adjoins the existing building, and would then step down to four storeys as it extends in a southerly direction along the Ledgers Road frontage. It should be noted that the six storey element of rear extension would be the same number of storeys as the proposed main building; however the rear extension would be set down to appear as one storey lower in height than the proposed main building. This is because the ground floor of the existing main building is raised from ground level, and the internal heights of the existing building were developed for commercial purposes and are therefore much higher compared to those for residential purposes.

10.6 The proposed rear extension would therefore step down in height towards the south and the southernmost four storey element would be similar in height to the southern neighbouring flats known as the Thistlehurst Apartments which front Ledgers Road. Given the nature of the proposed stepping down together with an ample amount of separation distance being retained from the Thistlehurst Apartments which includes the access road into the site, the proposed extensions would not appear as visually over dominant or out of scale when viewed in relation to this building.

10.7 The height of the proposed rear extension would not exceed the height of the existing neighbouring office building on the opposite side of Ledgers Road. Given the ample separation distance offered by the highway, the proposed extensions would not appear as visually over dominant or out of scale when viewed in relation to this building.

10.8 *Form, style, and appearance:*

The existing building is comprises reddish/brown brick linear elevations. The windows are set within continuous horizontal sills and heads and separated by small brick mullions which result in a horizontal emphasis of the fenestration. The existing roof is a shallow pitch metal clad hipped roof set beyond the parapet elevations.

10.9 The proposed upper floor extensions at the 3rd and 4th floor levels would be finished in a brick to match the existing building. The fenestration at 3rd floor would match those on the lower floors while at the At 4th floor the fenestration would vary by including narrower window units. However as these would be set within recessed openings where the brick mullions broadly line up with those on the lower floors, the openings would relate to the pattern of those on the lower floor while providing visual interest. The 5th (top) floor would comprise set-in elevations finished in zinc and a flat roof from with overhanging eaves. The pattern of fenestration would vary from the lower floors, however, given the set-in nature of its elevations and the variation in materials, this reads as a separate element and provides appropriate visual interest and is therefore considered acceptable on this basis.

10.11 The proposed rear extensions would be read in two elements. The six storey element which is set down from the host building would be finished in a brick with reddish / grey tones and incorporate large window opening with bronze panelling. The top floor would be set-in from the lower floors and comprise zinc elevations, large recessed openings and a flat roof from. The rear extension would then step down to four storeys and on the upper floors would revert back to reddish/brown brick elevations to match the main building and also incorporate large window openings with bronze panelling. At ground floor, darker / grey brick elevations with large windows and individual accesses fronting dedicated amenity areas are proposed.

10.12 Overall the proposed extensions would result in proportioned enlargements and would appropriately draw from the merits of the existing building, while also introducing new architectural features, a mix materials and textures. As there are existing buildings within the surrounding area which vary in their style, and given the improved visual appearance compared to the existing building, the proposal is considered to complement the character and appearance of the surrounding area. Due to the air quality issues (see section 14), air intakes and extracts for mechanical ventilation would be required for each flat. At this stage it is unclear what size these would be, where they would be positioned or what material they would be made of. It is recommended that these details are provided before planning permission is granted in order to ensure they do not detrimentally affect the appearance of the building. In order to ensure a high quality development is built out, conditions are included to secure high quality materials, and large scale plans/elevations and samples are to be provided to ensure appropriate quality and detailing

10.13 *Landscaping:*

The proposal would result in the loss of some existing landscaped areas and planters to the rear of the site. The existing landscaped areas to the front of the site would remain. Some new landscaping is proposed due to parking reconfiguration at the rear of the site, by the boundary fence along Ledgers Road and a new tree within an existing landscape area to the front of the site. The Landscape Officer has requested for green roofs, however, the developer has resisted due to viability issues. Given the viability constraints of the scheme, the provision of green roofs would place additional costs on the scheme and therefore result either in the loss of much needed financial contributions or an undeliverable scheme. Overall the proposed landscaping is considered appropriate for this urban area and further complement the proposed development. Further details relating the specifications of the proposed landscaping and a landscape management plan can be secured by condition. The developer has agreed to include Bumble Bee friendly planting with planting specification and this will be reflected in the condition.

10.14 The curtilage of the site would include bin store which is appropriately enclosed by timber fencing and metal railing boundary treatment to the side by Ledgers Road which is also of an appropriate quality. A new flat roof is proposed onto of the existing walls to the external stairwell at the front of the. This is not considered to have any significant adverse visual impacts.

10.15 Based on the above and subject to conditions, the proposal would have an acceptable impact on the character and visual amenity of the area and therefore comply with Policies EN1, EN2, and EN3, 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.

11.0 **Impact on Heritage Assets**

11.1 The site is not located within a conservation area and does not contain any designated heritage assets, however, there is a Grade II Listed Milestone approximately 40 metre to the west within the public footway. There are also three locally listed (non-designated heritage assets) in close proximity. No. 28 Bath Road, located approximately 40 metres directly north of the application site, Claycots Primary School, approximately 50 metres to the west, and the Bingo Hall, approximately 50 metres to the east.

11.2 Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act requires special regard to the desirability of preserving a listed building and its setting.

11.3 Chapter 16 of the NPPF intends to preserve and enhance the historic environment; paragraph 193 requires local planning authorities to afford great weight to the asset's conservation, irrespective of whether the potential harm is substantial harm, total loss or less than substantial harm.

11.4 Core Policy 9 of the Core Strategy, (2006 – 2026) Development Plan Document December 2008 states that development will not be permitted unless it:

- Enhances and protects the historic environment;
- Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;

11.5 In accordance with paragraph 189 of the NPPF the applicant has submitted a heritage impact assessment which concludes the proposal would result in a neutral contribution to the settings and significance of the four built heritage assets assessed. The affected Grade II Listed milestone is a small roadside structures and its setting comprises the busy Bath Road and the office buildings behind (7 Bath Road). When considering the proposed height, scale and mass of the proposal is similar to 7 Bath Road together with the relatively large separation distances the proposal would preserve the setting of this Grade II Listed millstone. Furthermore, given the ample separation distance from the locally listed buildings, the proposal would preserve their setting.

11.6 Planning Officer in combination with specialist advice therefore agree the proposal is considered to preserve the setting and therefore the significance of both designated and non-designated heritage assets in the locality would not be unacceptable. The proposal would not lead to less than substantial harm, substantial harm, or total loss of the designated heritage asset. The proposal therefore complies with Core Policy 9 of the Core Strategy and the requirement of the National Planning Policy Framework.

12.0 **Impact on amenity of neighbouring occupiers**

12.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Polies EN1 and EN2.

12.2 Future Flats (within existing building):

The existing building was recently used as offices but is currently vacant and is expected to undergo conversion into 24 residential flats via a recently approved prior approval application (ref. F/06033/017). By extended to the rear of the existing building, the proposal would have an impact its future occupiers. This is assessed below in further detail.

12.3 *Daylight and Sunlight*

This application has been submitted with an indicative layout of the prior approval scheme because detailed floor plans were not included within the prior approval application. Based on the indicative layout, the proposed rear extension would encroach within 45 degrees of number of windows within the rear elevation of the existing building that would serve habitable rooms within these approved flats. Therefore a Daylight and Sunlight Study has been submitted which measures the Average Daylight Factor and Annual Probable Sunlight Hours, which are the correct forms of measurement for this type of impact according to the British Research Establishment guidelines.

12.4 Average Daylight Factor - the British Research Establishment guidelines recommends the following minimum Average Daylight Factor values are achieved:

Bedrooms	1.0%
Living Rooms	1.5%
Kitchens	2.0%

The submitted Daylight and Sunlight Study report concludes the all the affected rooms based on the indicative layout of the approved flats in the existing building would either meet or exceed the Average Daylight Factor recommended values.

12.5 Annual Probable Sunlight Hours - the British Research Establishment guidelines recommend that all living rooms should have an availability of 25% annual probable sunlight hours with 5% being in the winter months. The submitted Daylight and Sunlight Study report concludes the all the affected rooms based on the indicative layout of the approved flats in the

existing building would either meet or exceed the recommended values in relation to the Annual Probable Sunlight Hours for the future prior approval flats within existing building

12.6 *Outlook:*

Although the proposed rear extension would limit the outlook to the east from within the approved flats in the existing building, a reasonable degree of outlook would remain to the south and west. Given the identified need for housing, this would not provide enough weight to refuse this application on its own; however this should be added to the weight towards any harm when determining the application.

12.7 *Privacy:*

The proposal would provide views towards the rear facing windows within the existing building, however these are very oblique views that would not result in an unacceptable loss of privacy to the future occupiers of these units.

12.8 *Noise and Disturbance:*

The proposed upper floor extension would build above the second floor of the recently approved prior approval application (ref. F/06033/017). An indicative layout of the prior approval scheme has been included with this application. Here it shows the flats within the proposed third floor of the upper floor extension are not stacked in coordination with the prior approval flats below. For example, living rooms and kitchen would be stacked directly above bedrooms areas. This would likely result in significant noise transmission from high activity areas into quieter resting areas of the units below thereby resulting in unacceptable living conditions. The application includes a noise impact assessment which proposes internal better than building regulation sound insulation and sound testing to ensure the floors are appropriately constructed to ensure conflicting stacking would have acceptable impacts. This is an acceptable approach and should be secure by condition.

12.9 Thistlehurst Apartments:

The proposed rear extension would be positioned approximately 17 metres from the existing northern side facing elevation of the neighbouring four storey flats known as the Thistlehurst Apartments which front Ledgers Road. This elevation contains one side facing window within each storey, each of which serve single aspect non-master bedrooms. The impacts on these neighbouring properties are addressed below.

12.10 *Daylight and Sunlight*

The height of the proposed rear extensions would encroach within a vertical 25 degree angle of the centre of the neighbouring ground floor bedroom window. Therefore a Daylight and Sunlight Study has been submitted which measures the Vertical Sky Component, Daylight Distribution, and sunlight for each of these neighbouring bedrooms. These are the correct forms of measurement for this type of impact according to the British Research Establishment guidelines.

- 12.11 Vertical Sky Component - the British Research Establishment guidelines states a Vertical Sky Component of 27 degrees should provide reasonable daylight falling on the plane of the window. If a proposed development would reduce the Vertical Sky Component by more than 27 degrees and result in a 20 percent over its former value, the loss of daylight would be noticeable for the occupiers and the room would appear more gloomy. The submitted Daylight and Sunlight Study finds the existing neighbouring ground floor bedroom window which is the only window serving the bedroom has a Vertical Sky Component of 30.38 degrees. With the proposed development in place, the Vertical Sky Component would be reduced by 13 percent to 26.36 degrees. Although the proposal would be just below the recommended 27 degrees, the reduction would be less than 20 percent and therefore would not fail to comply with the British Research Establishment guidelines in this regard. Furthermore, as the affected bedroom is not a main living area or a master bedroom, and given the relative shortfall from the 27 degrees, the proposal would not have an unacceptable impact on occupiers of this neighbouring dwelling. The Vertical Sky Component upper floor windows would be more than 27 degrees and with the proposed development in place, this would be reduced between 12% and 7% which is in compliance with the guidelines.
- 12.12 Daylight Distribution - the British Research Establishment guidelines states where the daylight distribution existing room is reduced by 20% the loss of daylight would be noticeable for the occupiers. The guidance states bedrooms should be analysed although they are less important than main living areas. The submitted Daylight and Sunlight Study finds that as a result of the proposed development, the existing neighbouring ground floor and first floor windows would be reduced by 26% and 22% respectively. However, as the affected rooms are bedrooms, and given these windows being close to the common boundary, such a relaxation in the guidelines is appropriate and acceptable.
- 12.13 Sunlight - the British Research Establishment guidelines advises that any windows facing within 90 degrees due south should be measured for loss of sunlight. Given the affected windows are not 90 degrees due south and are north facing; no measurement of any loss of sunlight is required. Due to the northern orientation of the proposal, it would not lead to an unacceptable loss of sunlight serving these rooms and the external areas at the Thistlehurst Apartments.

12.14 *Outlook*

The proposed extensions would be positioned at the following approximate distances from the Thistlehurst Apartments:

	Proposed 4 storey element	Proposed 6 storey element (rear extension)	Proposed highest point (upper floor extension)
Northern side facing elevation (Thistlehurst Apartments)	17 metres	24.5 metres	34.8 metres
Northern boundary (Thistlehurst Apartments)	15.5 Metres	23 Metres	33.3 metres

These distances would provide sufficient separation space from the increased built form to prevent any unacceptable overbearing impact or loss of outlook for the occupiers of the neighbouring flats within the Thistlehurst Apartments.

12.15 *Privacy*

The proposal would include west facing windows and a roof terrace at fourth floor level that would provide views towards the Thistlehurst Apartments; the closest of which would be those within the southernmost four storey elevation of the proposed rear extension. These windows serve habitable rooms and would be positioned approximately 17 metres from the existing bedroom windows in the northern side elevation of the Thistlehurst Apartments. Regard should be given to the fact that these affected windows in the Thistlehurst Apartments are positioned very close to the common boundary with the application site (approx. 1.5 metres) and therefore do not benefit from space within its own curtilage to provide sense of private outlook. Given the proposed windows are not positioned directly opposite the Thistlehurst Apartments windows (as shown on drawing no. I DG 01) and given a proposed separation distance approximately 17 metres, the resulting separation distance combined with the relatively oblique views would not result in an unacceptable loss of privacy for the occupiers of the neighbouring flats within the Thistlehurst Apartments. The proposed windows and terrace area on the upper floors would be separated by a minimum distance of approximately 22.5 metres from the Thistlehurst Apartments which is ample distance to prevent an unacceptable loss of privacy.

12.16 The external areas at the Thistlehurst Apartments are positioned to the front and side of the building and are not private. The proposal would not result in any significant overlooking not these areas over and above the current situation.

12.17 17 Bath Road:

The proposed upper floor extension on the existing buildings would be sited approximately 8 metres to the existing neighbouring office building at no. 17 Bath Road. The rear extension would be sited approximately 18.5 metres from this building. The impacts on this neighbouring property are addressed below.

12.18 *Daylight and Sunlight*

The British Research Establishment guidelines state the recommended values can apply to 'some offices'. The local planning authority consider that impact on office working environments should be given less weight compared to residential living environments. Regard should also be given to 17 Bath Road possibly being converted into residential flats; however, no plans have been submitted to propose this. As such, a Daylight and Sunlight Study has been submitted which measures the Vertical Sky Component on the affected east facing windows at 17 Bath Road. Both the local planning authority and the British Research Establishment consider this a reasonable approach.

12.19 Vertical Sky Component - the British Research Establishment guidelines states a Vertical Sky Component of 27 degrees should provide reasonable daylight falling on the plane of the window. The submitted Daylight and Sunlight Study finds that with the proposed development in place much of the east facing windows would have a Vertical Sky Component of 27 degrees or more. At the lower levels the Vertical Sky Component would be between 16 – 21 degrees. Given the close relationship of this neighbouring elevation with the common boundary together with existing use being offices which are given less weight compared to existing residential dwellings, the proposal would not result in an unacceptable impact on the amount of daylight serving the existing office.

12.20 *Privacy*

The proposed upper floor extension on the existing buildings would be sited approximately 8 metres from the west elevation of the neighbouring 17 Bath Road. No west facing windows are proposed within the upper floor extension and therefore no concerns are raised regarding the overlooking from this part of the proposed development.

12.21 The proposed rear extensions contain west facing windows serving habitable rooms and a fourth floor terrace which are positioned approximately 13 metres from the western boundary line with 17 Bath Road and approximately 18.5 metres from the elevation of the east elevation of 17 Bath Road. Subject to 1.8 metre high screening to the fourth floor terrace which can be secured by condition, these distances are considered to be sufficient to prevent unacceptable overlooking impact on the existing office use or any future redevelopment of the site.

