

Date of issue: Tuesday, 1 December 2020

MEETING	PLANNING COMMITTEE (Councillors Dar (Chair), M Holledge (Vice-Chair), Ajaib, Davis, Gahir, Mann, Minhas, Plenty and Smith)
DATE AND TIME:	WEDNESDAY, 9TH DECEMBER, 2020 AT 6.30 PM
VENUE:	VIRTUAL MEETING
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE 07514 939 642

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

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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.



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PLANNING APPLICATIONS			
5.	P/04670/014 - 17-31, Elmshott Lane, Slough, Berkshire, SL1 5QS <i>Officer's Recommendation: Delegate to Planning Manager for Refusal</i>	13 - 38	Cippenham Green
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Press and Public

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

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

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

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



PREDETERMINATION/PREDISPOSITION - GUIDANCE

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

Predisposition

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

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

Pre-determination / Bias

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

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

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Planning Committee – Meeting held on Wednesday, 11th November, 2020.

Present:- Councillors Dar (Chair), M Holledge (Vice-Chair, left 9.06pm), Ajaib, Gahir, Mann, Minhas, Plenty and Smith

Also present under Rule 30:- Councillors Ali, Mohammad, Rasib and Sabah

Apologies for Absence:- Councillor Davis

PART I

62. Declarations of Interest

Item 5 (Minute 67 refers) – 246 Farnham Road, Slough: All councillors declared that they had received correspondence from the applicant.

Item 9 (Minute 71 refers) – Crossdock, 60 Lakeside Industrial Estate, Colnbrook: Councillor Smith declared that the application was in his ward; that the applicant had contacted him prior to submitting the application and that he had referred them to the planning department; and that he was a member of Colnbrook Parish Council which had discussed the application, but Councillor Smith stated that he had not taken part in discussing the merits of the application. He stated that he retained an open mind and would participate and vote on the item.

Item 10 (Minute 72 refers) – Langley Police Station, High Street, Langley: Councillor Ajaib stated that he was a ward councillor for Langley St Mary's which was listed in the report as being the ward in which the site was located. He stated that the application site was actually in Langley Kedermister and therefore clarified for the record that it was not in his ward.

63. Guidance on Predetermination/Predisposition - To Note

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

64. Minutes of the Last Meeting held on 14th October 2020

Resolved – That the minutes of the meeting held on 14th October 2020 be approved as a correct record.

65. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

Planning Committee - 11.11.20

66. Planning Applications

The Amendment Sheet, which included details of alterations and amendments received since the agenda was circulated had been sent to Committee Members who confirmed that they had received and read it.

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

Application P/01388/012 – 246 Farnham Road: a representative of the Applicant and Ward Members Councillor Mohammad, Councillor Rasib and Councillor Sabah addressed the Committee.

Application P/03283/018 – 232 Farnham Road: the Agent and Ward Members Councillor Mohammad, Councillor Rasib and Councillor Sabah addressed the Committee.

Application P/03283/019 – 230 Farnham Road: the Agent and Ward Member Councillor Mohammad addressed the Committee.

Application P/00226/044 – 253-257 Farnham Road: the Agent addressed the Committee.

Application P/08979/002 – Langley Police Station, High Street Langley: the Agent addressed the Committee.

Application P/10482/012 – Slough Hockey Club, Stambury, Upton Court Road: the Agent addressed the Committee.

Application P/19067/000 – Arbour Park, Stoke Road: the Agent had made comments on this application during the related application for Slough Hockey Club.

Application P/08145/007 – Salisbury House, 300-310 High Street: the Agent addressed the Committee.

Resolved – That the decisions taken in respect of the planning applications 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 Amendment Sheet circulated to Members prior to the meeting and subject to any further amendments and conditions agreed by the Committee.

Planning Committee - 11.11.20

67. P/01388/012 - 246 Farnham Road, Slough, SL1 4XE

Application	Decision
Variation of condition 2 (Restricted hours operation) of planning permission P/01388/009 dated 11/07/2011 (to enable extended hours of use to 0200 hours each day of the week).	Approved.

68. P/03283/018 - 232, Farnham Road, Slough, SL1 4XE

Application	Decision
Variation of condition 3 (Hours of opening) of planning permission P/03283/014 for 'Change of use from A2 (Office) to A3 (Restaurant) with ancillary A5 (Hot-food takeaway) ' dated 18/12/2018 to allow business hours of 08:00 to 02:00 each day of the week.	Delegated to the Planning Manager for refusal.

69. P/03283/019 - 230, Farnham Road, Slough, SL1 4XE

Application	Decision
Variation of condition 3 (Hours of opening) of planning permission P/03283/013 for 'Change of use from A2 (Office) to A3 (Restaurant) with ancillary A5 (Hot-food takeaway) ' dated 13/11/2018 to allow opening hours of Monday to Thursday 11:00 to 01:00, Friday to Sunday 11:00 to 02:00, seasonal variations Eid and Ramadan Only 11:00 to 03:00.	Delegated to the Planning Manager for Refusal.

Planning Committee - 11.11.20

70. P/00226/044 - 253-257, Farnham Road, Slough, Berkshire, SL4 4LE

Application	Decision
Change of use at ground floor from nursery (D1 Use Class) to Commercial Use (Class E) and conversion to provide 3 x self contained ground floor residential flats (C3 Use Class) together with integral cycle parking and external alterations to the facades of the building and erection of two storey extension at roof level above the first floor (subject to conversion to 9 residential units under the Prior Approval Ref: F/00226/040) to provide an additional 12 self-contained residential flats (net increase in 15 x flats excluding the first floor). External railing enclosure, boundary treatment, parking, and landscaping (Revised Plans and Description of Development dated 13.10.2020).	Delegated to the Planning Manager for refusal.

(Councillor Holledge left the meeting)

71. P/10211/004 - Crossdock, 60, Lakeside Industrial Estate, Slough, Lakeside Road, Slough, Colnbrook, SL3 0EL

Application	Decision
Installation of a new mezzanine floor, a security hut, cycle store and security barrier.	Delegated to the Planning Manager for approval.

72. P/08979/002 - Langley Police Station, High Street, Langley, SL3 8MF

Application	Decision
Demolition of the existing garages, alterations to the existing entrance/egress from Trelawney Avenue and redevelopment of the site to include – conversion of the former police station (sui generis) to	Delegated to the Planning Manager for approval.

Planning Committee - 11.11.20

residential accommodation (10 x studio units) construction of 2 x 3 bedroom and 1 x 2 bedroom units a 6 x 1 bedrooms HMO unit with associated car parking, cycle parking, refuse store and landscaping.	
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73. P/10482/012 - Slough Hockey Club, Stambury, Slough Cricket Club, Upton Court Road, Slough, SL3 7LT

Application	Decision
Change of use of a clubhouse, artificial hockey pitch and car park (Use Class F.2), between 7.30am and 5.00pm Monday to Friday only, to educational use (Use Class F.1) for a temporary period as required until 28th February 2021. Use Class F.2 to operate outside of these hours. (Revised Description of Development and Additional Documents submitted 25.09.2020).	Delegated to the Planning Manager for approval.

74. P/19067/000 - Arbour Park, Stoke Road, Slough, SL2 5AY

Application	Decision
Change of use of community facility, clubhouse, car park and football pitch (Use Class F.2), between 7.30am and 5.00pm Monday to Friday only, to educational use (Use Class F.1) for a temporary period as required until 28th February 2021. Use Class F.2 to operate outside of these hours (Revised Description of Development and Additional Documents submitted 25.09.2020).	Delegated to the Planning Manager for approval.

(At 10.11pm, the Chair proposed, and Committee agreed, to continue the meeting after 10.30pm to complete all business, in accordance with Procedure Rules 8.1, 8.2 and 8.3 of the Council's Constitution. Minor adjustments to the time allowed for questions on the pre-application presentations were agreed).

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75. P/08145/007 - Salisbury House, 300 - 310 High Street, Slough

Application	Decision
Creation of an additional 3 storeys on top of existing ground floor, to create 11 new units. Alterations to 3 existing units. Ground Floor change of use from Public house (class A4 use) to Retail (class A1 use) facing High Street and Offices (Class B1a use) facing Hatfield Road. New residential units will have associated cycle storage in the basement and bin storage on the ground floor.	Delegated to the Planning Manager for refusal.

76. Buckingham Gateway Site, 132-144 High Street, Slough

The Committee received a pre-application presentation on the proposals for Buckingham Gateway Site, 132-144 High Street, Slough. Members noted the purpose, scope and format of the discussion, as outlined in the Code of Conduct for Councillors and Officers in relation to planning and licensing matters.

The pre-application presentation was given by a representative of the applicant, Vistastar Leisure PLC. The proposal was to redevelop the temporary car park and erect 4 buildings ranging from 4 to 19 storeys to provide approximately 300 residential flats, a health club, ground floor commercial/retail units and associated basement car park. The Committee noted the proposals for the overall concept for the site and a wide range of specific issues including car parking, affordable housing, materials and landscaping.

Councillor Ali, a ward member for Central, commented on the presentation.

Following the presentation, Members welcomed the fact that a proposal was coming forward for an important, empty site in the town centre and raised a number of points including:

- Design and materials – the overall appearance and materials as presented were generally welcomed.
- Scale and height – several Members commented on the appropriateness of a 19 storey development on this site and whether the size and density would be in keeping in this location.
- Car parking – it was proposed the residential element would be car free. Members expressed some concerns about the lack of provision

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for visitors, insufficient disabled spaces and the fact that car parking would be provided solely for gym users.

- Affordable housing – Members noted the proposal for 20% split between on and off site provision and reminded the applicant that this was significantly below the requirement set out in the Developers Guide for a scheme of this size.
- Landscaping – Members commented that they hoped to see adequate communal space in the central courtyard, with sufficient light for the trees and planting.

At the conclusion of the discussion, the presentation was noted.

Resolved – That the pre-application presentation be noted.

77. HSS Tool Hire Shop, 375 Bath Road, Cippenham, SL1 5QA

The Committee received a pre-application presentation on the proposals for the HSS Tool Hire Shop, 375 Bath Road, Cippenham, Slough. Members noted the purpose, scope and format of the discussion, as outlined in the Code of Conduct for Councillors and Officers in relation to planning and licensing matters.

The pre-application presentation was given by the agent, GAA Design. The proposal was to demolish the existing Tool Hire shop and erect a building rising to 12 storeys for a residential led, mixed use development that would include 119 flats with amenity terraces, ground floor flexible use and car parking. The agent referred to the scheme potentially forming part of wider masterplan for the area.

Following the presentation, Members raised a number of points including:

- Design and materials – the principle of bringing forward residential led development on the site was supported and the general design and materials appeared positive.
- Masterplan – Members stated that they would need to consider the application on its own merits rather than in the context of the masterplan presented given the fact the applicant did not own or control the sites referred to in the presentation.
- Height – Members commented that no other buildings in the area were of the proposed height and any proposal should be in keeping with the location.
- Car parking – 74 spaces would be provided and Members would want to consider this carefully in any application to ensure it was sufficient for this location.

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- Affordable housing – the agent stated that 24 units would be provided and Members commented that they felt a higher number could be achieved.

At the conclusion of the discussion, the presentation was noted.

Resolved – That the pre-application presentation be noted.

78. Planning Appeal Decisions

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

Resolved – That details of planning appeals be noted.

79. Members Attendance Record

The Committee noted the Members' Attendance Record for the 2020/2021 municipal year.

Resolved - That the Members' Attendance Record for 2020/2021 be noted.

80. Date of Next Meeting - 9th December 2020

The date of the next meeting was confirmed as 9th December 2020.

Chair

(Note: The Meeting opened at 6.43 pm and closed at 11.18 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

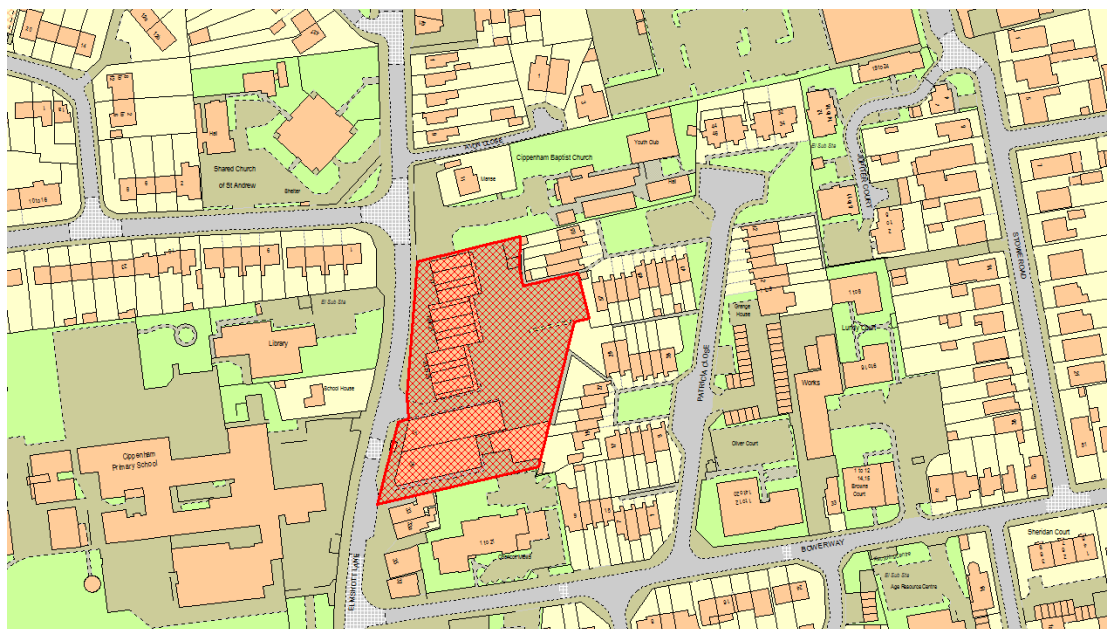
OFFICER ABBREVIATIONS	
LM	Laurence Moore
DC	David Cooper
PS	Paul Stimpson
NR	Neetal Rajput
HA	Howard Albertini
JG	James Guthrie
SB	Sharon Belcher
IK	Ismat Kausar
CM	Christian Morrone
CL	Caroline Longman
NB	Neil Button
MS	Michael Scott

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0467

Registration Date:	02-Sep-2020	Application No:	P/04670/014
Officer:	Alex Harrison	Ward:	Cippenham Green
Applicant:	Mirenpass Limited	Application Type:	Major
		13 Week Date:	2 December 2020
Agent:	Mr. Barrie Stanley, Heritage and Architecture , Chartered A 74 stanhope road, uxbridge, ub69ea		
Location:	17-31, Elmshott Lane, Slough, Berkshire, SL1 5QS		
Proposal:	Revised Outline planning application with all matters reserved for the demolition of existing retail/residential buildings. Construction of three storey plus mansard building, over basement, consisting of associated parking at basement level, retail/storage at ground floor level and the formation of 9 no. three-bedroom flats, 19 no. two-bedroom flats and 56 no. one-bedroom flats at first, second, and mansard floor levels. Associated landscaping and realigned access to Elmshott Lane		

Recommendation: Delegate to Planning Manager to Refuse



1.0 **SUMMARY OF RECOMMENDATION**

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

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

PART A: BACKGROUND

2.0 Proposal

2.1 This is an outline planning application with all matters reserved for:

- Demolition of existing retail/residential buildings
- Construction of a 4 storey building comprising of retail on the ground floor with 84 flats above over the other three floors.
- Communal gardens at first and third floor.
- Basement level car park providing 101 car parking spaces associated with the retail use and 26 parking spaces for the residential area. 8 of the spaces provided are labelled as accessible.
- 114 cycle storage spaces at basement level for the residential use.
- 2,165sq.m of retail space on the ground floor (as existing) split into four units of 1,254 sq.m, 125sq.m, 228 sq.m and 278sq.m.

Details relating to appearance, means of access, landscaping, layout and scale have been reserved for subsequent approval.

2.2 The application is accompanied by the following documents:

- Illustrative floor plans, elevations and sections
- Design and Access Statement
- Planning Statement
- Transport Assessment

Members are advised that illustrative plans are not binding on the Applicant as part of planning permission which may be granted, but are submitted as a means of establishing an appropriate level of development and to allow the Council to set out appropriate planning parameters to control the scale and nature of the development.

2.3 This application is a resubmitted scheme. The committee previously considered and refused an application on this site for

On the grounds of overdevelopment of the site, lack of affordable housing provision, surface water drainage, overly high density, harm to neighbouring amenity, poor living conditions for occupants and harm to the

highway.

The applicant appealed the Council's refusal and the planning inspectorate dismissed the appeal. However the Inspector only considered that there were grounds to dismiss the appeal on harm to the character and appearance of the area, affordable housing provision and harm to the amenity of 33 Elmshott Lane only.

The appeal decision did not uphold the Council's objection in terms of surface water drainage, highways impact, living conditions of occupants and amenity impact on any other dwellings in the area.

- 2.4 The Inspector's decision forms a material consideration with this application that should be afforded significant weight when making deliberations.