12.22 *Outlook:*

Given the existing close relationship of the west elevation of 17 Bath Road with the common boundary together with existing use being offices where less weight is given compared to existing residential dwellings, the proposal would not result in an unacceptable impact on the amount of outlook serving the existing office. Furthermore, it is considered that the proposal would not result in an unacceptable impact on future residential occupiers should a conversion or a redevelopment be carried out appropriately.

12.23 Remaining properties within vicinity of the site:

12.24 The remaining neighbouring properties would be set away from the proposal by a distance great enough to prevent any unacceptable impacts on their amenity in terms of overlooking, overbearing, outlook, daylight, or sunlight.

12.25 Based on the above, and subject to conditions, no objections are raised in terms of the impacts on neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2018.

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

13.1 The National Planning Policy Framework states that planning should create places with a high standard of amenity for existing and future users.

13.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "*a high standard of design which creates attractive living conditions.*"

13.3 Policy H14 of the Adopted Local Plan seeks an appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities.

13.4 *Access:*

Pedestrian access from the street would be gained directly from the footway in Ledgers Road and a secondary access would be provided at the rear within the parking area. The main access comprises a secure lobby with postal storage. A further internal door provides access to the single stair core and lift to the upper floors of the proposed extensions. The prior approval scheme would be accessed separately via its own stair core via existing access from footway Bath Road. Residents of the prior approval scheme would not have access to any internal areas of the proposed development. The two lower ground floor units would benefit from independent access from Ledgers Road.

13.5 *Flat size, outlook, and privacy:*

The proposed flats would have acceptably sized internal spaces that would comply with the Nationally Described Space Standards. Most of the proposed flats would be served by windows that provide a suitable degree of aspect, outlook and privacy. The windows serving the living areas within the proposed lower ground floor flats within the rear extension would obtain outlook from the adjoining private terrace which measure approximately 4.4 metres deep, where the boundary fence and planting then adjoin Ledgers Road. Given the fencing is metal railed and not closed boarded together with a buffer area for planting which can provide additional screening, this would result in an acceptable level of outlook and privacy within these living areas. The bedroom windows within one of these units (unit PL LG01) would be close to the vehicle access road. Although this is not ideal, the access into the site would be gated, no footpath would be adjacent to this window and there would be no reason for anyone to walk past this window. Given the number of units proposed which provide good outlook conditions, the harm caused by the positioning of this window would not provide enough weight to refuse the application in its own right however this should be added to the weight towards any harm when determining the application.

13.6 The bedroom window serving the lower ground floor flat (unit PL LG02) would be positioned close to the undercroft walkway which provides the rear pedestrian access from the car park. The amount and nature of defensible area proposed for this window would not normally provide sufficient security or privacy. However, given the number of units proposed which provide good living conditions, the harm caused by the positioning of this window would not provide enough weight to refuse the application in its own right however this should be added to the weight towards any harm when determining the application. The daylight entering the bedroom this window would serve has been measured to have a Average Daylight Factor of 1.06 which comply with the British Research Establishment Guidelines of 1.0 for windows.

13.7 *Indoor environment:*

Due to high levels of Nitrogen Dioxide within the adjacent Air Quality Management Area, the flats would be required to incorporate mechanical ventilation with filtration systems. For these to provide an appropriate amount of fresh clean air within each flat, all of the windows along the Bath Road frontage and Ledgers Road frontage and some on the eastern side elevation would need to be non-openable windows. The windows within the remaining elevations would be openable by either 30%; 60%; 75% or 100% as set out in the submitted air quality assessment. Further assessment and explanation on this matter is provided below in the 'impact on air quality' section.

13.8 An overheating report has been submitted which to ensure these units would not overheat due to the restricted window openings. It is concluded that with mitigation such as providing 4 air changes per hour through the mechanical ventilation along with fabric enhancements and internal blinds, the internal temperatures would be in line with the relevant guidance (CIBSE Guide A). The proposed mitigation should be secured by condition.

13.9 The inclusion of non opening windows would prevent the future occupiers having a direct relationship to the external environment and therefore would not provide the livings conditions that would normally sought for residential living. However given the health issues associated with exposure to Nitrogen Dioxide together with the defined need for housing, this would not provide enough weight to refuse the application in isolation however this should be added to the weight towards any harm when determining the application.

13.10 As discussed in paragraph 15 The Councils Air Quality Officer therefore recommends a financial contribution towards a Clean Air Zone Feasibility Study and local tube testing which could help reduce pollution within the adjacent Air Quality Management Area and therefore enable fully openable windows in the future. These financial contributions would be secured through the Section 106 Agreement.

13.11 The strategy of providing non openable windows has been discussed with the Council's Building Control Department who have confirmed that Building Regulations provide scope for appropriate means of escape where developments such as these do not have openable windows.

13.12 *External amenity space:*

Turning to external amenity space, balconies were originally proposed, however, these have since been removed due to air the quality issues discussed above. Due to the close location to Salt Hill Park which is located on the opposite side of Bath Road via signalled controlled pedestrian crossings, future residential would have a degree access to external

amenity space. A policy compliant financial contribution of £7,200 towards open space and recreation will be secured as part of the Section 106.

13.13 *Noise and disturbance:*

As the proposal would be positioned within close proximity to the Bath Road and Ledgers Road where noise levels originating from road traffic would have an impact on the future occupiers. A Noise Impact Assessment has been submitted which finds the noise levels would significantly exceed those recommended by the relevant British Standard. The submitted Noise Impact Assessment asserts the noise impacts can be mitigated through the building fabric and individual apartment mechanical ventilation. This has been assessed by the Council's Environmental Quality Officer who generally agrees with these findings but require further information is required regarding the specific glazing to be used and the ventilation specifications along with a noise assessment and any mitigation to ensure the noise levels remain acceptable when the mechanical ventilation systems are in use. Following advice from the Environmental Quality Officer, mechanical ventilation systems are small units within each flat and are very quiet when in operation. together with appropriate positioning such as within a kitchen and if needed within an insulated cupboard they would not result in unacceptable noise impacts to the occupiers of the units and neighbouring properties. As noise impact assessment and any mitigation can therefore be secured by condition.

13.14 The proposed extensions propose uncoordinated stacking of rooms in some areas. For example, living rooms and kitchen would be stacked directly above bedrooms areas and vice versa. This would result in significant noise transmission from high activity areas into the areas into the quieter resting areas of the neighbouring units thereby significantly impacting living conditions. The application includes a noise impact assessment which proposes internal better than building regulation sound insulation and sound testing to ensure the floors are appropriately constructed to ensure conflicting stacking would have acceptable impacts. This is an acceptable approach and should be secure by condition.

13.15 *Existing offices*

The application is not proposed to and has not been designed to continue with the office use on the vacant floors below. Should an office use continue on the lower floors there would be noise and disturbance issues for the future occupiers unless a planning condition is included to restrict the opening hours, and noise impacts from air conditioning plant that would likely be required. As this scenario would result in unacceptable living conditions, a planning condition can be included to ensure the proposed development is only carried out in combination with the prior approval permission F/06033/017 granted on 18/08/2019. The developer has agreed to this condition.

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

14.0 **Crime Prevention**

14.1 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.

14.2 Pedestrian access from the street would be gained directly from the footway in Ledgers Road where there is already a good level of natural surveillance from the highway and also from the proposed windows in the upper floors. A secondary access would be provided at the rear within the parking area which is within the secured site. The main access comprises a secure lobby with postal storage. A further internal door provides access to the single stair core and lift to the upper floors of the proposed extensions. The prior approval scheme would be accessed separately via its own stair core via existing access from footway Bath Road. Residents of the prior approval scheme would not have access to any internal areas of the proposed development. The two lower ground floor units would benefit from independent access from Ledgers Road.

14.3 The proposed vehicular access from Ledgers Roads would be securely gated and be shared with the neighbouring offices at 17 Bath Road. Following consultation the Crime Prevention Officer from Thames Valley Police the plans have been revised since their original submission to provide a secure boundary around the sensitive parts of the site. Officers are now satisfied this scheme would prevent any unwanted access from the neighbouring office users and members of the public.

14.4 Cycle storage would be located within the basement and would comprise one secure store of 25 spaces for the proposal and a separate secure store of 23 spaces for the permitted development scheme. The proposed cycle store for this scheme would provide 5 individual secure lockers along with Sheffield and vertical stands. This is appropriate in principal but details of the physical security feature will be clarified through details submitted by condition.

14.5 The application includes a security strategy that aims to achieve a Secured by Design Silver Award which according to the Crime Prevention Officer from Thames Valley Police would be appropriate for this development. The submitted strategy is currently being reviewed by the Crime Prevention Officer to ensure it would achieve such accreditation. Any comments will be included on the Amendment Sheet. A condition is required to achieve a Secured by Design Silver Award level of security.

- 14.6 Based on the above, and subject to any objections from the Design Prevention Officer, the proposal is considered to be in accordance with the requirements of Policy EN5 of the adopted Local Plan.
- 15.0 **Highways and Parking**
- 15.1 The National Planning Policy Framework 2019 requires development to give priority first to pedestrian and cycle movements, and second - so far as possible – to facilitating access to high quality public transport. Development should be designed to create safe and suitable access and layouts which minimise conflicts between traffic and pedestrians. Plans should also address the needs of people with disabilities, allow for the efficient delivery of goods and access by emergency vehicles, and provide facilities for electric vehicle charging. 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 highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*”.
- 15.2 Core Policy 7 of the Core strategy and Local Plan Policy T2 require the level of parking within residential development will be appropriate to both its location and the scale of the development and taking account of local parking conditions.
- 15.3 *Trip Generation:*
- The existing offices generated approximately 269 two way vehicle trips. The proposal in combination with the approved 29 flats through the prior approval would generate approximately 190 two way vehicle trips, resulting in a net reduction of traffic movements of approximately 78 two way vehicle trips. On this basis, no objections have been raised by the Local Highway Authority with regard capacity.
- 15.4 *Access:*
- Pedestrian access is proposed directly from the footway in Ledgers Road and a secondary access at the rear within the parking area. The Local Highway Authority has confirmed these do not cause any highways issues. In proposing a secure boundary around the application site the pedestrian access into the neighbouring office building at 17 Bath Road would be slightly altered. This includes a narrower pedestrian access at the front of the site, and the removal of an access way from the rear carpark. The narrower access at the front would be through a 1 meter wide gate which is considered acceptable. Given there is a further pedestrian access at the rear to the west, the removal of the southern rear pedestrian access would not prejudice access into the building from the car park and is therefore also

acceptable.

- 15.5 The existing vehicular access from Ledgers Roads which is shared with 17 Bath Road would be retained and used to access the site. Subject to the required visibility splays being retained which can be secured by condition, satisfactory service vehicle and serving access can be achieved and objections have been raised by the Local Highway Authority.

15.6 *Car parking*

The site is located within the defined Town Centre where the development plan sets a nil parking standard for residential uses. The application proposes 15 surface level car parking spaces which exceeds this standard, however, as there would not be an increase over the existing number of car parking spaces and the trip generation would not be worsened this is considered acceptable. Of the proposed 15 car parking spaces 4 would have electric vehicle charging point which is appropriate. No parking would be provided in the basement. The neighbouring office building at 17 Bath Road would retain its current number of parking spaces.

- 15.7 The application is not proposed to and has not been designed to continue with the office use on the vacant floors below. The Local Development Plan has a maximum parking requirement of 1 space per 40sqm for offices in the town centre while residential flats have a nil parking provision. Following discussions with the Local Highway Authority should the office be retained then some parking should also be retained to serve the offices. The application proposes to allocate the parking spaces to the residential scheme and the layout does not provide any office parking. Without any off street parking for the office or any mitigation, retaining the office on the lower floors would likely lead to vehicles using the surrounding roads for parking. The Local Highway Authority assert the surrounding on street parking is up to capacity and the loss of office parking would lead to either the displacement of residential on street parking or cause a highway obstruction.

- 15.8 The application is not proposing to retain the existing offices but is currently converting them into residential flats via the recently granted prior approval permission F/06033/017 granted on 18/08/2019. This prior approval permission did not require the car parking to be retained because the site is located within the defined Town Centre where there is a nil parking requirement for residential flats. It is therefore considered the proposal in combination with the prior approval permission would result in an acceptable provision of parking on the site. A planning condition can be included to ensure the proposed development is only carried out in combination with the prior approval permission F/06033/017 granted on 18/08/2019. The developer has agreed to this condition.

- 15.9 Allocation of the car parking spaces and management of EV Charging

spaces should be ensured through a car park management plan which would allow spaces and charging points to be reallocated to residents that require them.

15.10 *Cycle parking*

Cycle storage would be located within the basement and would comprise one secure store of 25 spaces for this proposed development and a separate secure store of 23 spaces for the permitted development scheme. The proposed cycle stores would provide 5 individual secure lockers in each secure store along with Sheffield stands and vertical stands. This is acceptable subject to the physical security features being clarified through details submitted by condition.

15.11 *Refuse and Servicing:*

The refuse and recycling store would comprise a timber enclosure within the rear parking area to the western side of access ramp into the Basement. The store would be combined with approved flats within the existing building. The store would be an appropriate size to accommodate the required number of bins and manoeuvring space and would be positioned in an area suitable for resident access and for the bin collection vehicle. Acceptable turning areas within the site for a bin lorry have been demonstrated within the Transport Statement.

15.12 In order to address the increase in online deliveries, and to prevent such vehicles causing an obstruction on the roadway, a delivery management plan should be required. There appears to be enough space within the site to accommodate a delivery vehicle without causing an obstruction and therefore this can be secured by condition.

15.13 The local Highway Authority has assessed the proposal and raised no objections and the proposals are considered to accord with Core Policy 7 of the Core Strategy , Local Plan Policy T2 and T8, and the requirements of the National Planning Policy Framework.

16.0 **Air Quality**

16.1 The application is located next to the Bath Road Air Quality Management Area. Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. Proposal should not result in unacceptable levels of air pollution. This is reflected in Paragraph 181 of the National Planning Policy Framework which also goes on to require any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

16.2 The Council has recently adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic and requiring electric charging points within new developments.

16.3 *Exposure to future occupiers:*

Due to the site being within close proximity to the Bath Road Air Quality Management Area the Council's Environmental Quality Officer has confirmed that without mitigation, the proposal would lead to an unacceptable impact on the future occupiers in terms of exposure due to high levels of Nitrogen Dioxide. The application includes an Air Quality Assessment proposed to install mechanical ventilation with filtration systems to mitigate against Nitrogen Dioxide concentrations originating from the adjacent Air Quality Management Area. The Council's Air Quality Officer initially advised this is an acceptable approach subject to all of the windows being secured shut at all times. Following further discussions with the Council's Air Quality Officer and further air quality modelling from the applicant's specialist, all of the proposed flats would still require incorporate mechanical ventilation with filtration systems; however a portion of the windows could now be openable to provide a mix of filtered and non filtered air. All of the windows along the Bath Road frontage and Ledgers Road frontage and some on the southern rear elevation would need to be non-openable windows. The windows within the remaining elevations would be openable by either 30%; 60%; 75% or 100% as set out in the submitted air quality assessment. The Council's Air Quality Officer has accepted this approach. Details of the openable and non-openable windows should be required by condition.

16.4 While the installation of individual mechanical ventilation / filtration systems for each flat would provide mitigation for the future occupiers against the poor air quality, the inclusion of non opening windows would affect the living conditions of the future occupiers. The Council's Air Quality Officer therefore recommends a financial contribution of £25,000 towards a Clean Air Zone Feasibility Study which could help reduce pollution within the adjacent Air Quality Management Area and therefore may enable fully openable windows in the future.

16.5 Paragraph 54 of the National Planning Policy Framework requires obligations to meet the following three tests set out in Regulation 122 of The Community Infrastructure Levy Regulations 2010:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The Clean Air Zone feasibility study is planned to be carried out next year and is subject to funding. Should the funding be obtained, there is no certainty whether a Clean Air Zone would in fact be required or implemented as a result of the feasibility study. It is therefore considered the requested financial contribution of £25,000 towards a Clean Air Zone Feasibility Study may not meet the three tests set out in Regulation 122 of The Community Infrastructure Levy Regulations 2010.

16.6 The Councils Air Quality Officer also recommended tube testing is carried out post development to provide measurements of the air quality on the façade of the building. This would provide the Local Planning Authority appropriate information to enable openable windows should the levels of pollution drop in the future and a subsequent application is submitted. A further financial contribution of £2,500 would be required to cover the Council's cost in this regard. However the developer is currently undertaking the tube testing and following advice from the Councils Air Quality Officer, this is an acceptable alternative and therefore the £2,500 would no longer be required.

16.7 *Impact on the Air Quality Management Area*

The proposal in combination with the recently approved prior approval for a change of use from offices to 24no. residential flats is not envisioned to result in an increase in traffic movements when compared to the previous offices. However, the construction phase and the introduction of boilers serving each flat would have a detrimental impact on the Air Quality Management Area if not appropriately mitigated. Furthermore, 4no. electric vehicle charging points are proposed within the parking area. The Councils Air Quality Officer has also requested the EV provision be provided for all parking spaces on site. Given the net reduction traffic movements compared to the existing situation (approximately 78 less two way vehicle trips), the proposed 4no. electric vehicle charging points with is considered an acceptable.

16.8 The Councils Air Quality Officer has requested Travel Plan monitoring and details of the promotion of sustainable travel, including electric vehicle use and usage of the EV charging infrastructure. As set out in the Developer's Guide, due to number of flats proposed is less than 80, the planning application is not required to include a Travel Plan. However, a car park management plan which sets out how the EV parking spaces will be prioritized for EV charging will be secured by condition.

16.9 *Mitigation:*

Based on the above and the following mitigation measures will be sought:

- Car park management plan (to include EV charging).
- Construction Environmental Management Plan (CEMP) shall be

produced and shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report and dust management methods. It shall also include construction traffic route plans.

- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard.
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report.
- Mechanical ventilation with filtration systems to mitigate against NO2 concentrations originating from Bath Road.
- Air intakes for mechanical ventilation must be situated away from pollution sources at height or at the back of the development/ away from major roads.
- Non non-openable and partially openable windows.

16.10 Based on the above, the proposal would satisfy Core Policy 8 of the Core Strategy and the National Planning Policy Framework.

17.0 **Surface water drainage**

17.1 Paragraph 165 of the National Planning Policy Framework requires Major developments to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate. Core Policy 8 of the Core Strategy requires development to manage surface water arising from the site in a sustainable manner.

17.2 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development.

17.3 The application includes a drainage strategy which has been assessed by the Lead Local Flood Authority and found to be acceptable in principle, but further details are required. The Lead Local Flood Authority are recommending this can be dealt with by condition, which has been applied to the draft list of conditions.

18.0 **Infrastructure and Affordable Housing**

18.1 *Infrastructure:*

Core Policy 10 states that where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.

18.2 *Education:*

As the proposal is between 15 and 100 units, in accordance with Core Policy 10 and Part 2 of the Developer's Guide, the Education Authority

would seek education contributions. In accordance the tariffs set out in on page 6 of the Developer's Guide, each one bed flat attracts £903 and each two bed flat attracts £4,828. Based on the proposed mix, the proposal would attract a financial contribution of £49,147.

18.3 *Open Space:*

The proposal is a high density development, comprises less than 70 units and all of the flats would be served by balconies the proposal would attract a financial contribution of £300 per flat which amounts to £7,200. This amount should be allocated this towards landscape and / or recreation improvements Salt Hill Park which is located on the opposite side of the Bath Road.

18.4 *Affordable Housing:*

Core Policy 4 of the Core Strategy requires all proposals of 15 or more dwellings (gross), to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing. In accordance with the updated Developer Guide Part 2, (September 2017), as the proposal is between 15 and 24 units, the application would attract a financial contribution in accordance with the schedule of rates towards affordable housing units to be built off-site. Given the mix of units proposed, the policy compliant financial contribution would amount to £328,736.

18.5 *Viability:*

Paragraph 57 of the National Planning Policy Framework states where up to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

18.6 The total policy compliant level of planning obligations for this scheme equate to £385,083. A viability report has been submitted which has been assessed by the Council's third party viability specialist, BPS where it has been found this level of planning obligations would result in a negative residual deficit of -£280,281. Given the degree of this negative deficit the developer asserts the proposed scheme would not be deliverable. Without any obligations the scheme would have a surplus of +£104,802. Following lengthy negotiations between Planning Officers, the Council's third party viability specialist and the developer, the following level of financial contributions have been offered:

Education:	£49,147
Open Space:	£7,200
Affordable Housing:	£92,713
Net Total:	£149,060

- 18.7 The above contributions would meet the required amount sought for education and open space. However the £92,713 is a reduced amount compared to the policy compliant £328,736 for affordable housing. This amount is 28 percent of the policy requirement.
- 18.8 Where it is found that the policy compliant amount of affordable housing and / or infrastructure payments cannot be achieved it is for the Local Planning Authority to balance the priorities in where to allocate any financial contributions. In balancing the priorities, having regard to the merits of the application and the impacts associated with the development, officers have come to the conclusion the contributions should be distributed as set out in the table in paragraph 18.3.
- 18.9 Based on the above, subject to securing the financial contributions set out above towards Infrastructure and Affordable Housing, mitigation through a Section 106, no objections are raised regarding affordable housing and infrastructure
- 19.0 **Section 106 Obligations**
- 19.1 As set out above, the a Section 106 would be required to secure the following:
- Infrastructure, Affordable Housing, and Air Quality mitigation financial contributions:
 - i. Education: £49,147.
 - ii. Open Space: £7,200.
 - iii. Affordable Housing: £92,713
- 19.2 Based on the information assessed to date, such obligations would be considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that the obligations are considered to be:
- (a) necessary to make the development acceptable in planning terms;
(b) directly related to the development; and
(c) fairly and reasonably related in scale and kind to the development.
- The above should be secured through a Section 106 Agreement before this planning permission is granted.
- 20.0 **Equalities Considerations**

- 20.1 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).
- 20.2 The proposal would provide new residential accommodation at a mix of dwelling sizes that would all be compliant with the Nationally Described Space Standards. Two of the fifteen parking spaces would be sized for wheelchair accessibility. Wheelchair access from these spaces up to the main entrance can be achieved where an intercom system will provide voice communication to each flat. The communal doorways, internal corridors, lift; front doors into each flat all provide appropriate widths for wheelchair accessibility. Given the proposal is for 24 private market flats, these provisions are considered appropriate and would comply with local and national planning policies.
- 20.3 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 eg: 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 can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects. This is secured by condition.
- 20.4 In relation to the car parking provisions, there are potential adverse impacts on individuals within the pregnancy/maternity, disability and age protected characteristics if the occupier/individual does not have access to a car parking space in the development. A justification for the level of car parking is provided in the transport section of this report to demonstrate compliance with the NPPF and transport planning policies in the Local Plan/Core Strategy.

- 20.5 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.
- 21.0 **Impact on biodiversity and ecology**
- 21.1 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.
- 21.2 The application property does not fall within a designated Special Protection Areas, Special Areas of Conservation or Site of Special Scientific Interest. It is not within 200m of ancient woodland, and is not an agricultural building or barn. The building was previously used as an office and became vacant in early 2018. Since the building was vacated the building has been stripped out and is currently undergoing internal conversion works to implement the residential flats approved through the prior approval in August 2019. Following a site visit there did not appear to be any signs of any protected habitats and the developer asserts there are none. Officers are satisfied there would be no likely significant harm on protected species or ecology resulting from the proposed development.
- 21.3 The proposal would result in the loss of some existing landscaped areas and planters to the rear of the site. The existing landscaped areas to the front of the site would remain. Some new landscaping is proposed due to parking reconfiguration at the rear of the site, by the boundary fence along Ledgers Road and a new tree within an existing landscape area to the front of the site. This therefore gives opportunity to provide planting that would attract ecological habitats. Officers are aware Members Planning Committee often seek planting which attract Bumble Bees and this has been added to the landscaping condition. Given the quantity of landscaping that would replace the areas to be lost, together with ecologically focused planting; the proposal is considered to result in a minor net gain for biodiversity.
- 21.4 Based on the above, the proposal would satisfy Core Policy 9 of the Core Strategy and the National Planning Policy Framework.
- 22.0 **Presumption in favour of sustainable development:**
- 22.1 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.

22.2 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 are some conflicts with the Development Plan, namely the limited outlook to the east from within the approved flats in the existing building; the compromised living conditions caused by the restricted window openings, the bedroom window positioning in flats PL LG01 and PL LG02, and the reduced affordable housing contribution. However, when considering the proposal would provide 24 new flats towards the defined housing need at a time where there is not a Five Year Land Supply within the Borough, in combination with compliance with the relevant planning policies and considerations as set out above, the Local Planning Authority consider that the adverse impacts of the development 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. On balance, the application is recommended for approval.

23.0 **PART C: RECOMMENDATION**

23.1 Having considered the relevant policies and planning considerations set out above, it is recommended the application be delegated to the Planning Manager:

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 Agreement to secure the financial contributions set out in paragraph 19.1;
- 2) satisfactory details of the positioning, size, and finishing material of the air intakes and extracts for mechanical ventilation;
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 27th March 2020 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

PART D: LIST CONDITIONS AND INFORMATIVES (TBC)

1. Commence within three years

The development hereby permitted shall be commenced within three years of 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. Drawing Numbers

The development hereby permitted shall be carried out in accordance with the following approved plans:

- a) Drawing No. 190215 – 001; Dated 05/07/2019; Rec'd 21/10/2019
- b) Drawing No. 190215 – 003 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- c) Drawing No. 190215 – 011 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- d) Drawing No. 190215 – 100 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- e) Drawing No. 190215 – 101 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- f) Drawing No. 190215 – 102 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- g) Drawing No. 190215 – 110 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- h) Drawing No. 190215 – 111 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- i) Drawing No. 190215 – 112 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- j) Drawing No. 190215 – 113 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- k) Drawing No. 190215 – 114 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- l) Drawing No. 190215 – 115 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- m) Drawing No. 190215 – 116 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- n) Drawing No. 190215 – 117 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- o) Drawing No. 190215 – 300 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- p) Drawing No. 190215 – 301 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- q) Drawing No. 190215 – 302 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- r) Drawing No. 190215 – 310 Rev A - Dated 20/10/2019; Rec'd 21/10/2019

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. 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 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.

4. 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.

5. 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.

6. Samples of Materials

Prior to the commencement of the extensions hereby approved, samples of external materials (including, reference to manufacturer, specification details, positioning, and colour) to be used in the construction of external envelope of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. 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 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 2018.

7. Architectural details

Prior to the commencement of the extensions hereby approved, full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of windows (including surroundings and reveals), down pipes, gutters, edging details to flat roofs, balustrades, balconies, and all elevational detailing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

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 (saved polices), and the requirements of the National Planning Policy Framework 2018.

8. Surface Water Drainage

Prior to the commencement of the extensions hereby approved, a

surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).

The surface water drainage strategy shall follow the drainage hierarchy for the outfall as per Building Regulations Part H requirement. The drainage scheme shall also provide the followings;

- a. Evidence that a suitable number of infiltration tests have been completed. These need to be across the whole site; within different geologies and to a similar depth to the proposed infiltration devices. Tests must be completed according to the BRE 365 method or another recognised method including British Standard BS 5930: 2015.
- b. Maintenance regimes of the entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element. Evidence that those responsible/adopting bodies are in discussion with the developer. For larger/phased sites, we need to see evidence of measures taken to protect and ensure continued operation of drainage features during construction.
- c. Evidence that enough storage/attenuation has been provided without increasing the runoff rate or volume. This must be shown for a 1 in 100 year plus 40% climate change event.'

The approved scheme shall be implemented in accordance with the approved details which shall be fully installed before the development is occupied and be retained, managed, and maintained in accordance with the approved details at all times in the future.

REASON To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Core Policy 8 of the adopted Core Strategy 2006 – 2026, and the requirements of the National Planning Policy Framework.

9. Construction Management Scheme

Prior to the commencement of the extensions hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall include details of the provision to be made to accommodate all site operatives, visitors and construction vehicles loading (to a minimum Euro 6/VI Standard), off-loading, parking and turning within the site and wheel cleaning facilities during the construction period and machinery to comply with the emission standards in Table 10 in the Low Emission Strategy guidance.

The Plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users and in the interests of air quality and to ensure minimal disruption is caused to existing businesses in the shopping centre area in accordance with policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2019.

10. Landscaping Specification

Prior to the commencement of the extensions hereby approved, the following details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority:

- a) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- b) a schedule detailing type sizes and numbers/densities of all proposed trees/plants (including planting which attract Bumble Bees);
- c) specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and
- d) types and dimensions of all boundary treatments
- e) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - permeable paving
 - tree pit design
 - underground modular systems
 - Sustainable urban drainage integration
 - use within tree Root Protection Areas (RPAs)

The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. All soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) or planting that die, are removed or become severely damaged or diseased shall be replaced within five years of planting. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

REASON: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004

11. Crime Prevention and Anti Social Behaviour

The development hereby approved shall not commence until and a security strategy capable of achieving a level of security required by the Secured by Design Silver Award has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with the approved details prior first occupation shall be retained as such all times in the future.

REASON to ensure the proposed development minimises the opportunity criminal activity and anti social behaviour in accordance with Core Policy 12 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, and the National Planning Policy Framework, 2019.

12. Overheating Mitigation

No development shall continue above the ground floor slab of the extensions hereby approved until the specific mitigation details set out in the submitted Overheating Analysis Issue No. 2 (ref. 4260-Park House-Overheating-1911-05yp.docx); Dated 05/11/2019; Rec'd 05/11/2019 have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with the approved details prior to first occupation of the development hereby approved. Each Mechanical Ventilation unit shall then be used and maintained in accordance with the manufactures requirements.

REASON to ensure future residents are not subjected to unacceptable temperature levels once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

13. Noise assessment – external noise

No development shall continue above the ground floor slab of the extensions hereby approved until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a. lazing units pursuant in accordance with the design criteria outlined within the Planning Noise Assessment by Adnitt Acoustics (ref. E19069/EBF/R2a) Dated 5th July 2019;
- b. mechanical ventilation specification including details of ventilation noise outputs along with a noise assessment in accordance with any mitigation in accordance with ProPG: Planning and Noise Guidance and British Standard 8233:2014

The development shall be carried out in full accordance with the approved details together with the noise mitigation measures set out in Section 6 of the Planning Noise Assessment by Adnitt Acoustics (ref. E19069/EBF/R2a) Dated 5th July 2019 prior first occupation shall be retained as such all times in the future. Each Mechanical Ventilation unit shall then be used and maintained in accordance with the manufactures requirements.