3.0 **Application Site**

- 3.1 The site is located on the eastern side of Elmshott Lane and measures approximately 0.5 hectares in area. To the north of the site is Cippenham Baptist church and to the east are terraced, two storey residential properties. To the west, opposite the proposed site, is Cippenham Primary School and Cippenham Library. Cippenham Primary School is locally listed. To the south there are commercial units with flats above.

- 3.2 There are two buildings on the site both of which are two storeys in height. There are commercial units on the ground floor with residential flats above. In total there are 14 residential units existing on the site (1 studio flat, 5 one bedroom flats, 4 two bedroom flats and 4 three bedroom flats).

- 3.3 At ground floor level there are nine commercial units with various uses (A1, A3, A5, D1). The largest commercial unit was until recently occupied the Co-op supermarket which is located within the building on the southern part of the site. On the eastern side of the site is a car park accessed from Elmshott Lane.

4.0 **Relevant Site History**

- 4.1 P/04670/001
Demolition of two bungalows; development of site with 4 shop units (334 sq m) 5 office units (468 sq m) & 3 no 2-bed flats (0.202 ha)
Approved July 1983

P/04670/002 –
Change of use of ground floor from retail shop to office for building society
Approved November 1983

P/04670/003
Change of use of ground floor unit 6 from retail shop to office for estate

agency and building society agency (75 sqm)
Refused October 1983. Appeal dismissed February 1984.

P/04670/004

Change of use from retail shop to office for dual use as building society agency & insurance brokers office. (75 sq m)
Approved May 1984

P/04670/012

Change of use from a1 (shops) to a3 (restaurant cafe)
Approved October 2006

P/04670/013

Outline planning application with all matters reserved for the demolition of existing retail/residential buildings. Construction of five storey building and basement consisting of associated parking at basement level, retail/storage at ground floor level and the formation of 34 no. two-bedroom flats and 85 no. one-bedroom flats at first, second, third and fourth floor levels. Associated landscaping and realigned access to Elmshott Lane.

Refused 17 September 2018

Appeal dismissed 18 December 2019

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) five site notices were displayed outside the site on 15/09/20. The application was advertised as a major application in the 25/09/20 edition of The Slough Express.

5.2 At the time of writing, 67 letters of representation have been received from residents and occupiers of neighbouring properties. Included in this figure is a letter from a ward councillor.

A summary of the comments received is shown below:

- Increase in congestion and pollution will have a harmful impact on residents and local school
- Closure of the co-op has harmed the local area.
- Basement parking will encourage anti social behaviour
- Density of proposed development is too high
- Scale/massing is out of character and not appropriate within the street scene.
- Existing infrastructure cannot support the development
- Loss of village character for Cippenham
- 56 1 bedroom flats do not contribute to families.
- No parking provision for the proposed flats is not

realistic/acceptable

- Affordable housing will not be used for local people
- Harmful noise/dust impact from the turning/loading bays on the residents of Patricia Close
- A four storey building is not appropriate
- Harmful increase in traffic on Elmshott Lane and surrounding area
- Overlooking and loss of privacy for residents of Patricia Close, Charclot Mews
- Reduction in natural light available for residents of Patricia Close, Charclot Mews
- Overlooking to the school and noise pollution affecting the school.
- The construction process will cause unacceptable disruption/noise/dust
- Potential structural damage to surrounding properties during construction
- Objections against the loss of the existing commercial units
- The increase in population will have a harmful impact on local facilities (GP services/schools etc).
- A majority of one and two bedroom flats not appropriate for the local need and families
- Loss of shop/vet facilities during the construction period and beyond
- The proposed building is visually overbearing
- Increased pressure on local highways and public transport options
- Will set a precedent for future high scale development.
- Loss of shop units will reduce range of services available locally.

5.4 Officers have carefully read the third party representation put forward. The material planning considerations raised have been addressed within the relevant sections of this report within the Officer's assessment.

6.0 Consultations

6.1 Thames Water

Waste Comments

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows

from the development have been completed. Reason – Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE WATER drainage, but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission.

"No development shall be occupied until confirmation has been provided that either:-

1. Capacity exists off site to serve the development or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Water Comments

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be

necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

Supplementary Comments

We require a specific foul and surface water connection point and need clarity on whether each will be pumped or gravity.

6.2 Environmental Protection

Air Quality

This development is expected to have a medium impact on air quality, due to likely trips associated with the number of units and retail/storage use, however this will need to be confirmed once the transport assessment has been complete. The development location is not near any of Sloughs existing air quality management areas and there is unlikely to be an exposure issue, however an exposure assessment will be required as confirmation.

In the case that the transport assessment suggests an air quality assessment is needed, it must assess:

- The impact of vehicle emissions and plant, during the construction phase, on levels of NO₂ and PM
- The impact of vehicle emissions, once the scheme is operational, on levels of NO₂ and PM
- The impact of any emissions arising from heating systems, once the scheme is operational, on levels of NO₂ and PM

In line with the Low Emission Strategy (2018-2025), the following mitigation would be required:

- A suitable electric vehicle charging point, in line with table 7 of the Low Emission Strategy Technical Guidance and specified within the Low Emission Programme, shall be provided 100% of allocated parking or 10% of unallocated parking
- A Construction Environmental Management Plan must be produced and submitted to the Local Planning Authority for approval. It must include details of dust and noise mitigation.
- Any gas fired heating plant should meet the minimum emission

- standards in table 7
- All construction vehicles shall meet a minimum Euro VI Emission Standard
- All non-road mobile machinery (NRMM) shall meet the criteria in table 10
- The Travel Plan shall be monitored and include details of the promotion of sustainable travel, including cycling and walking, electric vehicle use, usage of the EV charging infrastructure, reducing car journeys and increasing modal shift.

Where it is not possible to mitigate against the air quality impacts of the scheme on site, the developer shall consider off-setting residual scheme impacts through the consideration of Type 3 mitigation outlined within the Low Emission Programme.

Environmental Noise

In line with the ProPG: Planning and Noise Guidance, a noise assessment is required, which will indicate the likely risk of adverse effects from:

- Noise arising from current traffic sources e.g. road traffic, rail and aviation, on future residents of the development
- Increase in traffic noise to existing residents in the area and future residents of the development
- Existing and/or proposed plant noise to existing residents in the area and future residents of the development
- Existing and/or proposed commercial noise including operational HGV noise
- Construction traffic noise and construction activities on site

The assessment will indicate the likely risk of adverse effect from noise, which will determine the level of mitigation required for the development. This may include:

- Consideration of development orientation and internal layout for screening purposes and to locate bedrooms facing away from noise sources, to ensure an internal noise level of LAeq 35 dB is not exceeded during the day or LAeq 30 dB during the night, or exceed LAMax limit of 45dB 10-15 times per night
- Application of good acoustic design principles such as acoustic glazing for windows, and potential for air ventilation systems, details of which shall be submitted as part of the noise impact assessment.

6.3 Housing Officer

On this site of 84 units, under the current policy there is a requirement to provide 35% Affordable Housing (without a FVR) or 40% (with a FVR)

Table 2 Affordable Housing Required by Tenure (affordable housing tenure as a percentage of total homes in a development)	
	70 plus homes in development
	Tenure Split

Type of Site	Slough Affordable Rent (Social Rent)	Slough Living Rent	Intermediate
Brownfield	6%	19%	15%
Brownfield (viability issue)	5%	17%	13%

unit type	Full scheme no. units	as a % split	total number of bed rooms	Affordable Housing Contribution required		Offered Nov 2020	No of bed rooms
				Brownfield 40% no. units	Brownfield (viability issue) 5% no. units		
1 Bed	56	67%	56	22	20	9	9
2 bed	19	23%	38	8	7	7	14
3 bed	9	11%	27	4	3		
total no.	84	100%	121	30	26	16	23
						19%	19%

Comments

1. I have calculated that their offer of 16 units equates to 19%, not 20%.
2. Policy compliant requirement is for 35% on-site (22% for rent and 13% for shared ownership) and the proposed offer falls short of that.
3. In the Design Statement they suggest that a separated block is preferable for the affordable housing, and I would agree with this for the rented units. However the Intermediate (Shared Ownership) can be located in with the private sale units, as it is a homeownership tenure. It is therefore possible for a greater on-site provision. On a site of this size, we do not accept financial contribution in lieu of providing affordable housing on site. We have on very rare occasions accepted units on a donor site. I am also not sure how they have calculated their financial for the remaining provision.
4. The offer of 9x1beds and 7x 2beds does not meet the demand from the housing register, which has greatest need for 2 and above. No 3 bed flats have been offered. We normally request 30%:70% of 1bed:2 and above to provide the right mix of affordable housing.

The proposed affordable housing offer falls short of the policy compliant and does not match our needs, so I would not be happy to accept.

6.4 Contaminated Land Officer

No comments received.

6.5 Highways

Comments to be included in the amendment sheet.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Planning Policy Framework and National Planning Policy

Guidance:

Core Policies: Achieving Sustainable Development

Chapter 4: Promoting sustainable transport

Chapter 6: Delivering a wide choice of high quality homes

Chapter 7: Requiring good design

Chapter 8: Promoting healthy communities

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

Chapter 11: Conserving and enhancing the natural environment

Chapter 12: 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 4 – Type of Housing

Core Policy 6 – Retail, Leisure, and Community Facilities

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

Core Policy 10 – Infrastructure

Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004

EN1 – Standard of Design

EN3 – Landscaping Requirements

EN5 – Design and Crime Prevention

H14 – Amenity Space

T2 – Parking Restraint

T8 – Cycle Network and Facilities

OSC15 – Provision of Facilities in new Residential Developments

S1 – Retail hierarchy

EN17 – Locally listed buildings

Other Relevant Documents/Guidance

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

Planning and Compulsory Purchase Act 2004

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

The revised version of the National Planning Policy Framework (NPPF) was published upon July 2019. Planning Officers have considered the proposed development against the revised NPPF which has been used together with other material planning considerations to assess this planning application.

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

8.0 **Planning Assessment**

8.1 The planning considerations for this proposal are:

- Principle of development
- Housing mix
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Impact on vitality and viability of the town centre
- Heritage
- Crime prevention
- Highways and parking
- Air quality
- Sustainable design and construction
- Surface water drainage
- Affordable housing and Infrastructure
- S106 requirements

9.0 **Principle of development**

9.1 The existing site is a mix of commercial (at ground floor) and residential (at first floor) with car parking provided to the rear. The site is located outside of the town centre but within a recognised neighbourhood shopping centre (Elmshott Lane/Bath Road).

9.2 Core Policy 1 of the Slough Core Strategy relates to the spatial strategy for Slough. It states that development should take place within the built up

area and predominantly on previously developed land. Proposals for high density housing should be located in Slough town centre. Outside of the town centre the scale and density of development should relate to the site's current/proposed accessibility, character and surroundings.

- 9.3 The existing site provides 14 residential units at around 28 dwellings per hectare (dph). The proposed scheme provides 84 residential units at 153dph which is reduced from a previous proposal of 238dph from 116 units. Although the principle of flats is established on the site through existing units, the continuously high density of the proposed scheme is unacceptable outside of the town centre. It is not in keeping with the existing character of the surrounding area. As a result the proposal is contrary to Core Policy 1 of the Core Strategy.
- 9.4 Core Policy 4 of the Core Strategy states that high density housing should be located in Slough town centre. In the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure.
- 9.5 The decision to dismiss the previously appealed scheme forms a material consideration for this application. In summary, the Inspector concluded as follows:

The adverse impacts of the development upon the character and appearance of the area, as well as the harm to the living conditions of the occupiers of 33 Elmshott Lane, the inadequate living conditions for occupiers of some of the proposed flats, the proposed affordable arrangements and the intended mix of housing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

It should be noted that the Inspector considered the harmful impacts to outweigh the benefit of housing provision when the Council could not demonstrate a deliverable 5 year housing land supply.

- 9.6 The report will consider the individual matters that were found harmful by the Inspectorate against the revised proposal as part of the considerations of its merits. In terms of the principle of development the Inspector noted that density calculations in isolation reveal little in terms of likely impact. However it was determined that the indicative details submitted with the previous scheme showed that... *'in addition to the extensive plot coverage, the likely height and massing of the new building would be very much greater than the neighbouring houses and the buildings on the opposite side of Elmshott Lane. It would also be significantly taller than Charlcot Mews. The proposal would introduce an uncharacteristically large building into this part of the Borough.'*

9.7 Therefore it is not simply a case of concluding that there is harm caused through the density of a proposal without being able to demonstrate a resultant significant adverse impact. It is noted that, while, reduced, the density of development is still considered to be too high for this location. Although this alone would not form a reason to refuse, the report will go on to demonstrate how the density, contributes towards adverse planning impacts which leads to the view that the density as proposed continues to be inappropriate for this area.

9.8 In respect of Core Policy 4, the proposal does not result in the loss of any family housing as defined by the Core Strategy and 30% affordable housing is proposed by way of 20% on site provision (amounting to 18 units) and 10% as a financial contribution for off site provision. The principle of flats is established on the site. However as stated above, the density proposed is inappropriate and the proposal is contrary to Core Policy 4 of the Core Strategy.

9.9 Core Policy 4 also states that there should no net loss of family accommodation. All sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

10.0 **Mix of housing**

10.1 One of the aims of national planning policy is to deliver a wide choice of high quality homes and to create sustainable, inclusive and mixed communities. This is largely reflected in local planning policy in Core Strategy Policy 4. The proposal would provide 9 x three bed flats, 19 x two bed flats and 56 x one bedroom flats.

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

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

103 The proposed scheme would provide the following mix:

One Bed Units – 56 (67% of mix) with 9 units proposed as affordable.
 Two Bed Units – 19 (23% of mix) with 7 units proposed as affordable.
 Three Bed Units – 9 (11% of mix)

For comparison purposes the previous scheme proposed 71% one bedroom units and 29% two bedroom units. No details have been provided regarding the size of the affordable units proposed.

- 10.4 Some flexibility can be exercised in relation to the table above depending on the location of development and the characteristics of the surroundings. However, in this instance the high percentage of one bedroom units is not acceptable. In terms of the existing stock, 4 three bedroom flats are being lost as part of the proposal but there are 9 equivalent units proposed as part of the application, which amounts to a net gain in the larger units. However, in light of the table above, the proposed residential mix does not reflect the requirements of the SHMA.
- 10.5 The previous appeal decision considered housing mix and the Inspector concluded that the previously proposed mix of 1 and 2 bed units would *'do little, if anything, to meet the aims of LP Policy CP4 in providing family housing or to satisfy the objective of creating mixed and balanced communities.'*
- 10.6 This revised application does alter the mix to provide some larger units but continues to lean heavily on 1 bedroom units, proposing a far higher percentage than is set out in the SHMA. It is considered that a mix that is not in line with the SHMA would not instantly equate to a reason to refuse planning permission. There should be some flexibility to applied to the table to take account of factors such as location.
- 10.7 As stated, the location of the site, being outside of the town centre, is such that the Council seeks to achieve developments that predominantly consist of family housing. While larger units are proposed in this application, the overall mix is still largely reflective of the first application that would found to be unacceptable by the Council and the Planning Inspectorate. It is noted that the percentage of smaller units as part of the overall mix is reduced in comparison to the first application however the extent of reduction will still lead to a development that would do little to meet the aims of Core Policy 4 in providing family housing or creating a mixed and balanced community.
- 10.8 The proposed mix of residential accommodation to be provided in this location, while more varied than the originally refused application, would not help achieve a sustainable, inclusive and mixed community. The proposal is therefore contrary to Core Policy 4 of the Core Strategy.
- 11.0 **Impact on the character and appearance of the area**
- 11.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and EN2
- 11.2 Although this is an outline planning application with matters of appearance, layout and scale reserved for subsequent approval, a number of detailed

illustrative plans, including elevations, have been submitted which show how the scheme could be implemented.

- 11.3 The site is in a prominent location on Elmshott Road and is highly visible from the street/public realm. The proposal would also be highly visible from the residential properties located to the east of the site on Patricia Close and from the flats to flats to the south and church to the north, as well as being highly prominent in relation to the adjacent school and library. .
- 11.4 The proposed building is illustratively shown as a 4 storey building which would measure approximately 12.4 metres at its highest point. The building would have two rear wings which project at the same height aside from where it shows a stepping down at the northern extent. This is a reduction on the previous scheme which showed a 5 storey building at 18 metres in height.
- 11.4 The residential character of the area (Patricia Close, Washington Drive etc) is a mix of single storey and two storey dwellings. On Patricia Close the buildings are two storey terraces. The closest dwellings on Washington Drive are bungalows. Chalcott Mews is located close to the site and is 3-4 storey structure. However, this height of development is not typical in the surrounding area and sits more as an exception rather than an example of typical scale. The school opposite the site is predominantly single/two storey and the library is single storey.
- 11.5 The previous appeal decision was particularly clear in its conclusion that the scale of the previous proposal would be *'ill-fitting for this site and would detract from the positive elements of the local environment'*. It was observed that the redevelopment of the site has the potential to enhance the appearance of the area but *'the height and very large mass of likely new building that would be required to provide the proposed development, as well as the limited space that would be retained within the site would contrast awkwardly with neighbouring properties and have an unacceptable impact on the character and appearance of the area.'*
- Consideration therefore falls to whether or not this revised proposal would address the harm identified by the Council and the Planning Inspector.
- 11.6 It is acknowledged that the scale of development is reduced, due mainly to the reduction in the number of residential units proposed. However it is considered that the scale of the building as shown on the submitted plans would still be regarded as being overly large and would introduce a harmful mass into the area which would adversely affect the character.
- 11.7 The plans show the indicative proposal in the context of the existing flats on Chalcot Mews and that the proposal would not be as high as this.