REASON to ensure future residents are not subjected to unacceptable noise levels once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

14. Non- openable and partially openable windows

Prior to the installation of the windows within the extensions hereby approved, full details of all non- openable and partially openable windows pursuant to and in accordance with the submitted Internal NO2 Analysis Issue No. 1 (ref. 3902-15 Bath Road-Internal NO2-1911-06ns.docx); Dated 06/11/2019; Rec'd 06/11/2019 shall be submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the windows will be retained closed or partially closed as required without the future occupiers easily adjusting the required window aperture.

The development shall be carried in full accordance with these details prior to first occupation of the development hereby approved and retained as such at all times in the future.

REASON to ensure future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

15. Mechanical Filtered Ventilation

Prior to the occupation of the extensions hereby approved, details of the Mechanical Filtered Ventilation within each flat pursuant to and in accordance with the submitted Internal NO2 Analysis Issue No. 1 (ref. 3902-15 Bath Road-Internal NO2-1911-06ns.docx); Dated 06/11/2019; Rec'd 06/11/2019 and the noise shall be submitted to and approved in writing by the Local Planning Authority

The development shall be carried in full accordance with these details prior first occupation and retained as such at all times in the future. Each Mechanical Filtered Ventilation unit shall then be used and maintained in accordance with the manufactures requirements.

REASON to ensure existing and future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

16. Noise assessment – stacking

Prior to first occupation the development hereby approved details of internal sound insulation and testing to address the conflicting stacking of rooms in accordance with and pursuant to and in accordance with the Planning Noise Assessment by Adnitt Acoustics (ref. E19069/EBF/R2a) Dated 5th July 2019 shall be submitted to and approved in writing by the Local Planning Authority

The development shall be carried in full accordance with these details prior first occupation and retained as such at all times in the future.
REASON to ensure future residents are not subjected to unacceptable noise and disturbance once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

17. Landscape Management Plan

Prior to first occupation of the extensions hereby approved, a landscape management plan shall be 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 communal landscape areas and boundary treatments, shown on the approved landscape plan, and should include time scales for the implementation. The development shall be carried out in accordance with the approved details.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004

18. Refuse

No part of the development hereby permitted shall be occupied until full details of the external materials to be used in the bin store pursuant to the approved plans have been submitted to and approved in writing by the Local Planning Authority.

The bin store shall be carried out in accordance with the approved details first occupation and shall be retained as such at all times in the future.

REASON To ensure that there is adequate and asthetically appriorpate bin storage available at the site in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies T8 and EN5 of The Adopted Local Plan for Slough 2004, and the National Planning Policy Framework, 2019.

19. Delivery management plan

No part of the development hereby permitted shall be occupied until a delivery management plan has been submitted to and approved in writing by the Local Planning Authority. The delivery management plan shall demonstrate how a delivery vehicle will access the secured parking area without comprising the security strategy and without causing an obstruction on the highway.

The development shall be carried out in full accordance with the approved details on first occupation shall be retained at all times in the future.

REASON: to ensure the delivery vehicles serving the proposed development do not cause an obstruction on the adjoin or surround highway 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

20. Car Park and Electric Vehicle 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 provisions to :

- a) 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) Ensure spaces are not permanently linked to dwellings.
- c) State how 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.
- e) Allocation of any visitor spaces.

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

REASON to provide mitigation towards the impacts on the adjacent Air Quality Management Area and 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

21. Cycle Parking

No part of the development hereby permitted shall be occupied until the further details of the cycle parking including their physical security features and external materials pursuant to the approved plans have been submitted to and approved in writing by the Local Planning Authority.

The cycle parking shall be carried out and retained at all times in the future in full accordance with these details and in accordance with the approved plan prior first occupation and shall be retained as such at all times in the future.

REASON To ensure that there is adequate and secure 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, Policies T8 and EN5 of The Adopted Local Plan for Slough 2004, and the National Planning Policy Framework, 2019.

22. External Site Lighting

No part of the development hereby permitted shall be occupied until a

lighting scheme has been submitted to and approved in writing by the Local Planning Authority. This shall include external site lighting and lighting within the rear undercroft access and basement in accordance with the design strategy; details of the lighting units, hours of use, and vertical and horizontal illuminance levels including on habitable windows within the site and on neighbouring property. The scheme shall demonstrate there would be no increase in light on neighbouring habitable windows by more than one candela over the ambient background lighting.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future. 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 existing neighbouring residents and future residents of the proposed development and to provide a safe environment within the site in accordance with Core Policies 8 and 12 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and EN5 of The Adopted Local Plan for Slough 2004 and the requirements of the National Planning Policy Framework 2019.

23. In combination with prior approval only

No material operation in the works comprised in the approved development unless or until the scheme approved under the Local Planning Authority reference F/06033/017 dated 18/08/2019 has been implemented. No part of the approved development shall be occupied unless or until the development approved under Local Planning Authority reference F/06033/017 dated 18/08/2019 has been occupied.

REASON: to ensure the existing offices are not retained as part of the use of the land in the interest of residential amenity, parking, and servicing, and to comply with Core Policies 7 and 8 of the Core Strategy, Local Plan Policies EN1 and T2, and the requirements of the National Planning Policy Framework.

24. Privacy screening

No part of the extensions hereby permitted shall be occupied until details of privacy screening to the western side of the terrace area serving flat PL301 have been detailed on floor plans and elevations and submitted and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details prior to first occupation shall be retained in good condition at all times in the future.

REASON In the interests of neighbor amenity and to ensure no overlooking within the proposed development in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and EN2, and the requirements of the National Planning Policy Framework 2019.

25. Gas-fired boilers emissions

All gas-fired boilers within the development hereby approved shall be Individual gas fired boilers with Nitrogen Oxides emission standard of <40mgNOx/kWh.

The development shall be carried out in full accordance with these details prior first occupation shall be retained in good working order at all times in the future.

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

26. Electric vehicle charging

The 4no. Electric Vehicle charging bays as shown on the approved plans along with infrastructure capacity to power 100 percent of the parking provision for future Electric Vehicle charging shall be fully operational and available for use prior to first occupation. The 12no. Electric Vehicle charging points shall incorporate Type 2 sockets and be rated to at least 3.6kW, 16amp, 0 7kW 30amp single phase.

The Electric Vehicle charging bays shall be retained in good working order at all times in the future.

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

27. No vehicle access gates, roller shutters

No vehicle access gates, roller shutters doors or other vehicle entry barriers (other than those approved by this planning permission) shall be installed on the Bath Road entrance or along any part of the access road within the site without first obtaining permission in writing from the Local

Planning Authority

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development, and in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, and the requirements of the National Planning Policy Framework 2019.

28. Car Parking

The parking spaces and turning area shown on the approved plans shall be provided on site prior to first occupation of the development and shall be retained at all times in the future for the parking of motor vehicles ancillary to the use hereby permitted.

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 policies), and the requirements of the National Planning Policy Framework 2019.

29. No additional windows

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

REASON To protect the privacy of the neighbouring property and to ensure no further overlooking of the neighbouring office site at 17 Bath Road help ensure that these 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, Policy EN1 of The Adopted Local Plan for Slough 2004 and the requirements of the National Planning Policy Framework 2019.

30. Use of flat roofs

Other than the terrace area shown on the approved plans, the roof areas on the development hereby approved shall not be accessible for residents or visitors and shall not be used as a balcony, roof garden or other amenity area.

REASON To minimise any loss of privacy to occupiers of adjoining

residential properties, in accordance with 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.

INFORMATIVES:

1. In the exercise of its judgement in determining the appropriate balance of considerations, the Local Planning Authority has acted positively and proactively in determining this application proposal, taking into account all material considerations. Material considerations include planning policies and any representations that may have been received preceding the determination to grant planning permission in accordance with 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. The Local Planning Authority is satisfied that its processes and practices in assessing and determining this application are compatible with the Human Rights Act, the decisions of the European Court of Human Rights, and the Equality Act 2010.
2. An Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. 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.
4. All works and ancillary operations during both demolition and construction phases which are audible at the site boundary shall be carried out only between the hours of 08:00hours and 18:00hours on Mondays to Fridays and between the hours of 08:00hours and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays.
5. Noisy works outside of these hours only to be carried with the prior written agreement of the Local Authority.
6. During the demolition phase, suitable dust suppression measures must be taken in order to minimise the formation & spread of dust.

7. All waste to be removed from site and disposed of lawfully at a licensed waste disposal facility.

8. Highways:

The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.

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 license must be sought from the Highway Authority.

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

9. Thames Water

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

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](#)

“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 wwriskmanagement@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.

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. 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 will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@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.

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.

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.

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Registration Date:	26-Oct-2018	Application No:	P/05806/007
Officer:	Michael Scott	Ward:	Central
Applicant:	Slough Real Estate Ltd	Application Type:	Major
		Extension of Time:	31 Jan 2020
Agent:	Stephen Davy Peter Smith Architects, Fanshaw House, Fanshaw Street, London, N1 6HX		
Location:	23-25, Mill Street, Slough, Berkshire, SL2 5AD		
Proposal:	Demolition of the existing building and redevelopment of the site to provide two connected residential blocks for 30 x 2 bedroom and 25 x 1 bedroom units, associated parking and cycle parking facilities; with a new public pedestrian and cycle route connecting Fleetwood Road and Mill Street.		

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 neighbouring occupiers, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager:

1) For approval subject to: the satisfactory completion of a Section 106 Agreement, finalising conditions, and any other minor changes.

2) Refuse the application if a satisfactory Section 106 Agreement is not completed by 31st March 2020, unless otherwise agreed by the Planning Manager in consultation with the 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 for a major development comprising more than 10 dwellings.

Introduction

2.0 At the meeting of the Planning Committee on 2nd October 2019, Members deferred the determination of the application; so that, officers could hold further discussions with the applicant and their agent regarding the “parking” concerns and the issue of an “affordable housing” contribution.

The “parking” concerns

2.1 As set out in the original report – attached – Highways officers have put forward a strategy of reduced car parking provision at sites that lie adjacent to the Town Centre and benefit from a high accessibility to public transport. The current application site meets those parameters. Accordingly, the current scheme offers a parking ratio of 0.53 which equates to 29 spaces for 55 flats.

2.2 The Committee expressed concerns that parking could overspill into neighbouring streets, albeit recognising the site’s accessibility to the railway station.

2.3 There was a concern that Mill Street would be subject to congestion arising from parking “overspill” from this site and others immediately across the road in the Town Centre – where there is a nil requirement for on-site parking, as well as a likelihood of future residents at the application site choosing to park in roads to the north, such as Fleetwood Road, St Paul’s Avenue and beyond.

- 2.3 Officers were requested to re-visit the applicant's Transport Statement and consider whether appropriate recognition had been made of the potential for these concerns to be founded.

The "affordable housing" issue

- 2.4 The Council sought technical advice from BPS (Independent Surveyors) as to whether the development could provide affordable housing in accordance with policy requirements. BPS reviewed the proposed 55 unit development.
- 2.5 The report concluded that the applicant's appraisal inputs relating to use value, build costs, residential pricing, finance and other costs appear generally reasonable and where there are disagreements in inputs, the differences between the Council's valuer and the applicant's valuer are minor.
- 2.6 The viability report that was submitted has been assessed by the Council's third party viability specialist where it has been found a policy compliant level of planning obligations would result in a negative residual deficit of £3,113,000. Given the degree of this negative deficit the developer asserts the proposed scheme would not be deliverable.
- 2.7 It was considered that this is evidence that indicates that the current proposals cannot viably sustain on-site provision of affordable housing, and sufficient evidence has been provided to demonstrate this position.
- 2.8 However, Members expressed concerns that there would be no affordable housing contribution. So, officers were requested to re-visit the independent report and meet with the applicant and their agent to communicate the concern and seek a meaningful response.

3.0 **Parking and highways**

- 3.1 The applicant had demonstrated a parking ratio of 0.53 parking spaces which remains unchanged. Although the site technically sits outside the town centre boundary, which requires no on-site parking, it must be noted that this boundary lies in the centre of the road on Mill Street and therefore a 0.53 parking ratio is deemed appropriate and in-line with other similar developments that have recently been approved in the immediate vicinity. In addition to this, the parking ratio is deemed appropriate, given its location, as it respects the strategies of Councils approved Transport Vision, by encouraging the use of alternative modes of transport and aiding a modal shift towards more sustainable modes of transport, whilst helping to reduce the impact on air quality in the town.

- 3.2 Members raised concerns with the existing level on-street parking on Mill Street at the last committee meeting on 2nd October 2019. The Local Highway Authority (LHA) agrees that there is an existing problem on Mill Street and that it must be ensured that this problem is not increased, as a result of the development. In order to mitigate against the risk of this problem deteriorating, a £12,000 contribution towards a Traffic Regulation Order (TRO) review of the area and the implementation of a Control Parking Zone (CPZ) scheme have been sought from the applicant which they have agreed to in principle.
- 3.3 Parking on site must be controlled and managed by means of a Car Park Management Plan, this must be secured via a pre-commencement condition. Within this suggested condition, the applicant must propose a way to allocate the parking spaces, identify visibility splays, loading/unloading areas, turning areas, etc and manage unauthorised parking on the site.
- 3.4 The Transport Statement submitted by the applicant adequately demonstrates the likely trip generation of the site and the principle of it is agreed. As this location in Slough is classed as having good accessibility to non-car transport due to its close proximity to the railway station, bus station and onward travel therefore this has a very limited impact on the overall results, it is considered to be appropriate to use the applicant's comparisons.
- 3.5 The new pedestrian link path from Fleetwood Road must be fully implemented as a public right of way prior to first occupation and this will be secured via the Section 106 Agreement. Furthermore the path is to be fully constructed by the applicant, and dedicated to the Council as a public Right of Way. The path would need to be kept open to the public at all times and maintained by the applicant in perpetuity.
- 3.6 A refuse collection strategy must be submitted via condition for approval as a pre-commencement condition to ensure safe measures are agreed and implemented.

4.0 **Section 106 - Infrastructure and Affordable Housing - contributions**

4.1 *Infrastructure:*

Core Policy 10 states that where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.

4.2 *Education:*

As the proposal is between 15 and 100 units, in accordance with Core Policy 10 and Part 2 of the Developer's Guide, the Education Authority would seek education contributions. In accordance the tariffs set out in on page 6 of the Developer's Guide, each one bed flat attracts £903 and each two bed flat attracts £4,828. Based on the proposed mix, the proposal would attract a

financial contribution of £167,415.

4.3 *Open Space:*

The proposal is a high density development, comprises less than 70 units and all of the flats would be served by balconies; so, the proposal would attract a financial contribution of £300 per flat, which amounts to £16,500.

4.4 *Affordable Housing:*

Core Policy 4 of the Core Strategy requires all proposals of 15 or more dwellings (gross), to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing. In accordance with the updated Developer Guide Part 2, (September 2017), as the proposal is between 25 and 69 units, the application would attract a 25 percent financial contribution towards affordable housing units to be built off-site.

4.5 *Viability:*

Paragraph 57 of the National Planning Policy Framework states *“Where up to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it, is up to date, and any change in site circumstances since the plan was brought into force.”*

4.6 As the total policy compliant level of planning obligations for this scheme would exceed its net worth, it has to be acknowledged that the development would not be viable.

4.7 As such, the report concluded that “the current viability position of the scheme does not support the provision of affordable housing”.

4.8 Further to a meeting with the applicant, their agent and officers, the applicant has offered a contribution of £100,000 towards “any section 106 requirements”; so, this could be considered by the Council as a contribution towards off-site affordable housing.

4.9 However, on the basis that the scheme was to include a section 106 financial contribution of £100,000, the scheme would remain unviable, with a negative residual surplus of £786,000; though, the applicant has stated they would proceed with the development.

4.10 Where it is found that the policy compliant amount of affordable housing and / or infrastructure payments cannot be achieved, it is for the Local Planning Authority to balance the priorities in where to allocate any financial contributions.

- 4.11 In the balancing of competing priorities, Members may consider distributing the value of the contribution offered towards the two issues of most need; namely, the control of potential overspill parking and some affordable housing stock.
- 4.12 Based on the above, subject to securing the financial contribution of £100,000, as set out in paragraph 3.8, to be allocated towards (i) on-street parking controls and (ii) affordable housing (with a review mechanism), through a Section 106 Agreement, no objections are raised regarding affordable housing and infrastructure.

Revised Section 106 Obligations

- 5.1 Further to paragraph 3.12 above, the Section 106 to accompany the current application would be required to secure the following:
- The dedication of a public right of way from Mill Street to Fleetwood Road for pedestrians and cyclists.
 - The provision of 3 electric vehicle charging points.
 - A clause relating to Euro VI vehicles passing through the AQMA.
 - Section 278 Agreement obligations for the satisfactory implementation of the works to the access at Mill Street.
 - A contribution of £88,000 towards off-site affordable housing.
 - A contribution of £12,000 towards the investigation of a Transport Regulation Order to introduce a Controlled Parking Zone within the vicinity of the site.
 - A provision for Viability Review Mechanism to ensure any further future contribution to affordable housing is identified under circumstances when an improved viability arises.

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

1. Commence within three years

The development hereby permitted shall be commenced within three years of 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. Drawing Numbers

The development hereby permitted shall be carried out in accordance with the following approved plans:

- a) Drawing No. MLS-P002-S2-P0; Dated 22/10/18; Rec'd 26/10/2018
- b) Drawing No. MLS-P005-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- c) Drawing No. MLS-P110-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- d) Drawing No. MLS-P210-S2-P0; Dated 22/10/18; Rec'd 25/10/2018

- e) Drawing No. MLS-P211-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- f) Drawing No. MLS-P212-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- g) Drawing No. MLS-P213-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- h) Drawing No. MLS-P010-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- i) Drawing No. MLS-P101-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- j) Drawing No. MLS-P102-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- k) Drawing No. MLS-P103-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- l) Drawing No. MLS-P104-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- m) Drawing No. MLS-P105-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- n) Drawing No. MLS-P106-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- o) Drawing No. MLS-P100-S2-P4; Dated 16/04/19; Rec'd 16/04/2019
- p) Drawing No. MLS-P200-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- q) Drawing No. MLS-P201-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- r) Drawing No. MLS-P202-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- s) Drawing No. MLS-P203-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- t) Drawing No. MLS-P300-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- u) Drawing No. MLS-P301-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- v) Drawing No. MLS-P302-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- w) Drawing No. MLS-P303-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- x) Flood Risk Statement & Drainage Strategy by Ardent ref: 175610-02; Dated September 2018; Rec'd 26/10/2018
- y) Sustainability Statement by AJ Energy Consultants Ltd dated September 2018; Rec'd 26/10/2018
- z) Daylight & Sunlight Studies (Neighbouring Properties) and (Within Development) by Right to Light Consulting dated 4 October 2018; Rec'd 26/10/2018

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. New finishes:

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

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

4. 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 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

5. Phase 3 Quantitative Risk Assessment & 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

6. 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.

7. Drainage scheme

No development hereby permitted on the site shall commence until a detailed foul and surface water drainage strategy for the site, based on sustainable principles and an expressed assessment of the hydrological and hydrogeological context of the development, and including detailed drainage layout plans and calculations and any piling proposals, 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 and so retained thereafter.

REASON: To ensure the provision of adequate infrastructure to serve the development, in the interests of the protection of the water environment, in accordance with national and local planning policy and guidance set out in the NPPF 2019 and Core Strategy policies 8, 9 and 10 and Local Plan policies EN1 and EN34 of the Slough Local Development Plan.”

8. Construction Management Scheme

No demolition or development shall commence on site until a Construction Management Plan has been submitted to and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives, visitors and construction vehicles loading (to a minimum Euro 6/VI Standard), off-loading, parking and turning within the site and wheel cleaning facilities during the construction period and machinery to comply with the emission standards in Table 10 in the Low Emission Strategy guidance. The Plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users and in the interests of air quality and to ensure minimal disruption is caused to existing businesses in the shopping centre area in accordance with policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2018.

9. 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 provisions to :

- a) 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) Ensure spaces are not permanently linked to dwellings.
- c) Allocation of any visitor spaces.

No dwelling shall be occupied until the car park management scheme has been implemented as approved. Thereafter the allocation and use of car and disabled 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

10. Service road design and layout

No development shall commence on site until details of the proposed service access road including position of bollards, visibility splays and tracking diagrams and materials have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

REASON To ensure adequate inter-visibility between the access and the existing public highway and throughout the site for the safety and convenience of users of the highway and of the access, in accordance with Core Policy 7 of the Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

11. Refuse Collection Strategy

No development shall commence on site until a 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.

No dwelling shall be occupied until the Refuse Collection Strategy has been implemented as approved. Thereafter the refuse/recycling facilities shall used in accordance with the approved scheme.

REASON to ensure the collection of refuse/recycling does not lead to traffic and highway safety issues 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

12. Boundary Treatment

No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Local Plan for Slough 2004.

13. Architectural details

Construction of the buildings above damp proof course level shall not commence on site until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of windows (including surroundings and reveals), down pipes, gutters, edging details to flat roofs, balustrades and balconies have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

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.

14. Designing out crime

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. Landscaping Scheme

Construction of the buildings above damp proof course level shall not commence on site until a detailed 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 7 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.

16. Cycle Parking

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

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

17. 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 cycle/pedestrian route through the site between Mill Street to Fleetwood Road 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.

18. Car Parking

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.

19. 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.

20. No Parking Permits

No occupier of the residential development hereby approved shall be entitled to a car parking permit from the Council to park on the public highway within the local controlled parking zone or any such subsequent zone.

Reason: In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street parking stress in the area in accordance with paragraph W Part 3 of the GPDO 2015 (as amended) and the requirements of the National Planning Policy Framework 2018.

21. No additional windows

No windows (other than those hereby approved) shall be formed in the any elevation of the development without the prior written approval of the Local Planning Authority.

REASON 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. 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. All works and ancillary operations during both demolition and construction phases which are audible at the site boundary shall be carried out only between the hours of 08:00hours and 18:00hours on Mondays to Fridays and between the hours of 08:00hours and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays.
3. Noisy works outside of these hours only to be carried with the prior written agreement of the Local Authority. Any emergency deviation from these conditions shall be notified to the Local Authority without delay.
4. Highways:

The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.

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 license must be sought from the Highway Authority.

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

5. Crime Prevention:

Regarding Condition 11 above, the applicant is advised as follows:

The following minimum requirement should be addresses in order to achieving this condition.

- External Communal entrance: All external and internal Communal entrance doors will meet the requirements of the minimum physical security requirements of LPS1175 Issue 8 as a minimum.*
- Include an Access controlled via the use of electronic remote release locking systems with audio/visual link to each apartment. The system must be capable of recording images and storing them for a minimum of 30 days and be compliant with UL293 (providing reassurance that the doo entry system has assesses against a prescribed security test regime.*
- Tradesperson's release mechanisms are not permitted as they have been proven to be a cause of Anti-Social Behaviour and unlawful access to residential areas.*
- Secure communal lobbies: Any internal door sets must meet the same specification as above (this is also a requirement Building regulation part Q).*
- The system must provide compartmentalisation of each floor within the development, via controlled lift and stair core access or the inclusion of dedicated doorsets on each landing preventing unauthorised access on to the corridor from the core.*
- Individual flat entrance doors must also comply with ADP-Q, and meet the minimum physical security requirements of PAS24:2012.*
- Bin and cycle store doors and external sliding doors and roller shutters: These must be secure, meeting the minimum physical security standards of LPS1175 Issue 8 and also be access controlled as above.*

6. Thames Water:

The applicant is advised that 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:	26-Oct-2018	Application No:	P/05806/007
Officer:	Michael Scott	Ward:	Central
Applicant:	Slough Real Estate Ltd	Application Type:	Major
		13 Week Date:	25 Jan 2019
Agent:	Stephen Davy Peter Smith Architects, Fanshaw House, Fanshaw Street, London, N1 6HX		
Location:	23-25, Mill Street, Slough, Berkshire, SL2 5AD		
Proposal:	Demolition of the existing building and redevelopment of the site to provide two connected residential blocks for 30 x 2 bedroom and 25 x 1 bedroom units, associated parking and cycle parking facilities; with a new public pedestrian and cycle route connecting Fleetwood Road and Mill Street.		

Recommendation: Delegate to the Planning Manager



1.0 **SUMMARY OF RECOMMENDATION**

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

1) For approval subject to: the satisfactory completion of a s106 agreement, finalising conditions, and any other minor changes.

2) Refuse the application if a satisfactory s106 Agreement is not completed by 31st December 2019, unless otherwise agreed by the Planning Manager in consultation with the 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 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 a part 4-storey/6-storey block comprising 30no. 2-bed flats and 25no. 1-bed flats.
- Surface parking for 29 cars (12 in a secure communal garage area and 17 in the open at the rear, of which 3 are designated for accessibility users).
- The provision of 62 secure cycle parking racks in two enclosed ground floor rooms, together with a further 8 cycle spaces for visitors, with a communal store for motorbike/mobility scooters.
- Provision of vehicular/pedestrian access from Mill Street.
- Provision of a public route for pedestrians/cyclists from Mill Street to Fleetwood Road to the rear.

3.0 **Application Site**

3.1 The application site lies on the north side of Mill Street – at its eastern end shortly before it becomes Petersfield Avenue.

3.2 The existing premises are set back from the building line on the north side of Mill Street with palisade fencing on the boundaries. The existing occupier BestCars uses the two-storey building as a commercial unit for car sales, with ancillary office space and workshop facilities. There is a secure forecourt for parking, which has access/egress to/from Mill Street.

- 3.3 To the west lies the Mill West estate, which comprises two commercial buildings, each of which are two-storeys. That at the front is occupied by Euro Car Parts for distribution/storage and offices. This is brick-faced at ground level with corrugated metal cladding at first floor and roof level. The property is set back behind a frontage of brick-faced landscaped planters. The other building at the rear is occupied by several different businesses. All servicing and parking is catered for by a service yard between to the two buildings in the middle of the site.
- 3.4 On the site's eastern boundary lies a gated, access road serving SEHMI Building Materials merchants, whose site is to the rear of Mill Court, which comprises a two-storey commercial building with four units fronting Mill Street. Three parts are vacant and the remainder occupied for a Pentecostal meeting.
- 3.5 Directly opposite lies a two-storey terrace of houses with a series of residential buildings to south-west and south-east being three and four-storey blocks of flats respectively. To the rear of these are a number of modern high-rise blocks of flats known as The Junction (4-10 storeys), Rivington Apartments (5-8 storeys) and Lexington Apartments (11-15 storeys).

Of relevance to this site is the evolving redevelopment of sites on Stoke Road where blocks of flats have been built or are under construction or conversion to residential at The Foyer (6 storeys), Beacon House (4 storeys) and Vanburgh Court (5-7 storeys).

- 3.6 To the north lies Fleetwood Road and Adrians Walk, which are characterised by two-storey dwellinghouses in a mix of detached, semi-detached and terraced forms. These roads can only be accessed from St Paul's Avenue.
- 3.7 The site lies directly opposite the Town Centre and is not in a conservation area. Nor are there any designated heritage assets in the vicinity.
- 3.8 There is a road widening line on Mill Street at its junction with Stoke Road. This does not affect the application site.

4.0 **Relevant Site History**

- 4.1 Relevant site history relating to this site is as follows:

P/05806/003 Change of use from Class B1 to Class B2 – APPROVED 27-Apr-1990

P/05806/001 Change of use from warehouse to light industrial use - APPROVED 27-Sept-1984

- 4.2 There has been pre-application advice by officers in April 2018 (ref: pre-

app/1008) to an earlier version of the current scheme. In short, this involved a scheme comprising 67 units in two connected residential blocks (12 x 3 bedroom, 22 x 2 bedroom and 33 x 1 bedroom units) associated parking and cycle parking facilities.

4.3 The advice given concentrated on the need to explore a form of development which would “*enable the efficient use of land and provide options for the placement of or forms of buildings that are otherwise constrained on small sites. Comprehensive schemes also allow for simplified access.*”

4.4 That advice confirmed that the principle of a loss of existing businesses in the area north of the Station would be applicable to this site.

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) two site notices were displayed outside the site on 20/11/2018. The application was advertised as a major application in the 16/11/2018 edition of The Slough Express. Neighbour letters were sent out on 09/11/2018 to the following addresses:

18, Fleetwood Road, Slough, SL2 5ET, 17A, Fleetwood Road, Slough, SL2 5ET, 19, Fleetwood Road, Slough, SL2 5ET, 17B, Fleetwood Road, Slough, SL2 5ET, 20, Fleetwood Road, Slough, SL2 5ET, Mill West, 139, Mill Street, Slough, SL2 5AD, Mill West, 138, Mill Street, Slough, SL2 5AD, Mill West, 133, Mill Street, Slough, SL2 5AD, 30, Mill Street, Slough, SL2 5DH, 36, Mill Street, Slough, SL2 5DH, 32, Mill Street, Slough, SL2 5DH, 40, Mill Street, Slough, SL2 5DH, 30A, Mill Street, Slough, SL2 5DH, 34, Mill Street, Slough, SL2 5DH, 38, Mill Street, Slough, SL2 5DH, 40A, Mill Street, Slough, SL2 5DH, 42, Mill Street, Slough, SL2 5DH, 44, Mill Street, Slough, SL2 5DH, 46, Mill Street, Slough, SL2 5DH, 48, Mill Street, Slough, SL2 5DH, 50, Mill Street, Slough, SL2 5DH, 52, Mill Street, Slough, SL2 5DH, Mill Court, 514, Mill Street, Slough, SL2 5DA, Ground Floor, 4, Mill Street, Slough, SL2 5DA, Mill Court, 513, Mill Street, Slough, SL2 5DA, Ground Floor, 3, Mill Street, Slough, SL2 5DA, Mill Court, 512, Mill Street, Slough, SL2 5DA, Mill Court, Ground Floor, 1, Mill Street, Slough, SL2 5DA, Mill Court, First Floor, 51, Mill Street, Mill Court, Ground Floor, 2, Mill Street, Slough, SL2 5DA, Mill Court, 511, Mill Street, Slough, SL2 5DA, 15A, Fleetwood Road, Slough, SL2 5ET, 15B, Fleetwood Road, Slough, SL2 5ET, 16A, Fleetwood Road, Slough, SL2 5ET, 16, Fleetwood Road, Slough, SL2 5ET

5.2 The public consultation period expired on 30th November 2018. No comments from members of the public have been received.

6.0 **Consultations**

6.1 Local Highway Authority:

Following review of the amended plans, we require the applicant to address the following concerns:

1. The access road has 4 bollards; 3 of which are automated illuminated bollards with key fob access for residents and 1 of which is an illuminated bollard. This suggests cars will be approaching the access and waiting for the bollards to be triggered to enter into the property. However, vehicles could be blocking the highway and the footpath which is unacceptable. Therefore, the bollards need to be set back by 11m (this is to cater for both vehicles and refuse vehicles).
2. The access road is proposed to be used not only for vehicles but also for pedestrians and cyclists. Therefore, the applicant will need to ensure the shared access must be a minimum of 5.5 metres wide, plus buffer strips of 600mm on both sides. The shared surface must be accessed from a vehicular crossover raising up into a shared surface area constructed in a material that differentiates the surface from that of the bituminous road it is accessed from, ideally block paving. This will alert motorists they are entering an area where they are likely to encounter pedestrians and cyclists.
3. The bollards Type 02 on the access road need to be set back a minimum of 450mm, as they are currently at the edge of the road.
4. The visitor cycle parking is overhanging onto the access road, this needs to be addressed.
5. The applicant must provide a refuse collection strategy including tracking drawings of refuse vehicles accessing the site.
6. The applicant must provide a servicing/deliveries strategy including tracking drawings of delivery and servicing vehicles accessing the site.
7. The applicant must demonstrate visibility splays from the access in accordance with SBC standards.
8. The 0.52 parking ratio per dwelling is acceptable, given the sustainable location of development.
9. The applicant must advise whether the car parking spaces are communal or allocated.