While this is true the building as proposed would be significantly more bulky than anything in the area and would have a dwarfing effect on its surroundings, including Charlcot Mews due to the extent of plot coverage and relationship to the public realm.

- 11.8 The scale of building in the area is predominantly 2 storey but the area is also characterized by set backs from the public highway. The indicative scheme submitted shows a large scale building that would be consistently close to the public highway and its scale results in an overpowering and dominant building form in an area where the character is far more informal.
- 11.9 The previous appeal decision also noted that the previous scheme retained limited space within the site which added to the awkward contrast with neighbouring sites in the area. The extent of plot coverage within the scheme is effectively the same as before which therefore still leaves little space within the site.
- 11.10 Having regarded the revised proposal against the Council's previous concerns and the decision of the Planning Inspector it is considered that this revised proposal does not address the matter and would still result in a building that is overly large and would not be compatible or sympathetic to local character to the severe detriment of the area. It is acknowledged that the scale is reduced however it does not decrease to the extent that would address the previous concerns. The scale is largely determined by the high development density of the revised proposed which concludes that the proposal will overdevelop the site.
- 11.11 The proposal, in order to provide any provision of parking for the scheme proposes to incorporate a basement car park. The need for this part of the scheme is symptomatic of the density of development proposed, regardless of whether or not the number of spaces provided are considered to be acceptable. A basement car park is not characteristic of this area and is another part of the scheme that weighs against its consideration. A proposal with a more appropriate density could achieve parking provision without having to provide a basement for spaces.
- 11.12 Based on the above the proposal would have an unacceptable impact on the character and visual amenity of the area and therefore would not comply with Policies EN1 and EN2 of the Local Plan for Slough March 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the NPPF 2012.

12.0 **Impact on amenity of neighbouring occupiers**

- 12.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Polies EN1 and EN2.
- 12.2 Consideration of the first application led to the Council refusing the application on the grounds that there would be harm to the amenity of existing residents on Charlcott Mews and Patricia Close. At appeal the Inspector did not uphold this reason for refusal and cited that the nature of the scheme would not cause significant harm to amenity. The Inspector did however conclude that the scheme would harm the amenity of the upper floor flat at 33 Elmshott Lane.
- 12.3 This revised proposal indicates that the built form from first floors upwards would be pulled away from the southern boundary to increase the gap between the proposal and 33 Elmshott Lane. The outlook from the windows of 33 Elmshott Lane would provide a distance of between 8-10 metres before the blank façade of this application proposal. The scale of the building proposed means that the majority of the outlook from these windows would be blocked by the proposal building as close as 8 metres from the neighbouring site. The Council's Residential Extensions Guidelines Supplementary Planning Document 2010 advise that a 15m distance is recommended between flank walls and primary elevations so that there is no harmful overbearing impact. This proposal falls short of achieving that and while it is a guideline, and not a hard standard, the shortfall at 8 metres leads to the conclusion that the proposal, at the scale shown, will continue to have a harmful impact.
- 12.4 In respect of its relationship with other existing neighbouring properties, the extent of impact is either the same or has been reduced when compared to the first scheme. The distances between the indicative built form of the development and other neighbouring properties in the area are essentially the same as the first scheme which established relationships that the Planning Inspectorate have deemed to not be harmful. The revised scheme also reduces the impact on other neighbouring properties to an extent as a result of reducing the scale of the building proposed.
- 12.5 It is noted that the issue of impacts on neighbouring amenity have been raised by a number of neighbouring residents as objections to this application. The objections are noted and it is true to conclude that there will be changes to outlooks and activities as a result of this development. However the Planning Inspector's previous comments form a material consideration for this application and this is without exception for neighbouring amenity impacts. As part of the previous appeal the Inspector considered all potential neighbouring amenity impacts and concluded that, while there would be changes, these would not all be negative and where there is some perception of adverse impacts these would not be significant enough to warrant a reason to refuse planning permission.

12.6 As the scheme is largely reflective of the first application, or in most cases reduced in scale, it would not be considered reasonable in planning terms to refuse the scheme on amenity impact where the Planning Inspectorate has previously discounted it. It would be possible to consider it if there was an increased impact but in this application it is not the case. It is noted a development of this scale will continue to create objections from neighbouring residents but the conclusions of the Planning Inspectorate should be given significant weight in the decision making process in this respect.

12.7 For the reasons described above the revised scheme is still considered to have an adverse impact on the amenity of the occupiers of the upper floor accommodation of 33 Elmshott Lane. The proposal is therefore considered to be contrary to Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan.

13.0 Living conditions for future occupiers of the development

13.1 The NPPF states that planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings

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

13.4 While submitted for indicative purposes, the illustrative plans appear to show that the proposed flats would have acceptably sized internal spaces that comply with Council's guidelines although this would need to be confirmed at the reserved matters stage.

13.5 A number of the proposed flats provide a kitchen within the living area which does not comply with guidance which do not have an external window. As a result the kitchen areas of the flats will result in a gloomy character internally. This is a circumstance that results from the majority of units in the scheme with only a single aspect which is a result of the high density of the development proposed. This was a circumstance with the first application and while the Council previously considered this impact to be harmful it was not considered to be a significant adverse impact by the Inspector. The Inspector did observe that the gloomy kitchens could not be resolved through reserved matters but concluded it would not be harmful. It is unfortunate that the arrangement is retained in this new application and would not contribute towards a high quality design but is a situation that is acceptable in planning terms.

13.6 Private external amenity space would be obtained through a mix of balconies and communal terrace areas which are considered to be

acceptable.

13.7 Based on the above, the living and amenity space would appear to be in accordance with the NPPF and the Development Plan although it is noted designs are not details with this application. The application is considered to be acceptable in light of the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan.

14.0 **Impact on vitality and viability of the centre**

14.1 The National Planning Policy Framework and the local development plan's Core Strategy and Local Plan require new retail units to be located within the defined town centre and/or defined shopping areas.

14.2 The proposed site is located within the Elmshott Lane/Bath Road neighbourhood shopping centre. The existing amount of retail space is 2,165 sq.m spread across 10 units, all of which fall under Class E use class. 27-29 Elmshott Lane was a Co-op. There are 9 other small units that make up the block to the north. The premises (some utilising more than one unit) have consisted of an electrical lighting wholesalers, RSPCA charity shop, a veterinary clinic, an ice cream parlour and a tutor centre.

14.3 Considerations on the impact on vitality and viability of the town centre remain the same as the first application as the commercial floorspace proposed is exactly the same as the first application. . The proposed development provides an equal amount of commercial space. It specifically provides retail space so would not provide a D1 use. However, this could be rectified if necessary at the reserved matters stage. Although the amount of retail floor space provided is the same as existing, there are additional areas identified for storage and loading bay space which results in the footprint of the building being much larger than existing.

14.4 The proposed development provides one larger retail unit (1,1254 sq.m) and three small retail units (228sq.m, 126 sq.m and 278 sq.m). Policy S1 of the Local Plan aims to ensure that development proposals do not harm identified shopping areas.

14.5 It is not considered that there is a material objection to the change in the size of the units on the proposed site. Three units are still provided for smaller businesses and a larger retail unit suitable for a supermarket is also proposed. This would enable the shopping parade to provide local shopping facilities to the local community.

14.6 Overall the proposed scheme would not harm the Elmshott Road/Bath Road neighbourhood shopping centre and would comply with policy S1 of the Local Plan.

15.0 **Heritage**

- 15.1 Cippenham Primary School (located opposite the site) is a locally listed building on the Slough Local List. The entry states that the school is a good example of 1930s neo-classical architecture which has been relatively unaltered on the front elevation. Although extensions have been added to the building these have been designed to match the original building and set back from the main façade.
- 15.2 The proposed development would sit within the setting of this locally listed building. Although the proposed development would be significantly higher than the current building, and more modern in appearance, it is not considered that there would be material additional harm to the setting of the locally listed building.
- 16.0 **Crime Prevention**
- 16.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour.
- 16.2 The proposed flats would be accessed by three doorways positioned on Elmshott Lane. The proposed windows to the front elevation would provide a good level of surveillance to the street.
- 16.3 Concerns have been raised by residents that the proposed underground car park would result in an increase in anti social behaviour. The car park is accessed from Elmshott Lane via an access ramp. At the time of writing no comments have been provided by the Crime Prevention Officer.
- 16.4 Planning Officers are aware of the high crime rate in the Borough, and therefore if the proposal had been deemed acceptable then conditions would have been utilised to ensure that the development is capable of achieving Secured by Design accreditation.
- 17.0 **Highways and Parking**
- 17.1 The National Planning Policy Framework states that planning should seek to development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 32 of the National Planning Policy Framework states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.
- 17.2 Concerns have been raised by local residents that the proposal will result in an increase in traffic on the Elmshott Road and that it would have knock

on effects for the wider area. The other principal concern is that the residential parking provision of 26 spaces will fall short of what is required for the development proposed.

- 17.3 A total of 127 parking spaces are provided at basement level. 26 of the 135 spaces are to be visitor spaces for the residential units. 8 disabled spaces are proposed within the total although the indicative layout shows the spaces have been provided at locations that do not take advantage of accessible location and would not, as proposed be acceptable.
- 17.4 114 cycle spaces are also provided within the basement car park. No cycle parking for retail visitors is proposed.
- 17.5 The Planning Inspector considered the impact on parking and the highway as part of the previous appeal. The Inspector noted that Elmshott Lane was subject to a 20mph speed limit and has speed humps and that visibility was acceptable. The Inspector noted an increased in traffic to and from the site by visitors but concluded that *'most of these would be undertaken by walking, cycling and/or public transport, which would be supported by a travel plan/sustainable travel information pack'*. The Inspector found the previous parking levels to be acceptable and had no objection to loading arrangements and therefore did not uphold the Council's reason for refusal.
- 17.6 This revised scheme is proposed with a lesser quantum of development than the previous. Therefore it would mean that the extent of overall traffic to and from the site would be less than the first application. Given the Inspector did not find harm with the first scheme in respect of highways it is difficult to raise an objection on this ground as a result.
- 17.7 It is also noted that there are less parking spaces proposed than the first application but it does coincide with the reduction in development quantum. At the time of drafting this report, formal Highways comments had not yet been received. Once received the Highways assessment will conclude in the update sheet.

18.0 Sustainable Design and Construction

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

sustainable design and construction would have been secured by condition.

19.0 Air Quality

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

20.0 Affordable Housing and Infrastructure

20.1 Core Policy 1 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

20.2 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.

20.3 Owing to the number of units proposed, this application would attract on-site affordable housing provision. Core Policy 4 requires that on sites for more than 15 dwellings between and 30% and 40% is affordable housing. This is clarified further within the 'Developer Contributions and Affordable Housing (Section 106) Developer's Guide Part 2' updated in September 2017.

20.4 Table 1 of this guide states that for brownfield sites of more than 70 dwellings 35% affordable housing should be provided comprising 22% rent and 13% intermediate housing. The proposal would provide 30% affordable housing with the applicant proposing 20% on site provision and 10% proposed as a financial contribution for off site provision. This therefore does not provide the required level.

20.5 The provision of 16 units as proposed here actually equates to 19%. The applicant has proposed the affordable housing numbers due to the claim that it is preferable for provision to be made in a separate block from market housing for management purposes. This is not fully agreed with as shared ownership units can be mixed within market homes without management concerns. It is not a valid reason to underprovide affordable housing on this development.

20.6 Furthermore the housing mix offered by the applicant, of 9 no 1-bed units and 7 no 2-bed units does not meet the demand from the housing register. The greatest identified demand is for 2 bedroom units or larger and none of the 3 bed units have been offered as part of the affordable housing proposal.

20.7 The provision of affordable housing is regarded as a benefit of the scheme that can be given weight when considering the planning balance however the offering that is proposed does not meet policy requirements and no viability information has been submitted to demonstrate why this scheme is proposed. The Housing Officer advises that the Council does not accept financial contributions in lieu of provision on a site this size and in any case it is unclear as to how the applicant has calculated their contribution amounts.

20.8 For developments of over 15 dwellings a financial contribution is required towards education. A one bedroom flat requires a contribution of £903 and a two/three bedroom flat would require a contribution of £4,828. The proposed development of 85 one bedroom flats and 34 two bedroom flats would require a total contribution of £240,652.

The contribution calculation would be as follows:

One Bed Units – 56 = £50,568
Two Bed Units – 19 = £91,732
Three Bed Units – 9 = £43,452

This creates a total contribution requirement of £185,752 for education,

20.9 All residential developments of 70 units or more require a financial contribution to recreation facilities. A financial contribution towards the provision of new or enhanced recreation facilities off-site at Cippenham Green/Cippenham Recreation Ground will be required.

20.10 Financial contributions towards highway improvements and other measures will also be required.

21.0 **Surface Water Drainage**

21.1 The site is located within flood zone 1 and therefore flood risk is minimal. In relation to surface water run off no information has been submitted regarding flood risk and drainage. In the absence of this, it has not been demonstrated that there would not be an increase in flood risk. As such the proposal is contrary to national and local planning policies

21.2 The previous scheme was refused by the Council on the grounds that the applicant had failed to demonstrate that there would not be an unacceptable impact on drainage and flooding as a result of this development.

21.3 However, at appeal the Planning Inspector did not uphold the objection, principally due to the applicant submitting the required information as part

of the appeal process. The Inspector concluded that the applicant's evidence at the time demonstrated that development would be unlikely to increase flood risk and that suitable conditions could cover the matter of details drainage schemes.

21.4 The applicant has elected to not submit any information in respect of flood risk and drainage assessments for this application in spite of having produced such assessment previously. Despite this absence of information the previous appeal decision is given significant weight and therefore no objection is raised in principle on the basis that detailed design would theoretically be a reserved matter if an outline proposal were to be considered acceptable.

22.0 **Air quality/Noise impacts**

22.1 The application site is not situated within an Air Quality Management Area (AQMA). The Council's Technical Officer notes that there would likely be a medium impact on air quality due to trip numbers associated with the development. The Planning Inspectorate previously concluded that there would not be harm through this impact. It is noted no information has been submitted to address potential impacts. In the interest of not worsening air quality problems in other parts of the town it will be important, if the proposal is approved, to minimise emissions from travel demand through encouraging non car modes of travel and promoting use of electric vehicles.

22.2 In terms of noise impacts the Technical Officer notes that an assessment would be required. Noise impacts were not raised as a matter of concern as part of the last application and therefore no objections should be raised in principle. Should an outline scheme be considered acceptable it would be necessary for a detailed design proposal to undertake a noise assessment and include any mitigation measures as part of that design.

21.0 PART C: RECOMMENDATION

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

1. The proposed development would, by virtue of its density, scale and mass, would result in a development of an unacceptably high density outside of the town centre, with a mix that would not help to achieve a sustainable, inclusive and mixed community, which would result in a development that is not be in keeping with character and appearance of the local area to its severe detriment. The proposal is therefore contrary to policies EN1 and EN2 of the Local Plan for Slough March 2004 and policies CP1, CP4 and CP8 of the Local Development Framework Core Strategy 2008 and the

requirements of the NPPF.

2. The proposed development, by virtue of the scale and mass of building, would result in an unacceptable loss of amenity to neighbouring residents at 33 Elmshott Lane by way of an overbearing character and loss of outlook. The proposal is therefore contrary to Core Policy 8 of the Local Development Framework Core Strategy 2008 and Policies EN1 and EN2 of the Adopted Local Plan.
3. The proposed development would, by virtue of the housing mix proposed, fails to provide a housing mix that would meet the recommended mix of the Strategic Housing Market Assessment 2016 and would therefore not contribute towards achieving a sustainable, inclusive and mixed community. The proposal also fails to provide an appropriate level of affordable housing as part of the scheme. The development would therefore be contrary to the objectives of the National Planning Authority Framework and Policies 4 and 10 Local Development Framework Core Strategy 2008.
4. In the absence of a completed legal agreement securing financial obligations and the provision of affordable housing, the development would have an unmitigated and unacceptable impact on existing local infrastructure and would fail to make an acceptable contribution towards, local affordable housing stock. The development would therefore be contrary to the objectives of the National Planning Authority Framework and Policies 4 and 10 Local Development Framework Core Strategy 2008

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Registration Date:	03-Feb-2020	Application No:	P/06964/016
Officer:	Alex Harrison	Ward:	Central
Applicant:	London & Quadrant	Application Type:	Major
		13 Week Date:	4 May 2020
Agent:	Miss Lucy Howes, Icenl Projects Da Vinci House, 44, Saffron Hill, Farringdon, London, EC1N 8FH		
Location:	Beacon House, 50, Stoke Road, Slough, SL2 5AW		
Proposal:	Demolition of existing building and redevelopment of the site to provide 116 residential dwellings with associated amenity space, access and parking.		

Recommendation: Delegate to the Planning Manager



P/06964/016

1.0 SUMMARY OF RECOMMENDATION

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

A. Approval subject to:

(i) The satisfactory completion of a Section 106 Agreement to secure financial contributions towards sustainable transport improvements including electrical vehicle infrastructure, financial contributions towards education, open space and the monitoring of Travel Plan, securing affordable housing and Section 278 highways/access works; OR

B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 26th February 2021 unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

1.2 The proposals comprise a major planning application, therefore the development is required to be determined by Slough Borough Council Planning Committee.

1.3 This application was deferred from the Committee meeting of 14 October 2020 to give further consideration into the parking proposal, provision of open space and associated financial contributions, to obtain greater detail on the external appearance of the building and for information on lighting and security cameras.

PART A: BACKGROUND

2.0 Proposal

2.1 This report relates to the submission of a full planning application for the following:

- Demolition of existing buildings on site.
- Redevelopment to provide a single building of between 5 and 8 storeys to provide 116 residential flats with the following mix:

Unit Type	No.	% of accommodation
1-bed flat	48	42%
2-bed flat	63	54%
3-bed flat	5	4%

- Affordable housing provided as 34% of the development, amounting to 40 units.
- Upgrade of the existing access that runs north/south off Mill Road to provide access to the proposed parking, on street parking provision and access to sites to the north of the application site.
- Surface parking providing 51 spaces, of which 49 would be allocated on plot for resident parking while 10 located as part of the upgraded access road which is intended to be adopted.
- The provision of a secure cycle parking facility within the building.
- Secure bin store at ground level within the proposed building.
- Soft Landscaping to the site edges and within the car parking area.

2.2 The application is accompanied by the following documents:

- Site location plan
- Existing plans, sections and elevations
- Proposed plans, sections and elevations
- Planning Statement and addendums
- Design and Access Statement
- Schedule of Accommodation
- Arboricultural Report and Tree Survey
- Daylight/sunlight Assessment
- Transport Statement and Framework Travel Plan
- Employment Report
- Noise Impact Assessment
- Air Quality Assessment
- Sustainability & Energy Reports
- Flood Risk Assessment;
- SUDs Strategy
- Utilities Statement
- Ecological Appraisal,
- Statement of Community Involvement.

2.3 During the course of the application the plans were amended on two occasions to address comments from the case officer and technical consultees

2.4 Following deferral, further information was provided by the applicants. One of the reasons for deferral was to provide greater clarity on the proposed external finish of the scheme. The applicant has submitted additional visual information that will be tabled at the committee meeting. The proposed building is proposed to be principally faced in brick with two main tones provides for contrast. The upper floors are proposed to be clad in a finish to give a more lightweight impression with a darker contrast on the elevations provided through the window and door fittings and well as balcony treatments.

3.0 **Application Site**

- 3.1 The application is located on the corner of Stoke Road and Mill Street and comprises an existing office building and the 'Foyer Facility', a former homeless shelter which ceased use in 2016. The office building is vacant aside from occupation on the ground floor.
- 3.2 At the corner of Mill Street the existing building is a four storey structure with the northern part of the site housing a 6 storey building. While they are separate buildings they are linked via a single storey entrance foyer.
- 3.3 The eastern part of the site accommodates an access road off Mill Street which serves the parking area for the site and provides access to the north including the adjacent Lady Haig building.
- 3.4 The site provides a number of parking spaces at surface level which includes a large proportion of the ground floor area of the buildings on site. The rear of the site is open from the public realm and number of trees and shrubs are planted in this area.
- 3.5 In terms of the immediate surroundings, to the north is the site of the Lady Haig Club, the site currently has an extant planning permission to be redeveloped to provide 39 flats (P/00106/012) and is also subject to a revised scheme which is being considered by Officers (P/00106/013).
- 3.6 To the south is the newly developed site on the other side of Mill Street known as Vanburgh court which provides 117 units (P/00731/032).
- 3.7 To the west, on the other side of Stoke Road, is the existing Salvation Army Maths and English centre and the Littledown School and to the east are a number of industrial units.
- 3.8 The site does not lie within a Conservation Area and is not identified as a designated or non-designated heritage asset. The nearest listed building to the site is the Train Station, approximately 250m to the South
- 3.9 The site is not within, and not close to, and Air Quality Management Area.

4.0 **Relevant Site History**

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

P/06964/006	Erection of a residential Foyer building comprising 64 bedsits, 2no. wardens flats and ancillary office, reception, training conference, restaurant, bar and retail areas, plus a 3 storey headquarters office building.	Approved 7th November 1995
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P/06964/009	Retention of fascia sign.	Approved 13th August 1997
P/06964/011	Erection of dog-leg type staircase.	Approved 20th April 2000
P/06964/013	Construction of a glazed extension, to form new entrance lobby and installation of addition door.	Approved 5th October 2006.
P/06964/014	Installation of a non-illuminated advertisement banner.	Approved 8th February 2007.
P/06964/015	Erection of a metal security gate and metal screen.	Approved 8th February 2007.

5.0 **Neighbour Notification**

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) a site notice was displayed outside the site on 24/02/2020. The application was advertised as a major application in the 28/02/2020 edition of The Slough Express. Neighbour letters were sent out on 21/02/2020 to the following addresses:

- 11A, Mill Street, Slough, SL2 5DH,
- Thames Pathology Services, 12, Mill Street, Slough, SL2 5DH,
- Mill West, 139, Mill Street, Slough, SL2 5AD,
- Mill West, 138, Mill Street, Slough, SL2 5AD,
- Mill West, 133, Mill Street, Slough, SL2 5AD,
- 16, Mill Street, Slough, SL2 5DH, Reliance Auto Test,
- 11, Mill Street, Slough, SL2 5DH, Mill West,
- 131, Mill Street, Slough, SL2 5AD, Mill West,
- 13, Mill Street, Mill West,
- 137, Mill Street, Slough, SL2 5AD,
- Mill West, 136, Mill Street, Slough, SL2 5AD,
- Mill West, 135, Mill Street, Slough, SL2 5AD,
- Stratstone Of Mayfair, 23, Mill Street, Slough, SL2 5AD,

- 18, Queens Court, Slough, SL1 3QR,
- 12, Queens Court, Slough, SL1 3QR,
- 13, Queens Court, Slough, SL1 3QR

- Lady Haig Club, 70, Stoke Road, Slough, SL2 5AP,
 - 51A, Stoke Road, Slough, SL2 5AH,
 - 51, Stoke Road, Slough, SL2 5AH,
 - 47, Stoke Road, Slough, SL2 5AH,
 - Basement Flat, 47, Stoke Road, Slough, SL2 5AH
 - Top Flat, 47, Stoke Road, Slough, SL2 5AH,
 - Ground Floor Flat, 47, Stoke Road, Slough, SL2 5AH,
 - Coral, 70A, Stoke Road, Slough, SL2 5AP,
 - Managers Accommodation, 70, Stoke Road, Slough, SL2 5AP,
 - Studio Flat, 70, Stoke Road, Slough, SL2 5AP,
 - 67A, Stoke Road, Slough, SL2 5BJ,
 - 67B, Stoke Road, Slough, SL2 5BJ,
 - Novello House, Stoke Road, SL2 5BW,
 - Novello House, Flat 10, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 12, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 11, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 2, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 9, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 17, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 1, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 18, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 19, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 3, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 4, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 16, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 14, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 20, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 6, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 7, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 8, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 5, Stoke Road, Slough, SL2 5BW,
 - Novello House, Flat 15, Stoke Road, Slough, SL2 5BW,
 - Littledown School, Stoke Road, Slough, SL1 3QW,
 - Laces, 53, Stoke Road, Slough, SL2 5BW,
 - The Salvation Army, Stoke Road, Slough, SL2 5BW,
 - The Salvation Army, Flat, Stoke Road, Slough, SL2 5BW,
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- Slough And Thames Valley Foyer, Room 28, 52, Stoke Road, Slough, SL2 5AW,
 - Slough And Thames Valley Foyer, Room 37, 52, Stoke Road, Slough, SL2 5AW,
 - Slough And Thames Valley Foyer, Room 52, 52, Stoke Road, Slough, SL2 5AW,
 - Slough And Thames Valley Foyer, Room 4, 52, Stoke Road, Slough, SL2 5AW,

- Slough And Thames Valley Foyer, Room 15, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 64, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 35, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 11, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 49, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 59, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 45, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 3, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 5, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 9, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 63, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 29, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 43, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 47, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 50, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Part Lower Ground Floor, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 26, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 32, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 34, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 48, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 1, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Ground Floor, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 39, 52, Stoke Road, Slough, SL2 5AW,

- Slough And Thames Valley Foyer, Room 46, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 10, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 60, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 61, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 24, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 25, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 6, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 31, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 33, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 57, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 21, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 13, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 18, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 8, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 17, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 19, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 42, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 53, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 55, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 12, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 56, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 51, 52, Stoke Road, Slough, SL2 5AW,

- Slough And Thames Valley Foyer, Room 44, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 20, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 38, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 58, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 36, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 7, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 14, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 27, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 41, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 62, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 23, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 30, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 40, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 54, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 16, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 22, 52, Stoke Road, Slough, SL2 5AW,
- Slough And Thames Valley Foyer, Room 2, 52, Stoke Road, Slough, SL2 5AW,
- Hand Car Wash, 18, Mill Street, Slough, SL2 5DH,
- 49, Stoke Road, Slough, SL2 5AH

5.2 Following the completion and occupation of the neighbouring development at Vanburgh Court additional neighbour consultations were made on 24 August 2020 comprising of 86 notification letters to flats at Vanburgh Court and 16 notification letters to flats at 27 Grays Place.

5.3 Under all procedures for publicity, one letter has been received which neither objected nor supported but raised queries as to the timeframe for demolition.

6.0 **Consultations**

6.1 **Local Highway Authority:**

Original Comments Pre-Deferral.

Car Parking Provision

The proposed parking ratio is cause for significant concern. The 41 allocated parking spaces gives an allocated parking ratio of 0.35 spaces per dwelling. It should be noted that the proposed level of parking falls significantly below the borough's approved parking standards which would require 171 car parking spaces however given the highly sustainable location of this site, a parking ratio of 0.45 spaces per dwelling was agreed upon. Whilst this is considerably below Local Plan requirements I am mindful that the site is close to the edge of the Town Centre, where we have permitted reduced levels of parking for other developments.

The parking ratio proposed is below the parking ratio of 0.45 spaces per dwelling agreed at pre-application stage, given 10 parking spaces on the service road will be unallocated parking spaces, non-exclusive to the development and therefore cannot count towards the allocation.

A parking ratio of 0.45 allocated parking spaces per dwelling was agreed in line with the parking ratio for other town centre residential developments such as the 0.47 spaces at 23 – 25 Mill Street (P/05806/007) and 94 – 102 Stoke Road and taking into account the sustainable location.

The deviation from the agreed ratio is of particular concern given the proposed number of 2-bedroom and 3-bedroom dwellings within the development. Although the larger units are welcomed, these generally have a higher parking demand as they are more likely to be occupied by couples or small families who require a car and therefore we feel it is important that the 0.45 parking ratio is maintained as a minimum.

It is acknowledged that the site benefits from an accessible location via walking and cycling due to it's location in close proximity to the Town Centre, Slough Railway Station and Slough Bus Station and that this creates the potential for some residents to live without a car. However, SBC are also concerned that the development will potentially result in the overspill of parked vehicles onto the surrounding highway network which would likely cause an on-street parking problem for existing residents of the area and therefore a minimum of 0.45 allocated parking spaces for residents is deemed to be the correct balance in addition to a contribution towards the Council's car club scheme to provide an alternative option to residents and discourage them from owning a vehicle when they don't necessarily need to.

It is unlikely that on-street parking capacity exists to safely accommodate any overspill or visitors, on the surrounding road network without disadvantaging existing residents or posing highway safety issues and therefore in order to protect the interests of existing residents and the safe operation of the highway network the developer should make a TRO contribution for the Local Highway Authority to investigate and amend or implement suitable measures on nearby streets such as Littledown Road, Queens Road, Grays Road, Belgrave Road, St Paul's Avenue and Mill Street.

Parking Layout and Dimensions

A pair of parking spaces are shown directly off the service road close to its junction with Mill Street. These spaces are of a poor design/layout due to the proximity of them to Mill Street and it also appears unlikely that they will be able to achieve the minimum required visibility splays which increases the risk of collision both with motor vehicles and pedestrians whilst also leading to a poor user experience for pedestrians, especially those with limited mobility. If the applicant wishes for these bays to be considered, they must demonstrate adequate visibility splays and stopping sight distances for these bays.

A further parking bay is shown towards the northern end of the site, again it appears that this bay will not be able to achieve the required visibility for its safe operation, partly due the chance that the visibility splays will partly lie within the neighboring development site over which the applicant has no control. The applicant must demonstrate visibility splays for this bay if they wish for it to be considered. If redesigned, this bay may be able to work as a loading/unloading bay if required.

It should be noted that if these bays cannot achieve the visibility required, we would not be able to approve them therefore the scheme would be short by a further 3 parking spaces.

SBC are concerned that the parking spaces displayed on the proposed site plan (Drawing No.1518 P-02-Rev A) are of insufficient dimensions and that not all parking spaces will be accessible. This will reduce the number of useable parking spaces even further.

The applicant is required to provide parking spaces which measure an additional 0.3m in width on each side bounded by a physical feature such as a wall, fence or hedge. Spaces bounded on one side by a physical feature should measure 2.7m x 4.8m and spaces bounded on two sides by a physical feature should measure 3.0m x 4.8m. A number of spaces shown on the proposed site layout (Drawing No.1518 P-02-Rev A) are bounded by hedges, walls or planters and are no wider than a standard parking space.

There appear to be a number of trees sited within narrow landscaped strips between the parking bays which could also potentially limit access to the spaces. The strips appear to be no more than 0.5m wide and therefore it is not possible for any trees or planting to be viable in these locations once the kerbing has been installed with its concrete haunching especially when considering the fact that any vertical obstructions must be 450mm from the kerbface..

The applicant is required to complete swept path analysis of each parking space using the specification for a Large Car contained within DB32 which measures 5.1m long. Swept path analysis has been provided which is intended to demonstrate the end parking spaces can be accessed with a medium size car, although this car only measures 4.312m long and many modern cars are longer than 4.312m and therefore should be tracked using the DB32 large car. The central aisle has not been dimensioned however it must be ensured that this measures an absolute minimum of 6m in width between the parking spaces.

Electric Vehicle Charging

No Electric Vehicle Charging points appear to be detailed within the application proposal. The applicant is required to provide Electric Vehicle Charging Points in accordance with the Slough Low Emissions Strategy (2018 – 2025). The Slough Low Emissions Strategy requires the provision of 1 Charging point per unit where dwellings have dedicated/allocated parking spaces. For unallocated parking spaces, 1 charger per 10 spaces is required. These EV charging spaces would need to be detailed and secured.

Car Clubs

One way of reducing car ownership is to provide a car club or make a contribution towards one. This has been taken into account within our comments and as per our discussions at earlier stages, a car club contribution would be expected in order to accept the 0.45 spaces per dwelling parking provision detailed within this report.

Cycle Parking

The applicant has proposed cycle parking across 6 cycle stores, 3 internally accessed via the service road and a further 3 accessed externally from Stoke Road. We have discussed our concerns on security and crime with the applicant in the past and have suggested that all stores should be accessed internally for the purposes of security. The cycle parking to the 3no stores to the rear of the development consist of individual cycle lockers which we confirm is acceptable. The cycle stores accessed off Stoke Road utilise semi-vertical bike stands, these are not easily usable by all, furthermore we do not appear to have detailed, dimensioned drawings and specifications for the cycle storage therefore require further information before we can support this proposal.

In previous advice we had asked for a mix of individual cycle lockers and Sheffield stands with the Sheffield stands being compartmentalized to limit access and maximize security, the information supplied does not appear to fully follow this advice therefore we would need more detailed information and drawings. There are also an additional 8no Sheffield stands proposed on the Stoke Road frontage to accommodate up to 16no bikes for short stay/visitors. In terms of numbers, I can confirm that we accept the number of cycle spaces proposed (120+16) as they exceed our standards.

Refuse Collection

The Transport Assessment includes swept path analysis for a large refuse vehicle measuring 2.5m x 11.997m. The tracking shows the vehicle entering the site from the Western arm of Mill Street and exiting via the eastern arm of Mill Street. This is larger than the refuse vehicle currently used in Slough and is therefore an acceptable design vehicle; however the applicant is required to track the vehicles entry and exit from both directions as this may vary during operation, furthermore it must be demonstrated that the vehicle can turn on site so that it both enters and exits in forward gear as this will be necessary until such a time when the service road has been completely constructed by other neighbouring parties. We also suggest that the applicant provides this vehicle tracking using Slough's refuse truck as this will require a smaller space to manoeuvre.