In summary, the Highways and Transport department can only support this application subject to the applicant addressing the above concerns and submitting the amended plans.

6.2 Environment Protection:

No comments received. Should any comments be provided they will be reported on the Update Sheet to Committee.

6.3 Crime Prevention Design Advisor:

I do not wish to object to the proposals at this time. However, opportunities to design out crime and promote community safety remain. To ensure that these opportunities are not missed I ask that the following observations are addressed.

Observations and recommendations

Undercroft Parking: From the plans provided I note that undercroft parking has been proposed. These can be problematic in terms of ASB and crime they provide a secluded location where individual can gather unobserved. I ask that access into these private areas should be controlled by electronic operated gate or open lath roller shutter capable of being operated by the driver without the need to leave the safety of their vehicle. I ask that this be redesigned. Detailed plans should be submitted and approved prior to approval.

Ground floor: Ground floor apartment for facing pedestrian and cycle access linking Fleetwood Road to the proposed development. Appears isolated and not inclusive to the development. Given the connectivity permeability of this development I have concerns that the vulnerable occupant will be subjected to excessive vehicle cycle & pedestrian traffic. Where there are several ways in and out of a development these can attract crime/anti-social behaviour (ASB), aid criminal search behaviour and provide escape routes for offenders. I ask that this be redesigned. Detailed plans should be submitted and approved prior to approval.

Boundary treatments Mill West and Mill Court: In general, where private space abuts the communal gardens rear court parking areas, boundary treatments must be secure, difficult to climb whilst providing surveillance opportunities over areas they define. It is requested that a condition is imposed on the applicant to submit a rear boundary treatment plan identifying all boundary treatments where private space abuts the public and semi-private space of communal gardens and parking areas and shall include robust, 1800mm high, close board fencing with 300mm trellis to enable visibility over semi private and public realm. It is requested that the Proposed Boundary Treatment Plan is submitted, and consulted on, prior to planning approval being considered.

Physical security and Access control: It is acknowledged that Building Regulations Approved Document Q addresses the minimum physical security requirements of the each communal entrance door and residential entrance door however from the documentation provided I cannot determine how unauthorised access will be prevented. I therefore ask that a condition is imposed on this application to ensure that, any subsequent approved development is required to achieve robust access control throughout the whole development. Such a condition will help to ensure that the development achieves the highest standards of design in terms of safety and

security, safe guarding future residents. This would not only ensure that crime prevention design is incorporated within the development but also assist the authority in satisfying the requirements of NPPF - creating 'Safe and accessible environments where crime and disorder, and the fear of crime will not undermine quality of life or community cohesion'.

To ensure that the development achieves the highest standards of design in terms of safety and security, safe guarding future residents, I would ask the authority attach the following (or a similarly worded) condition upon any approval for this application;

Condition:

Prior to commencement of works, a written strategy for access control (as described within best practice guidance Secured by Design Homes 2016) should be submitted to, and approved by the authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of compliance has been received by the authority.

The following minimum requirement should be addresses in order to achieving this condition.

- External Communal entrance: All external and internal Communal entrance doors will meet the requirements of the minimum physical security requirements of LPS1175 Issue 8 as a minimum.*
- Include an Access controlled via the use of electronic remote release locking systems with audio/visual link to each apartment. The system must be capable of recording images and storing them for a minimum of 30 days and be compliant with UL293 (providing reassurance that the doo entry system has assesses against a prescribed security test regime.*
- Tradesperson's release mechanisms are not permitted as they have been proven to be a cause of ASB and unlawful access to residential areas.*
- Secure communal lobbies: Any internal door sets must meet the same specification as above (this is also a requirement Building regulation part Q).*
- The system must provide compartmentalisation of each floor within the development, via controlled lift and stair core access or the inclusion of dedicated doorsets on each landing preventing unauthorised access on to the corridor from the core.*
- Individual flat entrance doors must also comply with ADP-Q, and meet the minimum physical security requirements of PAS24:2012.*

*·Bin and cycle store doors and external sliding doors and roller shutters:
These must be secure, meeting the minimum physical security standards of LPS1175 Issue 8 and also be access controlled as above.*

[Officers note: These observations were sent to the applicant's agent who then revised the proposals accordingly to address the issues raised.]

6.4 Thames Water:

Waste Comments, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, 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>.

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

Supplementary	Comments
Please confirm connection point to surface water network either 225 or 600mm dia. surface water in Mill Street.	

6.5 Environment Quality:

No comments received. Should any comments be provided they will be reported on the Update Sheet to Committee.

6.6 Contaminated Land Officer:

I have reviewed the "Desk Study Report" (Ref. no J18180) dated October 2018, and prepared by Geotechnical & Environmental Associates Limited (GEA).

Please see my comments below:

- The report is suitable for dealing with the land contamination issues at this stage of the investigation. The Preliminary Risk Assessment identified the site likely to be a low to moderate risk of contamination, thus additional investigation and monitoring is required to ensure there are no unacceptable risks to the human health during or after the completion of the development.
- Considering the site history, I recommend that during the anticipated ground investigations and soil sample analysis, at least 3 sessions of ground gas monitoring are also carried out, together with groundwater monitoring and sample analyses.

Based on the above, I recommend approval subject to conditions, as set out below at 19.0.

6.7 Lead Local Flood Authority:

No comments received. Should any comments be provided they will be reported on the Update Sheet to Committee.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Planning Policy Framework 2019:

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 7: Ensuring the vitality of town centres

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 5 – Employment

Core Policy 6 – Retail, leisure and community facilities

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 Polices)

EN1 – Standard of Design
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
H9 – Comprehensive Planning
H11 – Change of Use to Residential
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
- Interim Planning Framework for the Centre of Slough (reported to Committee 31 July 2019. Resolved to be adopted and approved for publication).

Slough Local Development Plan and the NPPF

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

The revised version of the National Planning Policy Framework (NPPF) was published on 19th February 2019.

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

The NPPF states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law

requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Planning Officers have considered the revised NPPF 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
- Housing mix
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Affordable housing and Infrastructure
- S.106 matters

8.0 **Principle of development**

8.1 The application entails the change of use of land from commercial activities to residential use.

8.2 The National Planning Policy Framework 2019 encourages the effective and efficient use of land. This is reflected within 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.

8.3 However, as described above, the application site is immediately outside of the Town Centre. There have been significant new residential developments between Slough railway station and Mill Street as well as along Stoke Road at the junction with Mil Street. These two areas are coalescing into a single area which includes the application site. The character of this area is one of high density flats with a reduced standard for on-site car parking due to its higher public transport links and accessibility. Therefore, the site is not considered to be in a typical suburban area. As per the Pre-Application Advice, it is accepted that flats would be an appropriate housing type on this application site.

8.4 Having regard to the National Planning Policy Framework 2019 and the Local Development Plan, there are no objections to the principle of residential flatted development on this site.

8.5 Turning to the issue of “comprehensive” redevelopment raised in the Pre-

Application response, it is noted that the application proposes the redevelopment of the site in a form that would set a pattern for the redevelopment of the adjacent site to the west – were that site to become available. The proposed layout entails a “horseshoe” shaped footprint with a six-storey frontage block on Mill Street, a 4-storey block across the rear part of the site parallel to the 6-storey frontage block and a 4-storey “link” block on a north-south axis set away from both the western and eastern boundaries of the site. As such, it would not preclude or prejudice a reciprocal form on the land to the west and provides a satisfactory degree of separation from the land to the east.

9.0 **Mix of housing**

9.1 The National Planning Policy Framework 2019 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 D and Core Policy 4. The proposal would provide a mix of one-bed and two-bed units; which, given the location of the building in these particular site circumstances is considered appropriate and thus acceptable.

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

10.1 The National Planning Policy Framework 2019 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 Policy EN1.

10.2 The proposed design reflects the evolving street scene of Stoke Road and the area on the north side of Slough railway station. The façades demonstrate a rhythm of windows and balconies with the ground floor clad in a contrasting finish to form a “base” that unifies the entire built form. Window and patio door openings are slightly recessed to offer a distinct shadow line and thus depth and animation in the facades on all sides of the building’s envelope. The length of the façade alongside the internal street is modulated by components of the elevation breaking-up the overall length through a stronger emphasis on introducing verticality in these elements. In conclusion, it is considered that the overall character and appearance of the proposed development would be in-keeping with the emerging streetscene of this increasing residential “quarter”.

10.7 As set out above, there is a considerable range of building heights and a variety in scale and massing of building forms in the area between Stoke Road to the west, Slough railway station to the south and the change of character at the end of Mill Street as it becomes Petersfield Avenue to the east. The proposed scheme reflects this set of circumstances with its tallest element on Mill Street and the lower parts to the rear, as its reduces in scale

towards the domestic residential properties in Fleetwood Road to the north.

10.8 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area and therefore comply with Policies EN1 and EN2 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.

11.0 **Impact on amenity of neighbouring occupiers**

11.1 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.

11.2 Neighbouring the site to the north are the flank walls of the two-storey dwellings of Fleetwood Road. Given these lie some 15 metres away and orientation of the respective buildings there would be no significant impact on the residential amenities of those occupiers.

11.3 The other closest residential properties are those directly opposite on the south side of Mill Street. The properties rear amenity areas are to the south and unaffected by the proposals. The front windows would not be significantly affected by the new building opposite at a distance of over 16 metres. The changes in 'before' and 'after' accord with allowances set out in the BRE Daylighting & Sunlighting tests.

11.4 The current neighbours to west and east are in commercial use. The proposed building would represent a different form and use; so, the scheme has blank flank walls to each of the two blocks that lie adjacent to the common boundary. Thus, there would be little impact on the amenities of the adjacent commercial occupiers. Moreover, the proposals are laid out so as to not prejudice the amenities of potential future new occupiers.

11.5 The proposed layout seeks to address the need to facilitate further development of the immediately adjacent land to the west and east should those sites become available.

11.6 Thus, the siting of the service access road on the eastern side of the application site ensures the proposed building form provides a significant degree of separation from that site.

11.7 Whereas, on the western side, the proposed design suggests a form that would mirror it, having the six-storey front element on the frontage and the

four-storey part abutting the boundary at the rear and a space between to allow a similar scale and massing laid out alongside to create another block in the same alignment. Thus, this current application would not give rise to a detrimental relationship with any future development facing across the common boundary.

11.8 Subject to conditions, no objections are raised in terms of the impacts on neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2019.

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

12.1 The National Planning Policy Framework 2019 states that planning should create places with a high standard of amenity for existing and future users.

12.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."

12.3 There will be access from separate cores with stair and lift facilities to ensure safe circulation as appropriate.

12.4 The proposed flats would have acceptably sized internal spaces that would comply with the Council's current guidelines, and would be served by windows that provide a suitable degree of daylight, aspect, and outlook.

12.5 Each of the flats would be served by private balconies. Additionally, there would be a communal garden and playspace, in the centre of the development. Natural surveillance of this area should ensure its safe use. Screening of the balconies should be conditioned to prevent overlooking of adjacent units and prevent the prejudicial development of adjoining sites. Additionally, the site lies a short walk from the southern side of the Bower Playing Fields, with the more extensive Salt Hill Park somewhat further afield. Overall, it is considered that the future occupants would have access to outdoor amenity space.

12.6 The site lies in an area where it would be necessary to ensure future end users are not subject to exposure to contamination. The Council's Scientific Officer has suggested conditions which are included at 19.0 below. No concerns have been raised regarding air quality.

12.6 Based on the above, the living conditions and amenity space for future occupiers is considered to be in accordance with the requirements of the

NPPF, Core policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan.

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 The scheme has been developed in conjunction with the Thames Valley Police Liaison Officer. So, the scheme comprises two blocks with separate access and full consideration for the "compartmentalisation" of the interior layout to minimise circulation. Access to each block would be gained from the internal street linking Mill Street and Fleetwood Road on the eastern side of the site. There would be secure external doors with wide approach zones and long sight lines thus providing a good level of natural surveillance.
- 13.3 Cycle storage would entail two separate facilities dedicated to Blocks A and B in proportion to the number of flats in each; so, there would be space for 34 cycles in that serving Block A and space for 28 cycles in that serving Block B. Both of these two rooms would be on the ground floor within the main entrance access foyer of the respective block.
- 13.4 As the scheme includes a dedicated public right of way between Mill Street and Fleetwood Road for pedestrians and cyclists, careful consideration has been given to sight lines and the layout of the surface and adjacent parts of the building to ensure there is a safe and unobstructed route.
- 13.5 Based on the above, and subject to the condition set out below, the proposal is considered to be in accordance with the requirements of Policy EN5 of the adopted Local Plan.

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*'.

- 14.3 Cycle parking is to be provided in accordance with the Council's standards. There would be two separate cycle stores; each with secure access from within the foyer/core reception areas of the two blocks.
- 14.4 The application site is located within a short walking distance of Slough railway and bus stations with a high level of public transport accessibility.
- 14.5 As such, it considered appropriate to apply a lower figure than the Council's standard for car parking provision in this case, as has been done in the vicinity of the application site on those sites at the junction of Stoke Road and Mill Street to the east.
- 14.6 The application proposes 29no. parking spaces at surface level. This produces a provision of 0.53 spaces. The Council's Parking Standards suggest one space per unit in out-of-Town Centre locations. However, for comparison, it should be noted that the proposals at Beacon House/The Foyer are being advanced on the basis of a ratio 0.5 and Vanburgh Court was approved on the basis of ratio of 0.56. So, although the proposal falls short of the standard set out in the development plan, the Developer's Guide SPD is clear that these standards should be applied flexibly for residential development in very accessible locations.
- 14.7 The provision of services and facilities for shopping and other needs are immediately available within the locality. Therefore, it is considered that the shortfall in off-street car parking in such a sustainable location would not lead to highways concerns. A condition preventing future residents from applying for Council parking permits has been included at 19.0 below.
- 14.8 Some aspects of the layout of the service access road would need to be resolved through condition, as there are outstanding issues of detail to ensure bollards and visitor cycle parking facilities are satisfactorily provided in a manner that does not impede access or lead to concerns for highway safety.
- 14.9 The inclusion of a pedestrian/cycle link between Mill Street and Fleetwood Road will enable sustainable modes of travel locally and thus contribute to an overall reduction in emissions and pollution. This environmental benefit will be enhanced by the inclusion of three EV charging points.
- 14.10 Based on the above, and subject to the conditions set out below, the proposal is considered to be in accordance with the requirements of Policies T2 and T8 of the adopted Local Plan, as well as the provisions of the NPPF.
- 15.0 **Affordable housing & Infrastructure**

15.1 A thorough and robust review of the applicant's viability statement by the Council's independent consultants, BPS, concluded that the proposals would not generate sufficient value to provide any contribution to affordable housing.

15.2 However, it is recommended that there should be Viability Review Mechanism under s.106 to ensure that future values would not lead to set of circumstances which may justify such a contribution.