Deliveries / Servicing

The applicant is required to consider whether a dedicated unloading bay for delivery vans can be provided on site. The trip generation exercise forecasts a net increase of 50 two-way servicing trips over daily 12-hour period, which is 25 one-way trips over 12 hours and the equivalent of two vehicles arriving and departing during each hour. However, no dedicated provision is made for delivery vehicles and the number of expected delivery vehicles may interfere with safe operation of the access road therefore the applicant should demonstrate how they intend on servicing the site. As per our comments on the refuse vehicle, until such a time when the service road is completed, all service vehicles will be required to enter and leave the site in forward gear. Reversing on/off Mill Street is not deemed acceptable and therefore the applicant must provide swept paths to demonstrate this can be achieved using suitable service vehicles. A delivery and servicing management plan would need to be secured via condition.

Bin Stores

The location of the bin stores to the rear of the proposed development was accepted at pre-application stage.

The applicant has shown 19no bins within the 3 bins stores. The applicant is required to clarify the size of the bins shown on the proposed Site Plan and how many bins will be provided for waste and how many will be provided for recycling as in accordance with SBC's refuse standards. In accordance with Slough's standards 11,446L of residual waste (@97L per dwelling) and 6,254L of recycling (@55L per dwelling) must be accommodated within 17no 1100L Eurobins (11-residual waste, 6 recycling) in order to meet the waste and recycling requirements of the proposed development. It is unclear the size of bins provided for however we assume the bins shown are 1100L Eurobins in which case this is acceptable.

The applicant is required to amend the proposed site layout to show dropped kerbs in front of the bin stores to ensure that waste collection operatives can safely manoeuvre the large eurobins in/out of the bin stores.

Although the bin store doors open outwards which isn't normally acceptable close to the highway, I confirm that the bin stores are sufficiently set back from the proposed adoptable highway for this to not be an issue. The bin stores are accessed internally by residents and externally for the purposes of collection and therefore we confirm this is acceptable. Means of securing the doors and access for the refuse collectors will need to be agreed prior to occupation in order to prevent any misuse or antisocial behaviour within the bin stores.

Pedestrian Access

The layout of the current service road and development does not lend itself well to ensuring safe pedestrian movements along the service road. The applicant has not detailed any measures along the service road however changes to the footway layout would be required as part of the proposal and to allow the service road to be adopted.

Service Road

The applicant is required to enter into a s38 agreement with the Local Highway Authority for the adoption of the service road to the rear of the development. The applicant has confirmed that they will be doing so however this must be secured via the s106 agreement.

In order to adopt the road, the road will need to be constructed to an adoptable standard, this will include (but is not limited to), redesign and reconstruction of the footway to provide a safe provision for pedestrians, installation of new kerbing where required, installation of tactile paving at crossing points, installation of dropped crossings for bin collections, streetlighting installed to the Council's current adoptable standards, alteration of radii on junctions with parking areas, removal of the build-outs from the service road parking bays to ensure each bay is a minimum of 6m long, installation/refreshing of road markings within adoptable areas, trial holes and any other tests deemed necessary to ascertain the condition of the service road to agree the extent of reconstruction works required to bring it up to an adoptable standard (resurfacing will most likely be required as a minimum). We would suggest that the works required are agreed within the s38 detailed design drawings and secured via a s106 agreement.

Highway Widening – Stoke Road

A small part of the development sits within the road widening line on Stoke Road. The applicant is aware of this and has confirmed that the proposal has been adjusted to ensure it sits outside of this line and that the land within the developer's control and within the widening line will be dedicated as public highway, to the Local Highway Authority at no cost the Council. The works required will involve constructing any areas within the widening line as adoptable footway construction. This must be secured by condition.

The development should not commence unless the road widening line has been set out and approved by Slough Borough Council. Please ensure this requirement is secured by the s106 agreement or condition.

Travel Plan Statement

There are no additional measures to encourage sustainable travel proposed within the Travel Plan Statement which are not already proposed within the Transport Assessment. No travel mode targets have been set out and there is no monitoring strategy to monitor travel patterns amongst residents.

The applicant is required to amend the Travel Plan Statement to a Full Travel Plan.

The applicant is required to include travel mode targets, a monitoring strategy and to consider inclusion of additional measures such as:

A Welcome Pack for each dwelling containing travel information leaflets; Vouchers for local cycle stores; Dr Bike sessions to support bike maintenance for residents; and/or Trial/introductory vouchers for bus travel.

Whilst SBC agree a low parking ratio is appropriate at this location, the development must be supported by sustainable travel measures and a monitoring strategy to support low levels of car use.

The SBC Developer's Guide Transport and Highway Guidance – Part 3

requires the provision of a Travel Plan for developments greater than 80 Units. A Travel Plan Statement is only considered appropriate for developments of 50 – 80 Units therefore a travel plan must be submitted as a part of this application and a travel plan monitoring fee need to be secured.

Summary

Mindful of the above, there are a number of points which the applicant must address before we could support the application therefore I am satisfied that this proposal will have a detrimental affect on the operation of the local highway network and as such I would recommend refusal of this application based on the reasons detailed in this report.

Following the submission of additional highways information by the applicant and deferral of the application from committee, the following additional comments were made:

Parking Allocation and Ratio

The SBC Transport Vision for the Centre of Slough sets out in Section 6.5 that: *‘at the heart of the transport vision is a low-car urban core where the negative impacts of moving and stationary vehicles are minimized. However, this ambition must be balanced against the need to ensure that residents, workers and visitors can easily travel to and from the centre of Slough, and the commercial viability of potential developments’.*

The Transport Vision also highlights that parking standards in the Centre of Slough are due to be reviewed and a phasing strategy proposed.

The current adopted SBC Parking Standards provide the starting point for assessing the proposed parking provision at the development. The current SBC Parking Standards are provided within the Slough Developers Guide – Part 3: Highways and Transport. The parking standards allow for nil car parking provision in Town Centre Commercial Core Areas where developments are in close proximity to amenities which could reduce reliance on the private car such as Slough Railway Station and Slough High Street.

However, high accessibility does not completely remove the desire to own a car, therefore some parking provision for the development must be made and parking provision has been compared against the parking standards for the Rest of Town Centre Area in Table 1 below:

Table 1: Parking Requirement for Beacon House

<u>Development Mix</u>	<u>SBC Requirement</u>	<u>SBC Cycle Requirement</u>	<u>Car Spaces Required</u>	<u>Cycle Spaces Required</u>
1 Bed Flats x 48	1.25	1	60	48
2 Bed Flats x 65	1.75	1	114	65
3 Bed Flats x 5	1.75	1	9	5
Total Requirement			183	118

Source: SBC Developers Guide – Part 3: Highways and Transport.

Table 1 above shows the Slough Borough Council parking standards would require the provision of 183 parking spaces or 1.55 spaces per dwelling using the standard for the Rest of Town Centre zone and that the proposed 49 spaces would represent a shortfall against the parking standard for the Rest of Town Centre Area.

However, Slough Borough Council are pursuing a Town Centre parking strategy whereby a reduced level of parking provision maybe proposed by residential developments within the most accessible areas of the Town Centre. Table 2 below presents parking ratios for residential developments approved by SBC:

Table 2: Consented Town Centre Parking Ratios in Slough

Site	Dwellings	Spaces	Spaces per Dwelling	Dist. to High St	PTAL
Aspire 2	238	48	0.20	140m	5
Beacon House	118	49	0.41	650m	4
Horlicks	1300	441	0.34	820m	4
Akzonobel	1000	350	0.35	800m	1a
23-25 Mill Street	51	29	0.53	500m	4
Tower House	197	110	0.56	500m	2
26 – 40 Stoke Road	117	68	0.58	550m	5
Heart of Slough	1500	1235	0.82	100m	5

The Beacon House site is located approximately 650m from Slough High Street and 500m from Slough Railway Station. The site has a PTAL rating of 4, which indicates good access to public transport compared to other areas of Slough where the lowest PTAL rating is 1a and the highway PTAL rating is 5. Beacon House benefits from a similar level of accessibility to other consented Town Centre developments with a low allocated parking ratio. Therefore SBC Highways and Transport consider the site capable of supporting a low level of car ownership and that a low parking ratio is appropriate for this site.

An allocated ratio of 0.45 spaces per dwelling was previously agreed between the applicant and SBC at preapplication. However, SBC Highways and Transport accept the provision of 0.42 spaces per dwelling in the form of 49 which comprise 41 spaces provided in a courtyard style car park to the rear of the development and 8 parallel parking spaces on the access road, plus 2 parking spaces provided for car club use. The provision of two car club space will provide flexibility in the way residents travel and meet demand for car use amongst residents who only require occasional or semi-regular access to a car.

The site's high accessibility in combination with the provision of a car club ensures that the site is capable of supporting low levels of car ownership amongst residents.

Parking Layout and Dimensions

SBC requested amendments to the parking layout to ensure all spaces were safe and useable and to ensure that a large car could access the end spaces in the car park. Swept path analysis was to be completed using a vehicle measuring 5.1m in length in accordance with the specification for a large car provided in Design Bulletin 32.

The applicant clarified that 18m visibility can be achieved from the two spaces adjacent to the junction with Mill Street which is suitable for vehicles travelling at 15.33mph and that this will be suitable for vehicles turning left of Mill Street. From the space at the northern end of the service road, 2x23m of visibility can be provided which is suitable for vehicle speeds of 20mph. the applicant states that they have widened the end spaces by 0.3m and the tracking drawing (Drawing No. JNY9970-02-Rev-D) has been updated to show an amended layout and a large car measuring 4.988m in length. The drawing states that the end spaces have been increased to 3m in width.

SBC Highways and Transport have accepted the vehicle tracking provided on Drawing No. JNY9970-02-Rev-D which shows that adjustments have been made to the parking layout in order to allow a large car to ingress the spaces without conflicting with the end wall or cars parked in the adjacent space. The car in the adjacent space has been shown on the edge of the space to allow the large car to ingress the end space. All plots show a significant amount of dry steering. It is recommended that further amendments to the layout can be secured by planning condition.

Electric Vehicle Charging

SBC welcome the commitment to providing EVCP charging on-site and are content for EVCP charging to be secured by condition. The Electric Vehicle charging points should be provided in accordance with the requirements set out by the Environmental Team.

Car Clubs

SBC welcome the commitment to make a contribution towards a car club which would be secured by condition as part of the s106 agreement. The contribution should be made in accordance with the requirements set out by the Environmental Team.

Cycle Parking

SBC are satisfied that the details and arrangement of the cycle parking can be secured by condition as part of the s106 agreement.

Refuse Collection

SBC welcome the submission of vehicle tracking which also displays the egress of the refuse vehicle from the site. Highways and Transport are content that a refuse vehicle can safely ingress and egress the site in a forward gear.

Deliveries / Servicing

In response to concerns raised over provision for deliveries and servicing, the applicant has outlined the existing approach is for delivery vehicles to reverse into the car park, where residents could collect their delivery from the rear doors of the development. The delivery vehicle would then exit onto Mill Street and has highlighted that the provision of a delivery bay would result in the loss of parking spaces.

SBC Highways and Transport consider the broad principles of the servicing strategy to be acceptable. However a Delivery and Servicing Plan should be provided detailing the strategy for accommodating deliveries at the proposed development to ensure delivery drivers do not obstruct the public highway on Stoke Road or Mill Street.

Bin Stores

The applicant has stated that the details of the size, quantity and kerbs for bin stores can be secured by condition and have confirmed that 1100L Eurobins will be provided. SBC are satisfied that further details of the bin store provision can be secured by condition.

Pedestrian Access

The applicant acknowledges that the service road will need to be adopted as part of a S38 agreement and that the proposal for the S38 agreement will include footway improvements (if required). SBC welcome the commitment for the service road to be adopted as part of the Section 38 agreement.

Service Road

The applicant acknowledges that the service road will need to be adopted and the process for adopting the service road will form part of a S38 agreement. SBC welcome the commitment to adopt the service road.

Highway Widening – Stoke Road

The applicant acknowledges and the applicant accepts that any land within the widening line will be dedicated as public highway, to the Local Highway Authority at no cost to the council. The adoptable public highway will be secured as a condition as part of the S106 agreement. The road widening line will be set out and agreed with SBC prior to the development commencement. SBC welcome the commitment to offer any part of the highway being widened for adoption.

Travel Plan Statement / Travel Plan

Para 1.13 of the response states that the applicant has provided an updated Travel Plan, addressed in the applicant's Response 12 which will also be conditioned with a full Travel Plan, proposed measures and monitoring, included in the S106 agreement. Para 1.14 requests that SBC outline what the quantity of a TRO contribution is that they deem to be acceptable and appropriate. A full Travel Plan has been provided as Appendix F, instead of the Travel Plan Statement previously submitted.

SBC can confirm 100% of the TRO Contribution should be paid by the applicant as part of the s106 agreement. SBC welcome the submission of a full Travel Plan rather than a Travel Plan Statement. The overall objectives are accepted. SBC welcome the modal split targets for 45% and 40% car travel within years 3 and 5 of the development's occupation.

SBC welcome the commitment to appoint a Travel Plan Coordinator, provide a Travel Information Pack and completion TRICS compliant surveys at years 3 and five of the development's occupation. The results will be submitted to SBC for monitoring.

Summary and Conclusions

I confirm that I have no objection to this application from a transport and highway perspective. Please include the following condition(s)/informative(s) as part of any consent that you may issue.

Conditions for Approval

Access

No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Adopted Vehicle Crossover Policy.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

No other part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

Parking

The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining

highway.

Exclusion from Residents 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 residential properties in accordance with Core Policy 7 of the Slough LDF 2006-2026.

Cycle Parking

No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

Bin Stores

No part of the development shall be occupied commence until bin storage has been provided on the ground floor car parking deck and suitable storage area to be provided in accordance with the standards set out in the Slough Developers Guide.

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

Construction Management Plan

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 in accordance with Policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2018.

Informatives

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

6.2 Crime Prevention Design Advisor, Local Policing:

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

6.3 Thames Water:

In summary

No objections raised in respect of the impact on the waste water infrastructure in respect of both foul water sewerage and surface water capacity.

The existing water network is not capable of accommodating this development and therefore a condition is recommended to address this.

The development is located within 5 metres of a strategic water main and a number of conditions and Informatives are proposed aimed at safeguarding the water infrastructure.

6.4 SBC Building Control

No comments to make

6.5 Sustainable Design and Construction:

Energy Statement for Planning For Beacon House, 50 Stoke Road, Slough Oct 19 MLM

The supporting information indicates it is practical to achieve the Council's policy re minimising carbon emissions through energy efficiency measures plus some low or zero carbon heating on site. However the review of low carbon technologies etc. does not cover photovoltaics. The applicant should revise the statement to include this in the review. A condition should be applied to secure either submission of a policy compliant carbon emission minimisation scheme prior to start of construction. Or build in accordance with the submitted scheme (subject to revision requested) if the applicant is prepared to commit to the statement at this stage. Plus

implementation prior to first occupation.

Sustainability Statement Nov 19 MLM

Re 5.5 related to noise attenuation and ventilation please seek proposals for ensuring will not overheat as a result of residents keeping windows closed to achieve satisfactory interior noise levels on hot/sunny days. Noise attenuation calculations assume windows are closed. Ventilation standards in current Building Regs. rely on trickle vents and opening windows. They do not factor solar gain nor security considerations. Trickle vents are rarely adequate on not/sunny days. MVHR systems need to be designed to ventilate rooms that overheat on hot/sunny days and where for noise attenuation or security reasons opening window is not practical.

6.6 Lead Local Flood Authority

The submitted information is acceptable and we have no further comments.

6.7 Air Quality Officer

In line with the Slough Low Emission Strategy, the scheme is considered to have a MAJOR impact on air quality. As such, a detailed air quality assessment has been submitted which assesses potential exposure to future residents. The assessment must include the integration of Type 1, 2 and 3 Mitigation measures, in line with details contained in the LES Planning Guidance.

As demonstrated in the modelling results, the development is unlikely to introduce receptors to an area of poor air quality exposure, as NO₂ concentrations are predicted to be in the region of 31ug/m³.

The site is located circa 200 metres from an Air Quality Management Area (AQMA 4). The site includes 41 parking spaces (reduction of 2 from last proposal) and it is likely that trip rates will impact the AQMA, as residents of the development will travel through AQMA 4 to reach Slough town centre. This is supported by the transport assessment which indicates that the net change in multi-modal trips shows an increase of 283 two-way person trips over the daily period.

The construction phase has been assessed in terms of dust and soiling impact to the receptors surrounding the site and the vehicle haul routes. The impact of vehicle emissions and plant during the construction phase, on levels of NO₂ and PM_{2.5} and PM₁₀ has not been considered despite it being requested in previous comments. The impact of emissions arising from heating systems, once the scheme is operational, on levels of NO₂ and PM_{2.5} and PM₁₀ has also not been considered.

For these reasons, it is recommended that the following mitigation is implemented, to ensure impact to the AQMA is reduced as much as possible. It is noted that during previous discussions, the applicant has already committed to providing a financial contribution to the operation of a car club in Slough.

Mitigation Requirements

- 1) Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As there are no dedicated spaces for the residential dwellings (41 spaces), the LES requires that a minimum of 10% of the parking spaces should have access to electric vehicle recharging facilities, therefore installation of four Type 2 Mode 2 EV charging points in the proposed development is required.
- 2) Installation of 2 dedicated Car Club Bays within the site as part of the 41 bay car park with a Type 2 Mode 3 EV charger to service the bay.
- 3) £59,000 (contribution of £500 per dwelling) towards the operation of a Slough dedicated car club that is to operate 2 cars on the site within the dedicated accessible car club bays, one of which will be an EV.
- 4) The car club will be accessible to all future occupiers of the development and all existing and future members of the Slough Car Club Network.
- 5) Details of the energy demand systems (heating and hot water) to be used on site, which must meet a minimum of 10% renewable energy requirement. This is a core planning policy requirement.
- 6) The heating systems must meet low emissions standards as outlined within Table 7 of the Low Emission Strategy.
- 7) A Construction Environmental Management Plan (CEMP) will need to be developed for the scheme and will need to be submitted to the Local Planning Authority for approval in writing, prior to commencement of works. The CEMP should include details regarding air quality, dust, odour, fumes, land contamination, noise and vibration impacts, and suitable mitigation Details shall be submitted to the Local Planning Authority and approved in writing before commencement.
- 8) Non-road mobile machinery (NRMM) standards will be applied to site construction equipment as outlined within Table 10 of the Low Emission Strategy Technical Report.

6.8 Environmental Noise

The noise assessment was conducted between 29th and 31st July 2019 to determine baseline noise at the development site. The dominant noise sources included road traffic on Stoke Road and Mill Street, and aviation noise.

The monitoring results suggest that road traffic noise can be adequately mitigated with a glazing and ventilation strategy, such as the following:

- 6/16/6.4mm thermal double glazing with Rw 31dB
- Passivent AL-dB 450 in-frame trickle ventilator with Dnew 40dB

However, this assessment was conducted with windows closed, when guidance suggests that internal noise limits should be met with windows open. It is expected that an additional noise assessment is conducted and submitted to the Local Planning Authority for approval once at the detailed design stage, to ensure that internal noise levels in line with BS8233 can be met.

At that stage, the suitability of trickle ventilation can also be assessed. If it occurs that a future occupant would rely on open windows for ventilation which would impact internal noise levels, mechanical ventilation may be more suitable. This must be addressed in the new assessment.

Due to the nature of the urban environment in which this development is situated, it is not expected that external amenity limits of 55dB can be met. The balconies can be used at the occupant's discretion.

It is noted that some of the bedrooms are orientated to face onto Stoke Road and Mill Street. It is recommended that internal room layout is redesigned to ensure that bedrooms are furthest from the roads.

In regards to the external plant noise (air source heat pumps), it has been suggested that the plant is enclosed with acoustic screening and the operation of the pumps are restricted. This would bring down the noise level by 4-5dB to 37dB and 44dB on the 6th and 7th floors, respectively. However, this is still 4dB above background, therefore additional mitigation is required to reduce the impact further.

Full details of the glazing and ventilation strategy, and more robust mitigation for external plant noise must be submitted in the form of a new noise assessment to the Local Planning Authority prior to commencement. This is 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.

6.9 I have reviewed the mix within the affordable housing;

Proposed	Rented	%	S/O	%	Total Affordable Housing
1B2p	5	21%	8	50%	13
2B3/4p	14	58%	8	50%	22
3B5p	5	21%			5
total	24		16		40

The above mix and size breakdown is acceptable to meet the demand from the Housing Register, with the loss of 1 shared ownership unit from the previously discussed mix.

In previous correspondence with L&Q I had discussed that ;

1. We would welcome 5% wheelchair standard units (Part M4(3) Building Regulation standards) particularly in the affordable. This is in line with the Developer Guide Part 2. Page 11. <http://www.slough.gov.uk/business/planning-and-building-control/developers-guide-and-the-community-infrastructure-levy.aspx>
2. On the parking allocation, we would request an equitable proportion of the parking spaces for the affordable units.
3. The rented units will be let at Slough Living Rents.
4. The council has nomination agreements for the rented properties with 100% on first let and 100% on re-let.

5. The council has a dedicated shared ownership officer who works with RPs to ensure that S/O units are first offered to applicants living or working in Slough. We have a working protocol for S/O nominations.
6. There will be an additional 18 flats for shared ownership which will fall outside this S106 agreement, however will be provided in addition as part of the previous covenant discussions. This has been discussed with L&Q directly.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Planning Policy Framework and National Planning Policy Guidance:

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

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

- Core Policy 1 – Spatial Strategy
- Core Policy 3 – Housing Distribution
- Core Policy 4 – Type of Housing
- Core Policy 7 - Transport
- Core Policy 8 – Sustainability and the Environment
- Core Policy 9 – Natural, built and historic environment
- Core Policy 10 – Infrastructure
- Core Policy 11 - Social cohesiveness
- Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Policies)

- EN1 – Standard of Design
- EN 2 - Extensions
- EN3 – Landscaping Requirements
- EN5 – Design and Crime Prevention
- 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

Draft Centre of Slough Regeneration Framework

This document was presented to Members at the Planning Committee meeting of 9 September and was subsequently determined to be adopted as an evidence document for the forthcoming Slough Local Plan.

The application site forms part of an identified regeneration site known as Mill Street sites which is identified as an opportunity to create a new residential neighbourhood.

While this is an evidence document intended to inform the production of the new Slough Local Plan, The fact that it has been resolved to be adopted by the Council means that it is a material planning consideration and appropriate weight can be given to its content.

Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The revised version of the National Planning Policy Framework (NPPF) was published on 19th June 2019.

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

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

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

7.2 The planning considerations for this proposal are:

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

8.0 **Principle of development**

8.1 The current proposals result in the loss of non residential floorspace in the form of office space and the space formerly used as a homeless shelter and the redevelopment of the site to provide 118 residential units.

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

8.3 The loss of the non-residential floorspace in this case does not raise any policy issues, as the site lies within an existing allocated area referred to as the 'Stoke Road and Mill Street Selected Key Location for Comprehensive Regeneration'. This area is identified as being suitable for residential development and is further supported within the Council's emerging Local Plan which directs growth to this area.

The site lies immediately north of the designated Town Centre Boundary although it is located within an area that is proposed as an extension to the town centre boundary as included within the Council's Emerging Preferred Spatial Strategy for the Town which highlights its sustainable location. The site also forms part of an identified regeneration opportunity in the Centre of Slough Regeneration Framework.

8.4 Core Policies 1 and 4 which seek high-density, non-family type housing to be located in the Town Centre. In the urban areas outside of the town centre, new residential development is expected to be predominantly family housing. At the time of considering this application, the site lies outside of the Town Centre but is regarded as being in a sustainable location. While the policy interpretation suggests that there is a presumption in favour of family housing, it is noted that the sites immediately north and south of the site were consented to be redeveloped to provide flats. Further north (and further from the town centre) there is a recently completed flatted development at 73 Stoke Road.

- 8.5 Whilst the site is located outside of the Town Centre, it is considered that flatted accommodation is more appropriate in this case, as it reflects the existing flatted developments in the area.
- 8.6 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high-quality homes which should be considered in the context of the presumption in favour of sustainable development. The site is considered to be located in a sustainable location as it benefits from access to public transport, education, retail, leisure, employment and community facilities.
- 8.7 Paragraph 8 of the NPPF sets out that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 8.8 Paragraph 9 of the NPPF stresses that sustainable solutions should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 8.9 In Core Policy 1 the Council seeks a scale and density of development that will be related to a site's current or proposed accessibility, character and surroundings.
- 8.10 In Core Policy 8 the Council seeks all development to be sustainable, of high-quality design that respects its location and surroundings, in that it should respect the amenities of adjoining occupiers and reflect the street scene and local distinctiveness of the area.
- 8.11 Accordingly, in Core Policy 9 the Council states development will not be permitted where it does not respect the character and distinctiveness of existing townscapes. The impact of the current proposals is considered in section 10.0 below.
- 8.12 Having regard to the National Planning Policy Framework 2019 and the Local Development Plan, there are no objections to the principle of further residential development on this site.

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 C and Core Policy 4.
- 9.2 The proposal would provide a mix of 1, 2 and 3 bed flats, with the greater concentration forming 2-bed units. For a central location such as this the housing mix proposed is considered to be acceptable and reflects those of neighbouring developments.

9.3 Of the housing proposed 34% of the units are proposed as affordable housing which amounts to 40 units, The tenure mix is proposed to be within the Council's requirements. The provision of affordable housing in this location is considered to be a benefit that should be afforded significant weight.

9.4 On the basis of the information above the housing mix and the delivery of affordable housing on site are considered to be acceptable and can be supported.

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, EN2 and H13.

10.2 This is carried forward in Core Policy 9 of the Core Strategy, (2006 – 2026) Development Plan Document December 2008, which 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

10.3 The proposed redevelopment of the site will increase the scale, bulk and massing of built form on the site. The site is in a prominent location and has public realm views from all directions. The new building is proposed with a principal façade that faces west, fronting Stoke Road. Off the principal element are three wings which creates an 'E' shaped footprint for the building.

10.4 The principal façade sits closer to the footway on Stoke Road than the existing building and is more consistent in establishing a building line compared to the existing which is broken up by the entrance lobby. The proposed building is more imposing on the street and marks a significant increase in bulk from this public realm location. It is however, a form that is more in keeping with the character of buildings on the east side of Stoke Road and as a result it is considered that it would sit comfortably in the streetscene and be reflective of the character of the area.

10.5 In terms of the scale of the proposal the building is designed to rise in height as it runs from the north to the south of the site with the three projecting wings reflecting the scale of the principal element where it meets. At its lowest point the building sits at a height of 5 storeys and rises in a stepped

manner to a maximum 8 storeys at the corner of Stoke Road and Mill Street. This scale is proposed as an amendment to the originally submitted scheme which proposed a larger extent of 8 storeys centrally on the building. Concerns were raised with the applicant over the scale of the development as neighbouring developments in the area do not exceed 7 storeys and a further storey would not be in keeping with the area. The 8th storey on the scheme for consideration is focused on the corner to make a feature of this prominent street scene location following discussions with the case officer.

- 10.6 The scale of the building is considered to be acceptable. The stepped nature of the building means that it is a comparable height to neighbouring sites. At the northern extent the scale is the same as the height of the consented redevelopment scheme at the Lady Haig Club. At the southern point the height reflects that of the adjacent Vanburgh Court with the 8th storey exceeding the neighbouring height at the corner. It is considered that the scale of the scheme is such that it would sit comfortably in the streetscene as part of the numerous redevelopment projects in this area. The stepped nature links the sites north and south of the application site helping to establish a holistic streetscene on Stoke Road. The 8th storey is considered to be acceptable in this instance as it occupies a small proportion of the footprint and can be constructed to sit as a lightweight element of the building that is a secondary element. A condition requiring materials details to be approved is included to ensure that this would be the case.
- 10.7 In respect of detailed design the proposed development incorporates a modern design. The positioning and design of window openings create a vertical and horizontal rhythm to the Stoke Road elevation which is considered to be good design. The massing of the façade is broken up by including step backs in 3 parts which create 4 sections of elevation that still read as a single building. The balconies on the Stoke Road elevation project from the building and are not integrated as shown in other parts of the building. It is considered that the balconies could be revised to improve the front elevation. Screens were added to improve privacy between balconies but otherwise they remain as submitted. The balcony arrangement on the Stoke Road façade is unfortunate as they do not read as an integrated part of the scheme. While it is considered that they could be amended to improve the design, it is also noted that the form and arrangement as proposed does no cause significantly adverse harm
- 10.8 The design of the building is such that it is successful in creating an active elevation that addresses the corner of Stoke Road and Mill Street before continuing onto the latter. The elevation to Mill Street is also prominent and considered to be off high quality. The rhythm of opening is retained but the balconies revert to integrated spaces. The rear of the building is prominent from the east, particularly from Mill Street and the access road within the site itself. Amended plans were received as part of the application process to improve the design at ground floor level. The overall design of the

building is one that acknowledges that there are 3 prominent elevations and recognises the importance of activity and high quality to these areas.

- 10.9 The indicative materials palette shown in the application documents shows that the building will be principally constructed in brick which is considered to be in keeping with the character of the area. The introduction of a darker coloured brick type will aid the integration of the proposed into its surrounding and sit as a more sympathetic facing material than the bold yellow and orange bricks on the existing building. Members raised concerns over the level of detailing provided at the meeting. In response the applicant is intending to provide additional information in the form of coloured elevations, precedent images and additional CGIs which will be tabled at the meeting.
- 10.10 The proposed development also includes the introduction of soft landscaping at the boundaries of the site to compliment the built form which is considered to be acceptable.
- 10.11 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area. The design is considered to be of high quality and will enhance the streetscene. The proposal therefore complies with Core Policy 9 of the Core Strategy and the requirement of the National Planning Policy Framework, as such the scheme is considered to therefore comply with Policies EN1, EN2 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework 2019.

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 The proposals, as more fully described above, result in an entirely new building on the plot with multiple outlooks. In terms of neighbouring uses there is an approved development to the north which is yet to be implemented and a recently completed development to the south.
- 11.3 In respect of the redevelopment of the Lady Haig club to the north, it is noted that the proposed development does not show any windows serving habitable rooms looking into this site. There are open areas that serve the walkways to units but these areas are not going to give rise to dwelling time for residents and do not form part of the accommodation of the building. Additionally the application was accompanied with a daylight/sunlight

assessment that considered the impacts of the approved scheme at the Lady Haig Club site. The assessment showed that there would not be significant and demonstrable harm caused to future occupiers through a loss of light of overshadowing.

- 11.4 To the south there is a separation distance of approximately 17 metres between the windows of the application proposal and those at the recently completed Vanburgh Court which is considered to be an acceptable separation distance between the two given the urban location.
- 11.5 There are no residential properties to the east or west of the site and other units in the area are sited a suitable distance from the application site that ensures there would be no adverse impact on planning terms.
- 11.6 It is considered that there would be no adverse harm for neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2019.

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

- 12.1 The National Planning Policy Framework 2019 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EN2.
- 12.2 All of the units would meet the Council's internal space standards, as set out in the Technical Housing Standards 2015.
- 12.3 In terms of the levels of daylight, aspect, and outlook, it is noted that the majority of residential units are proposed with dual aspects that would enhance the light levels received to units and give suitable outlooks as well.
- 12.4 Independent accesses are provided at street level from different entrance points which spread people movement throughout the site. Staircases and lifts would then enable future residents to reach each floor giving appropriate levels of accessibility.
- 12.5 There is no shared amenity space proposed but each unit has access to private space in the form of balconies which are either projecting or integrated. The plans were amended to ensure privacy screens were included to achieve privacy for all occupiers. At ground floor level the units have terraces rather than balconies.

12.6 The previous deferral asked for additional information on CCTV and lighting arrangements. The recommendation includes a condition that would require such details by condition as, at this stage, precise locations of installations would not be known. In light of the deferral the applicant has submitted a lighting and CCTV strategy that indicates proposed locations. The details show that the development would be securely observed and appropriately lit to the extent that it can be considered acceptable in planning terms with the proposed condition 9 enabling the Council to consider explicit details prior to occupation.

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 H11 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 There would be three access points from the frontage on Stoke Road and a separate secure access point at the rear giving direct access to the cycle storage facilities and then to the circulation core of the building. Each access would have a good level of natural surveillance within the public realm.

13.3 Cycle storage would comprise dedicated rooms on the ground floor and some spaces are provided in secure lockers. Subject to a condition below, the facilities would be private and the external access doors would be secure, so no objections are raised in respect of the prevention of crime.

13.4 Members raised that it would be useful to have additional information on positioning of lighting and security cameras as part of the development. The applicant has provided additional information by way of a lighting and cctv strategy plan which shows proposed areas for lighting and surveillance. The details are considered to be acceptable in principle but a condition would still be required to approve finalised details following implementation of the scheme.

14.0 **Highways and Parking**

14.1 The National Planning Policy Framework states that planning should seek to promote development that is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians

and where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 109 of the National Planning Policy Framework states that '*Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

- 14.2 The initial submission drew a number of comments from Highways relating to parking and access as set out in para 6.1 of this report. Principal concerns relate to the proposed parking ratio and the ability of vehicles to access spaces that are shown on the submitted plans.
- 14.3 Additional information has been submitted to address the comments including a transport note and full travel plan. Following consideration by Highways Officers the concerns regarding the parking ratio were considered to have been addressed. Following the Committee meeting of 14 October 2020, Members raised concerns over the nature of the parking proposed, particularly the provision of 10 unallocated spaces in what would be adopted highway.
- 14.4 Parking Provision.
The application proposed 41 allocated parking spaces on site and an additional 10 next to the proposed adopted road.
- 14.5 It is considered that if the 10 on street parking spaces form part of the proposed adopted highway, they cannot be counted as part of the allocated parking for the scheme. Concerns were raised at the previous meeting that these spaces would be used by residents from other areas and potentially commuters. The Highways Officer advised that there would be a permit zone established for this vicinity but to date the area had not been agreed. It was reported that residents would be able to apply for permits to utilise spaces but they would not be exclusive to this development. Due to Member concerns one of the deferral reasons was to review the parking proposal.
- 14.6 Following the deferral from the previous meeting discussions with the applicant have lead to a proposed amendment to the parking arrangement which is to remove the tandem bays from the proposed extent of adopted highway which would then retain them as part of the proposal and, subject to appropriate management and enforcement, could be allocated to residents of this development. This would provide 51 spaces overall but 2 spaces will be given to the car club parking which would give an increased parking provision of 49 total spaces which gives an overall ratio of 0.42, compared to the previous 0.35. Given that the site is in a highly sustainable and very accessible location, the improved parking ratio is considered to be acceptable in planning terms. The applicant has confirmed that, as part of the allocation of spaces, each of the three bed units proposed will receive a minimum of 1 allocated space. The management of the parking allocation is proposed to be agreed through a condition on the decision notice that would

seek to adopt a scheme that monitors spaces to ensure they are efficiently utilised.