16.0 **Drainage & Flooding**

16.1 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. 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.

16.2 As the site is located in Flood Zone 1, it does not have to undergo the Sequential and Exceptional tests.

16.3 The Flood Risk Statement concludes that the proposals are consistent with the NPPF. The site will not be at significant risk of flooding or increase the flood risk to others.

16.4 Changes in government legislation from April 2015, require major developments to provide measures which 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 increase from 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.

16.5 Discussions and exchanges with the Council's consultants, Hampshire CC, who act as the Local Lead Flood Authority, have not yet finalised the drainage strategy to accompany the proposals. As such, a condition is set out below to ensure the scheme meets with appropriate standards. Any update will be provided on the Amendment Sheet.

17.0 **Section 106 Requirements**

- 17.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.
- 17.2 A draft Heads of Terms should include the following:
- 1) The dedication of a public right of way from Mill Street to Fleetwood Road for pedestrians and cyclists.
 - 2) The provision of 3 electric vehicle charging points.
 - 3) A clause relating to Euro VI vehicles passing through the AQMA.
 - 4) Section 278 Agreement obligations for the satisfactory implementation of the works to the access at Mill Street.
 - 5) A provision for Viability Review Mechanism to ensure any future contribution to affordable housing is identified.
- 17.3 Based on the information assessed to date, such obligations would be considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that the obligations are considered to be:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

18.0 **PART C: RECOMMENDATION**

18.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager:

1) For approval subject to: the satisfactory completion of a s106 Agreement, finalising conditions, and any other minor changes.

2) Refuse the application if a satisfactory s106 Agreement is not completed by 31 December 2019, unless otherwise agreed by the Planning Manager in consultation with the chair of the Planning Committee

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

1. Commence within three years

The development hereby permitted shall be commenced within three years of 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. Drawing Numbers

The development hereby permitted shall be carried out in accordance with the following approved plans:

- a) Drawing No. MLS-P002-S2-P0; Dated 22/10/18; Rec'd 26/10/2018
- b) Drawing No. MLS-P005-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- c) Drawing No. MLS-P110-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- d) Drawing No. MLS-P210-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- e) Drawing No. MLS-P211-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- f) Drawing No. MLS-P212-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- g) Drawing No. MLS-P213-S2-P0; Dated 22/10/18; Rec'd 25/10/2018
- h) Drawing No. MLS-P010-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- i) Drawing No. MLS-P101-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- j) Drawing No. MLS-P102-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- k) Drawing No. MLS-P103-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- l) Drawing No. MLS-P104-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- m) Drawing No. MLS-P105-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- n) Drawing No. MLS-P106-S2-P2; Dated 04/04/19; Rec'd 04/04/19
- o) Drawing No. MLS-P100-S2-P4; Dated 16/04/19; Rec'd 16/04/2019
- p) Drawing No. MLS-P200-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- q) Drawing No. MLS-P201-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- r) Drawing No. MLS-P202-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- s) Drawing No. MLS-P203-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- t) Drawing No. MLS-P300-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- u) Drawing No. MLS-P301-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- v) Drawing No. MLS-P302-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- w) Drawing No. MLS-P303-S2-P1; Dated 16/04/19; Rec'd 16/04/2019
- x) Flood Risk Statement & Drainage Strategy by Ardent ref: 175610-02; Dated September 2018; Rec'd 26/10/2018
- y) Sustainability Statement by AJ Energy Consultants Ltd dated September 2018; Rec'd 26/10/2018
- z) Daylight & Sunlight Studies (Neighbouring Properties) and (Within Development) by Right to Light Consulting dated 4 October 2018; Rec'd 26/10/2018

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. New finishes:

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

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

4. 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 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

5. Phase 3 Quantitative Risk Assessment & 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

6. 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.

7. Drainage scheme

No development hereby permitted on the site shall commence until a detailed foul and surface water drainage strategy for the site, based on sustainable principles and an expressed assessment of the hydrological and hydrogeological context of the development, and including detailed drainage layout plans and calculations and any piling proposals, 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 and so retained thereafter.

REASON: To ensure the provision of adequate infrastructure to serve the development, in the interests of the protection of the water environment, in accordance with national and local planning policy and guidance set out in the NPPF 2019 and Core Strategy policies 8, 9 and 10 and Local Plan policies EN1 and EN34 of the Slough Local Development Plan.”

8. Construction Management Scheme

No demolition or development shall commence on site until a Construction Management Plan has been submitted to and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives, visitors and construction vehicles loading (to a minimum Euro 6/VI Standard), off-loading, parking and turning within the site and wheel cleaning facilities during the construction period and machinery to comply with the emission standards in Table 10 in the Low Emission Strategy guidance. The Plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users and in the interests of air quality and to ensure minimal disruption is caused to existing businesses in the shopping centre area in accordance with policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2018.

9. Service road design and layout

No development shall commence on site until details of the proposed service access road including position of bollards, visibility splays and tracking diagrams and materials have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

REASON To ensure adequate inter-visibility between the access and the existing public highway and throughout the site for the safety and convenience of users of the highway and of the access, in accordance with Core Policy 7 of the Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

10. Boundary Treatment

No development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Local Plan for Slough 2004.

11. Architectural details

Construction of the buildings above damp proof course level shall not commence on site until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of windows (including surroundings and reveals), down pipes, gutters, edging details to flat roofs, balustrades and balconies have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

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.

12. Designing out crime

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.

13. Landscaping Scheme

Construction of the buildings above damp proof course level shall not commence on site until a detailed 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 7 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.

14. Cycle Parking

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

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

15. 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 cycle/pedestrian route through the site between Mill Street to Fleetwood Road 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.

16. Car Parking

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.

17. Refuse/recycling storage details

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.

18. 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.

19. No Parking Permits

No occupier of the residential development hereby approved shall be entitled to a car parking permit from the Council to park on the public highway within the local controlled parking zone or any such subsequent zone.

Reason: In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street parking stress in the area in accordance with paragraph W Part 3 of the GPDO 2015 (as amended) and the requirements of the National Planning Policy Framework 2018.

20. No additional windows

No windows (other than those hereby approved) shall be formed in the any elevation of the development without the prior written approval of the Local Planning Authority.

REASON 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. 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. All works and ancillary operations during both demolition and construction phases which are audible at the site boundary shall be carried out only between the hours of 08:00hours and 18:00hours on Mondays to Fridays and between the hours of 08:00hours and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays.
3. Noisy works outside of these hours only to be carried with the prior written agreement of the Local Authority. Any emergency deviation from these conditions shall be notified to the Local Authority without delay.
4. Highways:

The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.

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 license must be sought from the Highway Authority.

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

5. Crime Prevention:

Regarding Condition 11 above, the applicant is advised as follows:

The following minimum requirement should be addresses in order to achieving this condition.

·External Communal entrance: All external and internal Communal

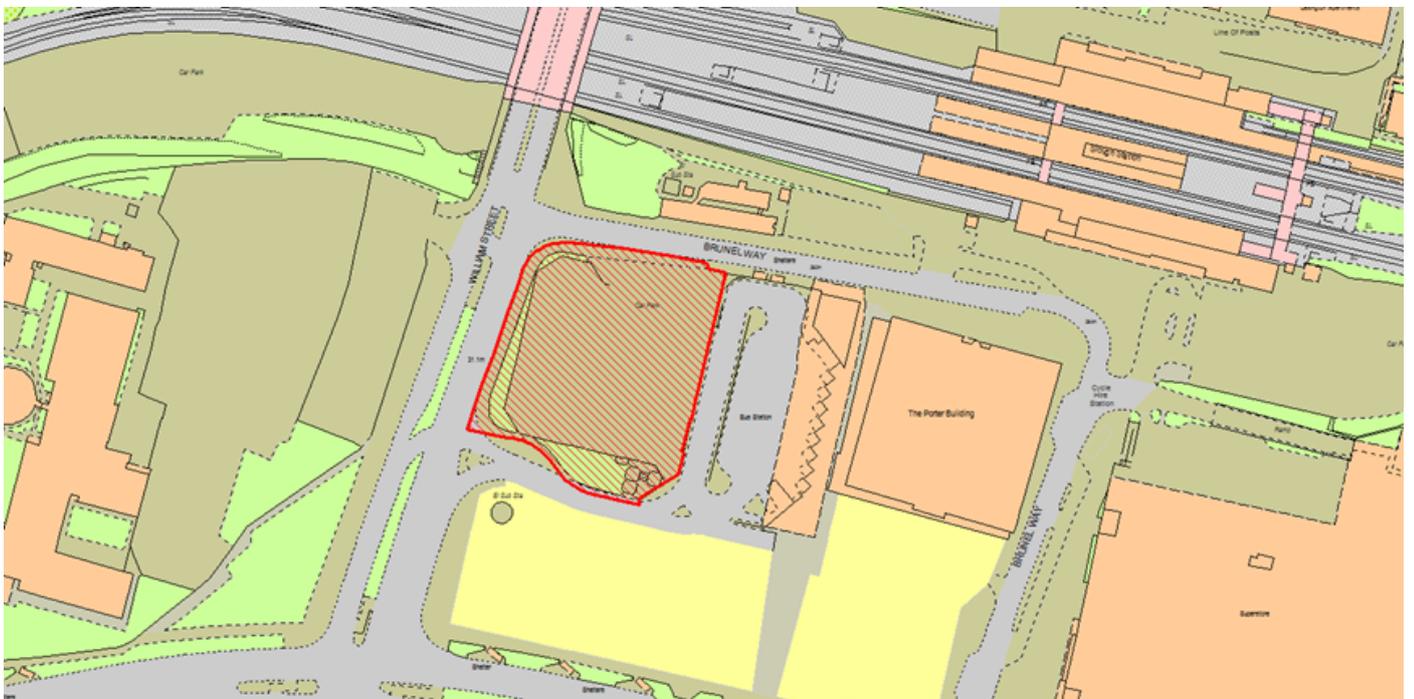
entrance doors will meet the requirements of the minimum physical security requirements of LPS1175 Issue 8 as a minimum.

- Include an Access controlled via the use of electronic remote release locking systems with audio/visual link to each apartment. The system must be capable of recording images and storing them for a minimum of 30 days and be compliant with UL293 (providing reassurance that the door entry system has assessed against a prescribed security test regime.*
- Tradesperson's release mechanisms are not permitted as they have been proven to be a cause of Anti-Social Behaviour and unlawful access to residential areas.*
- Secure communal lobbies: Any internal door sets must meet the same specification as above (this is also a requirement Building regulation part Q).*
- The system must provide compartmentalisation of each floor within the development, via controlled lift and stair core access or the inclusion of dedicated doorsets on each landing preventing unauthorised access on to the corridor from the core.*
- Individual flat entrance doors must also comply with ADP-Q, and meet the minimum physical security requirements of PAS24:2012.*
- Bin and cycle store doors and external sliding doors and roller shutters: These must be secure, meeting the minimum physical security standards of LPS1175 Issue 8 and also be access controlled as above.*

6. Thames Water:

The applicant is advised that 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:	N/A	Application No:	N/A
Officer:	Neil Button	Ward:	Central
Applicant:	Slough Borough Council	Application Type:	Major
Agent:	Fuller Long	13 Week Date:	N/A
Location:	Former Octagon Site, Station Square, Slough, SL1 1QY		
Proposal:	Construction of new office building with cafe use at ground floor level including two level car park with access from Stoke Road, landscaping and new lay-by .		



PRE-APPLICATION PRESENTATION

Introduction:

The applicant, Exton Estates/Aberdeen Standard Investments has commenced pre-application discussions with the Local Planning Authority for the re-development of the former Octagon Site on Brunel Way in Slough Town Centre. The site adjoins the Heart of Slough (Core Strategy) Allocation Site which is envisaged for comprehensive and significant redevelopment and regeneration.

The pre-application scheme follows the withdrawal of two planning applications for mixed use development. The 2017 hotel/residential scheme obtained a resolution to grant permission from the Planning Committee (October 2018) for:

“Ref: P/04888/019: Mixed use regeneration scheme comprising: new area of public realm/pedestrian link, build to rent (BTR) residential accommodation (343 units), a hotel (170 beds) with ancillary leisure and business facilities, retail uses (use class A1-A3), and associated basement parking)”.

The applicant opted not to pursue this scheme due to the hotel operator pulling out. The application was withdrawn by the applicant on 7th October 2019.

A subsequent full planning application was submitted in May 2019 for:

“Ref: P/04888/021: Redevelopment of temporary car park comprising the erection of a new 21 storey residential building to provide 180 residential units (Class C3), and new 7 storey office building to provide 9,570 sqm (Class B1 floorspace) including ancillary co-working space, ground floor retail uses (Use Class A1/A3), new area of public realm with landscaping, associated basement car parking, servicing areas and relocation of vehicular access from Brunel Way to Wellington Street”.

The application was withdrawn by the applicant on 7th October 2019 citing that the development was not financially viable and could not support the levels of planning obligations and affordable housing that were being sought by officers.

The Site and Surroundings:

The site is a 0.41 hectare site currently used as a temporary surface-level car park. It was formerly occupied by an office building known as The Octagon (arising from its rather unusual octagonal design) which was demolished several years ago. The site is within the Town Centre Boundary, but is not allocated within the Councils Site Allocations DPD. The site adjoins, but does not formally form part of, Slough Borough Council’s Heart of Slough regeneration proposals. The site is bounded to the north by Brunel Way, Slough railway station and the railway lines.

To the south of the site is Brunel Place which comprises two office buildings of approximately 12,000m² and 22,000m² that are currently under construction. To the south, William Street joins the Wellington Street (A4) at a new a-grade interchange that has been delivered as part of the Heart of Slough masterplan.

Slough bus station is located to the east of the site. Beyond the bus station is the Porter Building, a new five-storey office development.

To the west is Stoke Road and beyond that the former Thames Valley University site which is part of the Heart of Slough proposals and is earmarked for mixed-use development including housing and offices.

The site is not within a Conservation Area, nor does it contain any listed buildings, but it is close to and visible from several Grade 2 listed buildings – the rail station

(three separate list entries) and St Ethelbert's Church and Presbytery (two list entries). Windsor Castle is a Grade 1 listed building and a Scheduled Ancient Monument; the Castle features in long distance views of the application proposal.

Site History:

The relevant planning history for the site is set out below (planning history that has been excluded involves details to discharge conditions and adverts).

P/04888/021 - Redevelopment of temporary car park comprising the erection of a new 21 storey residential building to provide 180 residential units (Class C3), and new 7 storey office building to provide 9,570 sqm (Class B1 floorspace) including ancillary co-working space, ground floor retail uses (Use Class A1/A3), new area of public realm with landscaping, associated basement car parking, servicing areas and relocation of vehicular access from Brunel Way to Wellington Street. – Withdrawn by applicant on 7-October 2019

P/04888/019 - Mixed use regeneration scheme comprising: new area of public realm/pedestrian link, build to rent (BTR) residential accommodation (343 units), a hotel (170 beds) with ancillary leisure and business facilities, retail uses (use class A1-A3), and associated basement parking. Withdrawn by applicant on 7-October 2019

P/04888/018 - Screening opinion for redevelopment of former Octagon for a mixed use regeneration scheme comprising; a new area of public links, build to rent accommodation and a hotel with leisure and business facilities. (343 Build to Rent units, a hotel (170 beds) and ground floor A1/A3 uses. Environmental Impact Assessment not required 28 Sept 2017.

P/04888/017 - Retention of surface public car park for a further temporary period of two years (The use of the site as a temporary car park with 124 parking spaces was initially allowed on appeal on 13 November 2012 under appeal reference APP/J0530/C/12/2181980). Approved 14 April 2015.