- 14.7 Retention of the parking bays outside of future public highway means that the Council could apply restrictions to residents being able to apply for permits in the wider area which addresses a previous concern of Members.
- 14.8 The application site lies than 500 metres from both the rail and bus station which lie to the south. Its closeness to the town centre means that the site has a close relationship to a host of services and employment opportunities which emphasises the highly sustainable location. Furthermore there are bus stops close to the site with a northern running stop located adjacent the site on Stoke Road and a southern route stop located approximately 70 metres to the south. The development also provides cycle parking provision in numbers that exceed the Council standard and it includes the provision of secure lockers as part of that proposal.
- 14.9 Additionally, it is noted that, at the committee meeting of 9 September 2020, Members acknowledged the content of two of the key components for the Council's Spatial Planning Strategy relating to the future of development in the centre of Slough and the cross border expansion as forming the basis for the preferred Spatial Strategy for the forthcoming Slough Local Plan. Additionally, Members also noted the content of the third draft of the Centre of Slough Regeneration Framework. The draft Framework continues to include the site and surrounding area as a regeneration opportunity and the Spatial Strategy continues to propose the site as part of a town centre expansion. The report to Members at the previous committee advised that sites within the town centre would be developed with a parking ratio of 0.2 spaces per dwelling to emphasise movements other than the private car.. The reports from the previous committee can be given some weight as material considerations on this case; it is considered that some weight should be applied given that the references are to emerging policies and strategies.
- 14.10 Addressing other highways matters it is noted that there are no objections in respect of the provision of electric vehicle charging points, arrangements for refuse collection, arrangements for deliveries and servicing and bin store proposals and conditions can address outstanding matters and secure implementation.
- 14.11 It is noted that the applicant is committed to a contribution towards the car club which is considered to be a benefit of the scheme. The Environmental Quality team has recognised this site as an opportunity to provide car club spaces as well as the contribution and have advised that 2 spaces should be provided. It is considered that 2 spaces can be provide as part of the 10 on street parking bays proposed which would enable the requirement to be met without compromising on site allocated parking spaces. The provision of car club spaces and the contribution to their implementation is regarded as

a benefit to this application.

- 14.12 It is acknowledged that the access road will need to be adopted under a S38 highways agreement and that a pedestrian footway will need to be included. The applicant has agreed to this and the need to enter into a S38 agreement for this part of the development can be secured as part of the S106 agreement. It is noted that the provision of this access road aligns with the indicative e masterplan for this Mill Road development opportunity as set out in the draft Centre of Slough Regeneration Framework.
- 14.13 The applicant acknowledges that part of the site sits within the road widening line on Stoke Road and the plans show that no built form is within this small section. The applicant acknowledges that the affected area will be dedicated as public highway and that this can be secured through obligation in the S106 agreement.
- 14.14 As part of the additional information the applicant submitted a full travel plan for the site which is considered to be acceptable. The applicants will be required to pay a monitoring fee contribution in accordance with the provisions of the Developers Guide and this can be secured through S106 agreement.
- 14.15 On the basis of the above considerations there is no adverse impact on the highway from this proposal subject to completing the S106 agreement and a number of conditions relating to access, parking, cycle parking, bin stores parking management, layout demarcation and a construction management plan.

15.0 **Flooding & Drainage**

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

water should be attenuated to Greenfield run-off rates. In the scenario where infiltration techniques are not possible, attenuation will be required in order to reduce surface water run-off.

- 15.4 Following additional information, Hampshire County Council, as Lead Local Flood Authority, have no objections to the proposals as set out. Thames Water have also raised no objection subject to conditions and Informatives being included aimed at protecting and safeguarding water infrastructure in the area. The applicant has confirmed that no built development will take place within 5 metres of any mains water route.
- 15.5 On the basis of the comments received the proposed development is considered to be acceptable in light of drainage proposals and the impacts on flooding.

16.0 **Trees, Landscaping and Open Space**

- 16.1 The existing site has soft landscaping at the frontage and the rear of the site. The proposed development would see the removal of existing landscaping but space is provided for a larger extent of new structural landscaping as replacement.
- 16.2 Discussions at the previous committee meeting highlighted concerns in respect of the provision of open space on the application site and where any financial contribution towards open space would be spent.
- 16.3 As stated, each of the flats proposed will benefit from their own private amenity area through the provision of balconies and terraces. The extent of provision shown is considered to be acceptable for a high-density development and consideration therefore falls to the principle of providing communal open space.
- 16.4 The Developer's Guide states, in respect of recreation, that sites of less than 2ha are normally required to give a financial contribution where there is no existing open space or play areas nearby. It states that on site provision would take place occasionally. The application site is 0.49ha and the applicant has agreed a financial contribution in accordance with the Developer's Guide for open space. It is acknowledged that there were concerns over the lack of open space on site however it has to be acknowledged that the application accords with the Developer's guide. The site is considered to be one that is suitable for high density development and it is often difficult to provide open space in these types of proposals. Given the lack of a set standard for open space provision for this type of development it is considered difficult to be something to insist on.

- 16.5 Following the previous committee meeting the case officer requested the applicant explore the potential to include open space provision on the roof areas of the development. This has been duly considered but it was advised that this would be unfeasible. Therefore the financial contribution remains in full. Members previously expressed concerns over the identified projects for these monies being located in Salt Hill Park and the distance of this area from the application site.
- 16.6 These comments are noted; Salt Hill Park is not adjacent to the application site and does not have a visible relationship with the site. However it is also not considered to be an excessive distance from the site either. Currently the park can be reached on foot in 12 minutes and cycled in 4 minutes which is a reasonable distance to cover. The accessibility to the park is set to be significantly improved through the implementation of new development at the Horlicks site which will reduce the distance further and provide a greater ability to move east/west across the town in this locale. The projects that were identified are considered to be relevant to the planning application
- 16.7 Having considered the concerns raised at the last meeting the applicant has stated that they are happy for the money to be used on projects closer to the site. This could include public realm improvements which could include areas closer to the vicinity of the site given that the site is in an area identified for regeneration. The case officer has also reviewed areas closer to the application site. Considerations into projects at Bowyer Recreation Ground are on hold as the area is subject to potential impacts from the current application at the Canal Basin site. Upon consideration, this does not rule out the possibility for an identified project coming forward in the future. Therefore it is considered that the scope of which the recreation contribution could be extended to can be broadened so that it encompasses potential future projects within a closer vicinity to the site and this is reflected in para 20.3 below.
- 16.8 Taking account of the concerns previously raised, and the additional considerations above, it is considered that the balcony and landscape provision on site is considered acceptable, amounting to a net gain in biodiversity on the site, to the extent that it is considered to be compliant with planning policy.
- 17.0 **Land Contamination**
- 17.1 Core Policy 8 (Sustainability and the Environment) of the SBC's Core Strategy Document states that development shall not 'cause contamination or deterioration in land, soil or water quality' nor shall development occur on polluted land unless appropriate mitigation measures are employed.
- 17.2 The pre-application process identified that the site is potentially contaminated. No Phase 1 assessment was submitted with the application and therefore this matter remains outstanding. As a result conditions are proposed to address this.

18.0 **Air Quality**

18.1 The application site is not situated within an Air Quality Management Area (AQMA). Therefore, there will not be an unacceptable exposure to air pollution for future occupiers of the development or the users of the surrounding facilities. In the interest of not worsening air quality problems in other parts of the town it will be important, if the proposal is approved, to minimise emissions from travel demand through encouraging non-car modes of travel, which would be enhanced by the scheme's compliance with the Council's requirements for cycle storage facilities and infrastructure for Electric Vehicles..

18.2 The comments of the Environmental Quality Officer include a number of factors that will need to be included as part of any approved and implemented scheme. The requirement for 4 EV charging points can be achieved and secured by condition on any approval notice.

18.3 Mitigation requirements also include the provision of 2 car club bays within the site with another EV charger as part of this. The applicant's have been previously advised that a lesser parking provision would be considered if the scheme included car club provision and this is therefore considered to be necessary.

18.4 To ensure air quality impacts are mitigated against the energy systems installed with the scheme must be compliant with the Council's Low Emission Strategy. No details of the heating and hot water systems are provided and therefore a condition will be applied to submit details for approval prior to installation.

18.5 The requirement for construction management can be accommodated through condition and therefore it is considered that the impact on Air Quality can be reasonably mitigated against in line with the above.

19.0 **Noise Impacts**

19.1 The comments received acknowledge potential noise impacts from vehicular traffic on Stoke Road and Mill Street. It is noted that Stoke Road is already subject to a number of residential properties and this is not an uncommon scenario in this area. The comments also note that the impacts can be mitigated against through the installation of appropriate windows.

19.2 Comments are also noted in respect of the need to enclose external plant to limit noise outputs to residents and the comments conclude by requiring a revised noise assessment, required by condition, to demonstrate the noise matters raised would be addressed in the scheme's implementation. This is conditions is considered necessary and will be included.

19.3 As a result is it considered that appropriate conditions can ensure identified noise impacts are mitigated against and the scheme does not therefore result in any significant adverse impact to residents.

20.0 Infrastructure Requirements/S.106 Contributions

20.1 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.

20.2 The proposal includes the provision of 40 units for affordable housing which comprises 34% of the development. This provision will be secured via a S106 agreement.

20.3 In accordance with the Slough Developer's Guide the quantum of development triggers a requirement for the following financial contributions:

Education

Contributions in accordance with the Developer's Guide:

	Early Years	Primary	Secondary	Post-16	SEN
1-Beds	£7,920	£31,104	-	-	£4,320
2- & 3-Beds	£18,360	£187,204	£51,544	£51,544	£19,584
Totals	£26,280	£218,308	£51,544	£51,544	£23,904

Recreation

A contribution of £300 per dwelling for enhancement of nearby public open space.

Total: £34,800 to be used towards the upgrading of tennis and netball courts at Salt Hill Park or the extension of the skate and parkour park in the teen zone.

Travel Plan monitoring fee

A contribution in accordance with the Developer's Guide.

Total: £6,000

Car Club

Contribution of £500 per dwelling towards the establishment and operation of 2no dedicated car club spaces on the site. It would be suggested that, notwithstanding the current highways position, the spaces are provided in the tandem bays on the adopted access road. The exact location of spaces can be secured through S106 clause.

Total: £58,000

- 20.4 The S106 agreement will also include an obligation for the applicant to enter into a S38 Highways agreement to enable alterations to be made to the highway to implement the scheme and to enable parking restrictions on Mill Street to ensure there is no overspill that would harm highway safety and convenience as well as an obligation to dedicate part of the site as public highway where it sits within the Stoke Road widening area.
- 20.5 The contributions listed above are all considered to meet the tests of paragraph 56 of the NPPF in that they are necessary to make the scheme acceptable in planning terms, they are directly related to the development and are fairly and reasonably related in scale and kind to the development proposed.
- 20.6 On this basis the contributions and obligations that would be secured through the Section 106 agreement are considered to be benefits of this application that can be given significant weight in the planning balance.

21.0 **Conclusion relating to Planning Balance**

- 21.1 In the application of the appropriate balance, it is considered that there are significant benefits from the provision of 116 residential units in a sustainable location. Of these units, 40 will be affordable housing which is a benefit that should be afforded significant weight. Furthermore the application will secure a number of contributions through a S106 agreement which will improve infrastructure in the area which is also a benefit, particularly the provision of dedicated car club parking bays.

On balance it is recommended that planning permission should be granted in this case as the benefits significantly and demonstrably outweigh any adverse impacts and conflicts with specific policies in the NPPF.

22.0 **Equalities Considerations**

- 22.1 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either residing in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority has given due regard for the needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (e.g.: age

(including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In particular, regard has been had with regards to the need to meet these three tests:

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

22.2 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access.

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

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

23.0 **PART C: RECOMMENDATION**

23.1 Having considered the relevant policies set out below, and comments that have been received from consultees and a local interested party, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval

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

CONDITIONS:

1. The development hereby permitted shall be commenced within three years from the date of this permission.

REASON To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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

- a) Drawing No. 1518 P-07 Rev B, Dated 16/10/2019, Recd On 19/08/2020
- (b) Drawing No. 1518 P-08 Rev A, Dated 16/10/2019, Recd On 19/08/2020
- (c) Drawing No. 1518 P-09 Rev B, Dated 16/10/2019, Recd On 19/08/2020
- (d) Drawing No. 1518 P-10 Rev B, Dated 16/10/2019, Recd On 19/08/2020
- (e) Drawing No. 1518 P-11 Rev B, Dated 16/10/2019, Recd On 19/08/2020
- (f) Drawing No. 1518 P-12 Rev B, Dated 16/10/2019, Recd On 19/08/2020
- (g) Drawing No. 1518 P-13 Rev B, Dated 16/10/2019, Recd On 19/08/2020
- (h) Drawing No. 1518 P-14 Rev B, Dated 16/10/2019, Recd On 19/08/2020
- (i) Drawing No. 1518 P-15 Rev A, Dated 16/10/2019, Recd On 19/08/2020
- (j) Drawing No. 1518 P-01 Rev A, Dated 16/10/2019, Recd On 21/04/2020
- (k) Drawing No. 1518 P-02 Rev B, Dated 16/10/2019, Recd On 21/04/2020
- (l) Drawing No. 1518 P-03 Rev A, Dated 16/10/2019, Recd On 21/04/2020
- (m) Drawing No. 1518 P-04 Rev A, Dated 16/10/2019, Recd On 21/04/2020
- (n) Drawing No. 1518 P-05 Rev A, Dated 16/10/2019, Recd On 21/04/2020
- (o) Drawing No. 1518 P-06 Rev A, Dated 16/10/2019, Recd On 21/04/2020
- (p) Drawing No. 1518 SLP-01, Dated 16/10/2019, Recd On 04/02/2020
- (q) Drawing No. JNY9970-02 Rev D, Dated 05/2019, Recd On 09/10/2020

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. Prior to the commencement of any above ground works, details of the facing materials, including paint colours, glazed facades, and aluminium framing to be used on the relevant block on all external facades and roofs of the buildings, shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be displayed on site for inspection prior to works commencing on the relevant part of the development. No part of the development shall be used or occupied prior to the implementation of the approved details. The development shall be carried out strictly in accordance with the approved details.

REASON: To ensure a satisfactory external appearance of the development and to respect the setting of nearby listed buildings in accordance with Policies EN1 and EN17 of the Local Adopted Plan for Slough 2004, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

4. Prior to the commencement of any above ground works, samples of external materials to be used in the construction of the access road, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the details approved.

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

5. None of the residential units hereby approved 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 the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

6. None of the residential units hereby approved shall be occupied until full details of hard and soft landscaping proposals have been submitted to and approved in writing by the Local Planning Authority. The approved scheme 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

7. None of the residential units hereby approved shall be occupied until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas shown on the approved landscape plan, and should include a time scale for the implementation and 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 Policy EN3 of The Adopted Local Plan for Slough 2004.

8. None of the residential units hereby approved shall be occupied 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. Before the development hereby permitted is occupied, a suitable means of his boundary treatment 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.

9. The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. The security measures to be implemented in compliance with this condition shall be submitted to and approved in writing by the Local Planning Authority and shall achieve the 'Secured by Design' accreditation awarded by Thames Valley Police. The approved details shall be implemented prior to first occupation of the proposed development.

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework,

Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in The National Planning Policy Framework, 2012.

10. The cycle parking racks and storage facilities within the development shall be provided in accordance with the approved plans. The cycle facilities shall be implemented prior to the occupation of the relevant part of the development and shall be retained thereafter at all times in the future for this purpose.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Policy T8 of The Adopted Local Plan for Slough 2004, to meet the objectives of the Slough Integrated Transport Strategy, Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2019).

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

REASON To ensure that the site is adequately risk assessed for the proposed development, this is in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

12. Should the findings of the Phase 1 Desk Study approved pursuant to the Phase 1 Desk Study condition identify the potential for contamination, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

13. Development works shall not commence until a quantitative risk assessment 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 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

14. 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 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

15. Notwithstanding the details in the approved plans, no development shall take place until a revised noise assessment that provides full details of the glazing and ventilation strategy, and more robust mitigation for external plant noise has been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved plans.

This is 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.

16. Notwithstanding the details in the approved plans, no development shall take place until details of the proposed energy demand systems (heating and hot water) has been submitted to and approved in writing by the Local Planning Authority. The details will need to demonstrate how the systems meet a minimum of 10% renewable energy requirement and how they meet the low emissions

standards as outlined in the Council's Low Emission Strategy. The works shall then be carried out in accordance with the approved plans.