P/04888/016 - Erection of 2 no linked office buildings (10 no floors and 8 no floors) 27,000m² of internal office floor space (Class B1a) together with access, parking and servicing. This application was reported to the Planning Committee on 17 October 2013 and it was resolved that the application be delegated to be approved following completion of s106 agreement (S106 not completed). No decision issued

P/04888/012 - Demolition of existing building and erection of two linked office buildings (10 no. floors and 8 no. floors) comprising 29,417square metres of gross external office floor space (Class B1a) together with access, parking and servicing. Approved 17 June 2008

P/04888/000 - Construction of a building of 106,399 sq. ft. (gross) comprising of 70,000 sq. ft. of offices, 1,500 sq. ft. of gymnasium and clinic, 7000 sq. ft. of plant space and 28,000 sq. ft. of car parking. Approved 01 February 1979.

The Proposal:

The current proposals comprise the erection of a 7 storey office building to provide 12,401 sqm B1 floorspace including the provision of two ground floor cafes, a two level car park to provide 120 car spaces, landscaping around the building edges and provision of a new vehicular access and lay-by area on Stoke Road.

The architecture of the building reflects the principles proposed for the office building in the previous 2019 scheme but the elevations and façade treatment have been amended at the lower levels to respond to the changes to the ground floor level.

The offices are to be designed flexibly so they could accommodate a single occupier, or a series of individual occupiers. Roof terraces are proposed at 6th floor and roof level.

EXTRACT FROM SBC CONSTITUTION: PART 5.2: CODE OF CONDUCT FOR COUNCILLORS AND OFFICERS IN RELATION TO PLANNING AND LICENSING MATTERS

Developer's briefings to Planning Committee Protocol

Early member engagement in the planning process is encouraged and supported by the NPPF. Enabling a developer to brief and seek the views of elected Members about planning proposals at an early stage (usually pre-application or where this is not possible, very early in the formal application period) is important in ensuring that new development is responsive to and reflects local interests/concerns where possible.

Slough Borough Council proposes to achieve this objective through formal presentations to the Planning Committee in accordance with procedures set out in this Protocol. No decision will be taken at these meetings and if the pre-application submission is followed by a formal planning application, the application will be subject to the normal procedure of a report to a future meeting of the Planning Committee.

1. The purpose of briefings is:

- To enable Members to provide feedback that supports the development of high quality development through the pre- application process, and avoid potential delays at later stages;
- To ensure Members are aware of significant applications prior to them being formally considered by the Planning Committee;
- To make subsequent Planning Committee consideration more informed and effective;
- To ensure issues are identified early in the application process, and improve the quality of applications; and
- To ensure Members are aware when applications raise issues of corporate or strategic importance.

2. What sort of presentations would be covered in the briefings?

Presentations on proposed large-scale developments of more than 50 dwellings, or 5,000m² of commercial or other floorspace or which includes significant social, community, health or education facilities, or where the Planning Manager considers early discussion of the issues would be useful; and

Presentations on other significant applications, such as those critical to the Council's regeneration programmes, significant Council developments, or those requested by the Chair of the Committee or deemed appropriate by the Planning Manager.

3. Frequency and timings of meetings

The presentation will coincide with the monthly Planning Committee meetings.

4. Format of the presentations

- The meeting will be chaired by the Chair of the Planning Committee who will ask Members attending to disclose any relevant interests;
 - The Developer will supply all presentation materials including any models, and these will be displayed in the meeting room;
 - Officers to introduce the proposal (5 minutes);
 - The developer and/or agents will be invited to make a presentation (10 minutes);
 - Ward Members will have the opportunity to address the Committee (4 minutes each, subject to the discretion of the Chair);
 - Question and answer session: Members of the Planning Committee and Ward Members will be able to ask questions to the Developer and officers (15 minutes) Supplementary questions from Ward members to be at the discretion of the Chair);
-
- A short note of the meeting summarising Members' comments would be made.

5. Other matters

Members questions will be restricted to points of fact or clarification and must be structured in a way that would not lead to a member being perceived as taking a fixed position on the proposals. Members should ensure that they are not seen to pre-determine or close their mind to any such proposal as otherwise they may then be precluded from participating in determining the application.

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 4th December 2019

CONTACT OFFICER: Paul Stimpson, Planning Policy Lead Officer
(For all Enquiries) (01753) 87 5820

WARD(S): ALL

PART I
FOR DECISION

**RESPONSE TO CONSULTATIONS ON WINDSOR AND MAIDENHEAD,
 SPELTHORNE AND AYLESBURY VALE LOCAL PLANS**

1. **Purpose of Report**

1.1 The purpose of this report is to seek Member's approval for the proposed response to consultations on proposed modifications to the Royal Borough of Windsor and Maidenhead Local Plan and Vale of Aylesbury Local Plan. In addition Member's approval is sought for the Council's response to the Spelthorne Preferred Options Local Plan consultation.

2. **Recommendation(s)/Proposed Action**

2.1 The Committee is requested to resolve that:

- a) The proposed representations on the Windsor and Maidenhead Borough Local Plan (2013 - 2033) Submission Version Incorporating Proposed Changes (October 2019) be approved and submitted to the Council.
- b) The proposed representations on the Aylesbury Vale Local Plan Main Modifications consultation (November 2019) be approved and submitted to the Council.
- c) No objections are made to the Spelthorne Preferred Options Local Plan Consultation: Sites and Policies document (November 2019).

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

3a. **Slough Joint Wellbeing Strategy Priorities**

3.1 This will have an impact upon the following SJWS priorities:

4. Housing

3b. **Five Year Plan Outcomes**

These will help deliver the following Five Year Plan's outcomes:

- Our residents will have access to good quality homes.

4. **Other Implications**

(a) Financial

4.1 There are no financial implications

(b) Risk Management

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That the Committee responds to the proposals in the Local Plans of nearby Authorities.	Failure to respond could affect the ability to meet housing needs within the wider area.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications

4.2 There are no Human Rights Act Implications as a result of this report.

(d) Equalities Impact Assessment

4.3 There are no equality impact issues

(e) Workforce

4.4 No issues

5. **Supporting Information**

Consultation on the Windsor and Maidenhead Borough Local Plan (2013 - 2033) Submission Version Incorporating Proposed Changes (October 2019)

5.1 The Royal Borough of Windsor and Maidenhead has been preparing a Borough Local Plan since 2016 in order to replace the current plan which was adopted in 1999.

5.2 The Local Plan was published for public consultation in August 2017.

5.3 This Council's main objection to the plan was the lack of any requirement in Policy H03 to require development to provide affordable housing for rent. This was considered to be a strategic cross boundary issue because it could put more pressure on Slough's housing market. As a result it was considered that by failing to address this, RBWM had failed the Duty to Cooperate.

5.4 The Council also objected on the grounds that the plan failed the test of soundness because it had not been positively prepared in a way which seeks to meet the objectively assessed needs of people in the most acute housing need within the Plan area.

5.5 One of the Council's other objections was that the plan did not allocate the site south of Austen Way in Langley for housing which could have helped to meet some of Slough's housing needs.

- 5.6 The Submission version of the RBWM Borough Local Plan 2013-2033 was submitted to the Secretary of State for independent examination in January 2018. The Secretary of State appointed a planning inspector to carry out the examination.
- 5.7 A preliminary hearing took place in June 2018 which looked at the legal compliance and the soundness of the plan. Slough Borough Council Officers attended this.
- 5.8 The Inspector then wrote to the Royal Borough in July 2018 setting out her concerns regarding the outcome of the hearing and the soundness of the plan. She requested additional information and a range of questions. In December 2018 the Inspector paused the examination to enable the Royal Borough to undertake further work. The Inspector did not raise any questions about the Duty to Cooperate and so it is assumed that the plan has met this legal requirement.
- 5.9 Windsor and Maidenhead Council have now published proposed changes to the Borough local Plan which amends a number of policies and reduces the overall number of allocations.
- 5.10 The consultation on the proposed changes to the submitted Borough Local Plan (2012-2033) will run for six weeks until Sunday 15 December 2019.
- 5.11 The consultation document explains that the proposed changes are necessary because *“On multiple occasions, it has been necessary for the council to re-examine its approach to plan-making; to revisit, update and supplement the evidence base informing the preparation of the local plan; and to make appropriate changes to the emerging plan to ensure its consistency with the ever-changing priorities of national planning policy and practice guidance”*
- 5.12 The proposed changes to the plan are extensive and result in a significant rewording of large sections of text and policies.

Affordable housing

- 5.13 The affordable policy has been modified to reflect this Council’s objections to the original affordable housing policy presented in the submission version of the Windsor and Maidenhead Borough Local Plan. As explained above this Council requested that the affordable housing policy included a requirement for social rent.
- 5.14 The new affordable housing policy is set out below which now requires 40% affordable housing on greenfield and employment sites with up to 500 units and 30% on all other sites. Within this proportion, 45% would be social rent, 35% affordable rent and 20% intermediate tenure.
- 5.15 This reflects the previous offer that was made in a letter to the Council but not included in the plan. As a result is proposed that the Council should support this modification and withdraw its objection as the affordable housing policy has now being positively prepared and is sound.

1. The Council will require all developments for 10 dwellings gross, or more than 1,000 sqm of residential floorspace, to provide on-site affordable housing in accordance with the following:

On greenfield sites (or sites last used for Class B business use or a similar sui generis employment-generating use) providing up to 500 dwellings gross - 40% of the total number of units proposed on the site;

On all other sites, (including those over 500 dwellings) – 30% of the total number of units.

Within designated rural areas, the Council will require 40% affordable housing from all developments of between 5 and 9 dwellings.

Where a development falls below the size thresholds in 1 or 2 but is demonstrably part of a potentially larger developable area above those thresholds, the Council will require affordable housing on a pro rata basis.

The required affordable housing size and tenure mix shall be provided in accordance with the Berkshire Strategic Housing Market Assessment 2016, or subsequent affordable housing needs evidence. This currently suggests a split of 45% social rent, 35% affordable rent and 20% intermediate tenure overall.

The delivery of affordable housing will be provided in accordance with the following order of priority:

On-site as part of the development and distributed across the development to create a sustainable, balanced community

On an alternative site, only if provision would result in a more effective use of available resources or would meet an identified housing need, such as providing a better social mix and wider housing choice

Financial payment to be utilised in providing affordable housing on an alternative site. Only in exceptional circumstances to the satisfaction of the Council. Financial Contributions should however be used for any fractions of Affordable Housing units required on site, there should Planning obligations will be used to ensure that the affordable housing will remain at an affordable price for future eligible households, or for the subsidy to be recycled to alternative affordable housing provision

Housing sites

- 5.17 The housing target in the plan has not been changed. It is proposed that 14,240 houses should be built over the plan period at a rate of 730 a year until 2023/24 when it would increase to 850 a year. A total of 16,435 dwellings have either been built or are allocated in order to meet the target.
- 5.18 There has, however, been a significant change in where the proposed housing should go as a result of a reassessment of flood risks and the application of a new site selection methodology.

- 5.19 In total, 22 housing allocation sites have been deleted. Nine new sites with housing included mainly in mixed use developments in places like Maidenhead town centre,
- 5.20 The site East of Queen Mother Reservoir Horton, which adjoins properties in Brands Hill, has been retained for 100 residential units. The revised site Specific requirements refers to an improved vehicular access onto Horton Road but also states that it will have to “integrate well with development on Springfield Road, including provision of a vehicular access”. Springfield Road is an unadopted road and so it is suggested that the plan should make it clear that the new development would have to pay to bring the road up to adoptable standards or reimburse the residents if they have paid for this to happen in the meantime.
- 5.21 This Council previously objected to the failure of the submission version of the Borough Plan to allocate the land at Austen Way as a housing site. This site is not included in the proposed changes and so our objection still stands on the basis that it should be allocated for residential development to meet Sloughs unmet housing needs.

Vale of Aylesbury Local Plan (VALP) Main Modifications Consultation (November 2019)

- 5.22 The examination into the Aylesbury Vale Local Plan took place in July 2018. A key part of this plan is the proposal to meet Chiltern and South Bucks unmet housing needs by building an additional 5,750 dwellings in houses in Aylesbury.
- 5.23 This Council made representations at the examination that it was not reasonable or sustainable to import housing from outside of the “functional” Housing Market Area such as the southern part of South Bucks. It was estimated that 1,750 houses fell into this category and so this number should be deducted from the number of houses being built in Aylesbury to accommodate South Bucks unmet need.
- 5.24 Inspector published his interim finding in August 2018. This concluded that the plan could be made sound through modifications which are now the subject to public consultation until the 17th December.
- 5.25 The Inspector has proposed that the total housing provision in the plan should be increased from 27,400 to 28,600. Whilst the text continues to explain that this allows for 5,750 houses to meet Chiltern and South Bucks needs, the reference to this in Policy S2 is now recommended to be deleted. It is recommended that this proposed modification to the policy should be supported.
- 5.26 The plan was prepared under the now superseded 2012 version of the NPPF. As a result the Objectively Assessed Housing Need figure for Aylesbury of 20,600 was derived from their own Housing Needs Assessment. All plans now have to use the Government’s standard methodology for calculating housing needs. Using this, the current housing needs figure for Aylesbury would be 29,520. This means that the plan is not actually going to meet the District’s own needs and there is no scope for it to provide for the 8,000 unmet needs from Wycombe, Chiltern and South Bucks.
- 5.27 It is not possible to object to the proposed modifications on this basis but it makes it all the more important that the figures are removed from Policy S2.

Spelthorne Local Plan Preferred Options Consultation: Policies and Sites (November 2019)

5.28 Spelthorne Issues and Options document was the subject of public consultation in May 2018.

5.29 Spelthorne Borough Council has now prepared a Local Plan Preferred Options document which is out for consultation for six weeks.

5.30 The Local Plan uses the Government's standard methodology for calculating Local Housing Need and is proposing to meet this in full. As a result there will not be any additional pressure on Slough's housing market. We have not asked Spelthorne to accommodate any of our potential un met local housing needs because it does not come within the Area of Search identified in Part 1 of the Wider Growth Area Study.

5.31 The preferred option is to maximise densities in urban areas, release some green belt and produce a masterplan for Staines. In total 19 Green Belt sites have been identified for potential release which will provide approximately 1,649 units

5.32 As a result it is considered that this Council should not raise any objections to the Spelthorne Local Plan Preferred Options. We will continue to be involved in future consultations with Spelthorne through the Duty to Cooperate and will work together to produce a Statement of Common Ground.

6. Conclusion

6.1 Members' are requested to approve the representations to the proposed modifications to the Local Plans of Windsor and Maidenhead and Aylesbury Vale. Also Members are requested to agree that no objections are made to the Spelthorne Preferred Options Local Plan consultation.

7. Background Papers

'1' Windsor and Maidenhead Borough Local Plan (2013 - 2033) Submission Version Incorporating Proposed Changes (October 2019)

'2' Aylesbury Vale Local Plan Main Modifications consultation (November 2019)

'3' Spelthorne Preferred Options Local Plan Consultation: Sites and Policies document (November 2019)

MEMBERS' ATTENDANCE RECORD 2019/20
PLANNING COMMITTEE

COUNCILLOR	29/5	3/7	31/7	4/9 CANCELLED	2/10	6/11	4/12	15/1	19/2	18/3	22/4
Dar	P	P	P		P	P					
Davis	P	P	P		P	Ap					
M. Holledge	P	P	P		Ap	P					
Gahir	P	P	P		P	P					
Mann	P	P	P		P	P					
Minhas	P	Ap	P		P	P					
Plenty	P	Ap	P		P	Ap					
Sabah	P	P*	P		P	P					
Smith	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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