This is 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.

17. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

18. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure.

19. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure and details are required to safeguard the existing infrastructure.

20. No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Adopted Vehicle Crossover Policy.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

21. No other part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any

obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

22. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

23. 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 residential properties in accordance with Core Policy 7 of the Slough LDF 2006-2026.

24. No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

25. No part of the development shall be occupied commence until bin storage has been provided on the ground floor car parking deck and suitable storage area to be provided in accordance with the standards set out in the Slough Developers Guide.

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

26. 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 that demonstrate how the following will be addressed.:

- 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
- wheel cleaning facilities during the construction period
- machinery to comply with the emission standards in Table 10 in the Low Emission Strategy Guidance.
- control of noise
- control of dust, smell and other effluvia

- control of surface water run off
- site security arrangements including hoardings
- proposed method of piling for foundations

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 interests of the amenities of the area 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 in accordance with Policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2018.

27. 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 :

- 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.
- Ensure spaces are not permanently linked to dwellings.
- State how electric vehicle charging point spaces will be made available to residents with plug in vehicles.
- How use of charging point spaces by non plug-in vehicles will be restricted.

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

INFORMATIVE(S):

- 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 applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the Piling Method Statement. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipe>
- The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working

near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

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

4. 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.
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
6. 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.
7. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
8. Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.
9. The applicant must obtain a license from Slough Borough Council for maintaining the highway verge (once dedicated) fronting the application site under Section 142 of the Highways Act 1980.
10. The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
11. 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.

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: December 2020

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

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

WARD(S)**ALL**

Ref	Appeal	Decision
P/00114/007	Garages Rear Of 1, Alexandra Road, Slough, SL1 2NQ Demolition of existing garages and construction of 1no. two bedroom and 2no. one bedroom flats	Appeal Dismissed 3 rd November 2020
P/16862/003	193, Vicarage Way, Slough, Colnbrook, Slough, SL3 0RD Removal of condition 5 (permitted development rights) of planning permission P/16862/000 dated 22/05/2017	Appeal Dismissed 3 rd November 2020
P/05348/004	48a, Court Crescent, Slough, SL1 3JR First floor rear extension and loft conversion including hip to gable and 2no. front and 1no. rear rooflights.	Appeal Dismissed 19 th November 2020
P/17925/000	11, St Marys Road, Slough, SL3 7EN Construction of a front extension with pitched roof Planning decision was not received for the following application, however, the appeal statement recommended refusal for the following application. The main issue was the effect of the proposal on the character and appearance of the area. The Inspector allowed for the construction of the front extension as the site is set back from the main road. It has been pointed that there are difference as well as similarities between the pair of semi-detached properties. The Inspector considers the lean to sloping roof replacing the flat roof and the fenestration arrangement would give the dwelling more coherency. The St Mary's Church conservation area is centred around the church, and is not related to the appeal building. Considering these, the proposed development was considered acceptable.	Appeal Granted 20 th November 2020

P/03798/009	P/03798/009 29 & 29A, Merton Road, Slough, SL1 1QW	Appeal Dismissed 25 th November 2020
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Appeal Decision

Site visit made on 18 August 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd November 2020

Appeal Ref: APP/J0350/W/20/3251809

Garage to the rear of 1 Alexandra Road, Slough SL1 2NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Messrs Emil and Paul Gaynor against Slough Borough Council.
 - The application Ref P/00114/007, is dated 24 May 2019.
 - The development proposed is the demolition of the existing garage to the rear of Alexandra Road and replacement with 3 no. flats spread over 2 storeys.
-

Decision

1. The appeal is dismissed, and planning permission is refused.

Application for costs

2. An application for costs was made by Messrs Emil and Paul Gaynor against Slough Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. The planning application was not determined prior to the appeal being lodged. The Council however has provided a statement confirming the grounds on which it would have refused the application.

Main Issues

4. The main issues are:
 - the effect of the proposal on the privacy of the occupiers of Alexandra Road and;
 - the effect of the proposal on the character and appearance of the area.

Reasons

Living conditions

5. The site is bordered by the rear gardens of Alexandra Road and Chalvey Road West, these are continuous terraces with long gardens to the rear. A railway embankment and several trees form the other main boundary. The

appeal site has an access off Alexandra Road, it is an area of concrete hard standing and a row of garages and used for car repairs.

6. The windows of the rear of the Alexandra Road would face the appeal site. The (north west) facing wall of the proposed building would be almost blank except for high level fenestration to the stairs. This would not lead to overlooking.
7. However, the main facing elevation of the appeal proposal would be the south west. This would have three upper storey windows for the proposed flat 2, and these would be at an oblique angle to Alexandra Road which would limit the outlook to those rear windows and gardens but not sufficiently to avoid overlooking and maintain the perception of privacy.
8. Flat 2 would also have a balcony at the far end of the same south west elevation (on a corner of the building). Whilst this would not protrude outwards from the side of the building, there would be an inevitable tendency for the occupants to 'lean out', which would lead to overlooking.
9. The three windows and the balcony identified above would need measures potentially including a mix of obscure glazing, restricted opening or screening, but these may hinder the living conditions of the flat's occupants as two windows would serve habitable rooms. Indeed, such amendments would be beyond the scope of a condition; they need to be the subject of re-consultation and may well change the appearance of the elevation. Whilst the appellants indicate support for a condition on obscure glazing, more measures in various potential permutations would be warranted, and it would be inappropriate to re-design the scheme by condition.
10. The proposal would remove the existing car repair use. I agree with the Council that this would help living conditions as potential noise and disturbance would be removed. However, this does not outweigh the harm to the privacy.
11. I therefore conclude that the proposal would harm the living conditions of the residents of Alexandra Road. Policy 8 of the Slough Local Development Framework Core Strategy supports proposals which are respectful to living standards and The Local Plan for Slough Policy EN1 is similar whilst Policy H13 highlights the need to avoid overlooking. National Planning Policy Framework (the Framework) paragraphs 8 and 91 also seek to safeguard health and wellbeing. The proposal would conflict with these policies.

Character and appearance

12. The site is visible from Alexandra Road as there is a gap between this and the rear buildings at Chalvey Road West. Both have rear boundary fences which limit some of the public view, but the access itself is an open aspect. The proposed flats would be two storey but would be sufficiently distanced from the above so as not to compete or detract. The eye would still be drawn along the existing terraces and their significance would not be undermined, particularly as the proposal would only be visible from a very narrow public viewpoint.
13. Whilst the existing terraces have an assertive alignment, there is not an overly formal or regular pattern of development in the area, rather the

buildings appear in the spaces left after the railway or roads. Consequently, the proposal would not erode the discernible grain of development, it would simply be another building in its own context.

14. From Alexandra Road, the site appears significantly set back and is also distanced from the rear of Chalvey Road West. Consequently, it would appear to have its own space and would not impinge appear cramped or overdevelopment.
15. The elevations of the flats would be more contemporary compared with the adjacent terraces. Nonetheless they would have simple detailing which would be deferential to the surroundings. The massing of the proposal would be broken by a hipped roof and a subservient offshoot which would avoid a bulky appearance. The application form envisages tiles and brick, and these would work well with such a broken massing.
16. I therefore conclude that the proposal would not harm the character and appearance of the area. Policy 8 of the Slough Local Development Framework Core Strategy supports proposals which are respectful to the area, The Local Plan for Slough Policy EN1 provides criteria for general design, whilst Policy H13 allows for small scale residential development which is sympathetic to the area but makes specific reference to backland development. Paragraphs 127 -130 of the Framework promote quality design in conjunction with The National Design Guide. The proposal would not be contrary to these policies.

Planning balance

17. Both parties agree that the Council is not meeting its residential land supply requirements. Paragraph 11 (d) of the Framework applies, and criterion (ii) questions whether the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Paragraph 8 of the Framework defines the 3 dimensions of sustainable development as an economic, social and environmental role, which in accordance with paragraph 9 should be determined through the application of policies in the Framework.
18. The appellant refers to the under supply of housing land and the new dwellings would be a helpful contribution. There is a pressing need for new housing in the area, particularly bearing in mind the continuing shortfall. There are extensive community services, facilities, public transport and employment in the area. The proposal is in an accessible area which would be well suited to new dwellings. The proposal would also utilise a brownfield site.
19. However, the proposal would impair the living conditions of the adjacent residents. Accordingly, the proposal contravenes paragraphs 8 and 91 of the Framework which seek to promote healthy living standards. The land supply shortfall questions the development plan housing policies, but the general thrust of policies 8, EN1 and H13 which requires development to respect living standards is still an appropriate strategy.

20. In overall balance, I therefore conclude that the impacts of the proposal are significantly and demonstrably outweighed by the benefits when assessed against the Framework as a whole.

Conclusion

21. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR



Appeal Decision

Site visit made on 20 October 2020

by **S Dean MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3 November 2020

Appeal Ref: APP/J0350/W/20/3255950

193 Vicarage Way, Colnbrook, Slough SL3 0RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Hashem Jamalzadeh against the decision of Slough Borough Council.
 - The application Ref P/16862/003, dated 2 April 2020, was refused by notice dated 26 June 2020.
 - The application sought planning permission for construction of a single storey side and rear extension without complying with a condition attached to planning permission Ref P/16862/000, dated 22 May 2017.
 - The condition in dispute is No 5 which states that: "The extension hereby permitted or any part of dwelling house and shall not be sub-divided or used in multiple occupation."
 - The reason given for the condition is: "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, which may occur if the property".
-

Decision

1. The appeal is dismissed.

Background and Main Issue

2. The appeal proposal seeks to remove a condition which removes the ability to change the appeal site from a house to a house in multiple occupation (HMO) using permitted development rights. As a result, the main issue is whether condition 5 meets the tests in the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) having regard to the amenity of the area.

Reasons

3. The Framework requires clear justification for the restriction of national permitted development rights. The PPG says that conditions restricting the future use of permitted development rights or change of use may not pass the tests of reasonableness or necessity but does not explicitly preclude them.
4. It is clear that at the time of the original application, there was concern, given extra weight by third-party contributions, that the proposed extension could lead to a potentially more intense future use of the property, which could harm the amenity of the area. In response to that concern, assurances were given on this point, and the appeal condition was imposed to ensure that such an

- increase in the intensity of use could be fully considered through a future planning application.
5. To my mind, the obvious parking pressure on Vicarage Way, with cars on the pavement and a proliferation of private signage seeking to impose control, adds weight to those earlier concerns, which have not otherwise disappeared, over the effects of a more intense occupation of the appeal site beyond those which could reasonably be expected as a single-family house. As a result, I consider that the condition is necessary, relevant to planning and relevant to the development permitted.
 6. There is nothing before me to suggest that the condition is not enforceable, and the precision of the condition has recently been addressed in another appeal decision ¹. There are no reasons for me to deviate from the conclusions reached in that decision and I agree with them.
 7. A condition must also be reasonable in all other respects. Condition 5 does not impose a restriction or limitation on the use of the site as a single-family house. It does, however, mean that planning permission is required to change the site from a single-family house to an HMO. If the appeal before me were to succeed, it would not cause such a change to come into effect, merely restore the permitted development right that has been removed. Given the above, I do not consider that it is unreasonable, in this case, and on this site, to require a planning application for such a change. As such, I consider that the condition is reasonable in all other respects.
 8. The appellant has given examples of houses which have been licensed as HMOs in the surrounding area. I do not consider that these examples are directly comparable to the appeal before me, as they do not involve the prior imposition of a relevant condition. In any event, HMO licensing and planning decisions are separate functions of the Council. I also do not consider that the condition is inconsistent with the overarching aim of the Council in providing safe and good quality housing for all residents.
 9. In light of the above, I consider that the condition meets the tests set out in the Framework and PPG, and is clearly justified by the submissions of the Council, supported by the content of adopted and saved development plan policies, including Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026 Development Plan Document, 2008, and saved policies H15, EN1 and EN2 of The Local Plan for Slough, 2004. These policies seek, amongst other things, to ensure that development respects its location and surroundings, their character and context, and protects the amenities of adjoining occupiers and that of the wider area.

Conclusion

10. For the reasons given above I conclude that condition 5 meets the tests in the Framework and the PPG. The appeal should therefore be dismissed.

S Dean

INSPECTOR

¹ Appeal Ref: APP/J0350/X/19/3228684



Appeal Decision

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

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2020

Appeal Ref: APP/J0350/W/20/3247724

48A Court Crescent, Slough SL1 3JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Clark against the decision of Slough Borough Council.
 - The application Ref P/05348/004, dated 12 November 2019, was refused by notice dated 23 January 2020.
 - The development proposed is first floor rear extension, hip to gable roof extension and front and rear rooflights to upper floor flat.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

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

Procedural Matters

3. The appellant suggests that the guidance set out in the Slough Local Development Framework Residential Extensions Supplementary Planning Document Adopted January 2010 (SPD), is entirely out of date in the context of work that can be carried out under the General Permitted Development Order (GPDO). The SPD sets out in some detail what the Council consider to be good practice in terms of extending residential dwellings. While the amended GPDO permits hip to gable extensions, this does not, in my view, make the guidance set out in the SPD redundant. As such, I do not consider that document to be out of date for the purpose of this appeal.

Main Issue

4. The main issue in this appeal is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons for the Recommendation

5. The appeal site comprises an end of terrace property incorporating two flats on the north side of Court Crescent. The surrounding area is residential in nature with hipped roof forms a prevalent feature. This has created a sense of cohesiveness with regards to the built form in the area, providing symmetry to terraces and semi-detached buildings, and contributing positively to the area's character and appearance.

6. The hip to gable roof extension, as a result of its design, form and scale would fail to respect the existing roof form of the appeal property or achieve an appropriate level of subservience to it. Notwithstanding that this element would have a matching roof pitch and materials, it would result in unacceptable harm to the character and appearance of the host property.
7. It would also visually unbalance the terrace to which the appeal property is attached, which can be viewed in its entirety, albeit at an angle, in public views from Court Crescent. Moreover, given the exposed nature of the side elevation of the appeal property within the streetscene, the proposed gable end would appear as unduly prominent feature. As a result of its design, form and scale, therefore, this element would appear as an alien feature in the streetscene and harm to the character and appearance of the surrounding area would result. This is notwithstanding that the appeal site and the buildings within its vicinity are not subject to any specific heritage or landscape designations.
8. The proposed first floor rear extension appears to be of the same depth, width and height of the extension approved by the Council for which planning permission is extant¹ and I note the appellant's comments that the hip to gable extension would help to screen this element from public view. However, when taken in conjunction with the proposed hip to gable extension, significant bulk and mass would be added to the roof. The proposal would therefore fail to achieve an appropriate level of subservience to the host property and would, as a result of its overall scale and design, fail to respect its original size and form. This would diminish the contribution that the appeal property makes to the area and would result in harm to the character and appearance of the host property and the surrounding area.
9. In reaching this conclusion, I consider that the proposed works would result in a less convoluted roof form than the extant scheme. However, as that scheme would employ a form of hipped roof, it would relate more sympathetically to the original form and scale of the host property and surrounding development. Therefore, while the extant planning permission represents a fall-back position that is likely to be implemented in the event that this appeal is dismissed, its effect would be demonstrably less than the proposal before me. Consequently, this fall-back position does not justify the unacceptable development proposed.
10. I note the appellant's comments that hip to gable roof extensions are permitted by the GPDO and that such development could be constructed at numerous other dwellings in the area. However, the appeal property is a flat and so does not benefit from this permitted development right. Moreover, there is no information before me to indicate that the occupants of any other properties are intending to carry out such work. I therefore afford limited weight to these matters in my assessment and do not consider that they justify the proposed unacceptable development.
11. The appellant also suggests that the proposed gable end would appear no different to flank elevations of other end of terraced house in the wider area which feature a gabled flank. However, no details of any specific developments have been provided to me and so I am unable to consider this matter further.
12. I conclude that the proposal would result in harm to the character and appearance of the host property and the surrounding area. There would be

¹ Application P/05348/003, Construction of a first floor rear extension, decision dated 10 April 2019.

conflict with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006 – 2026 Development Plan Document December 2008 and Policies EN1, EN2 and H15 of The Local Plan for Slough March 2004. These require, among other things, development proposals to reflect a high standard of design and to respect its location and surroundings. They also state that proposals for extensions to existing buildings should be compatible with the scale, form, design, architectural style and proportions of the original structure and that extensions to existing dwelling houses will only be permitted if they are in keeping with the identifiable character of the surrounding area. The proposals also conflict with EX33 of the SPD which states that alterations to the main roof of the house by changing its shape will not normally be permitted, and the aims of Section 12 of the National Planning Policy Framework in achieving well-designed places.

Other Matters

13. I note that no objections have been raised by the Council in relation to the effect of the proposals on the living conditions of occupants of nearby properties or parking. There are also no third party objections to the proposals. I also note that the proposed roof lights are in the approximate locations as those approved under the extant planning permission and that no objection have been raised in relation to these. Having assessed these matters, I have no reason to reach a different conclusion. However, these are neutral factors in my assessment of the appeal and do not outweigh the harm I have set out above.
14. The appellant suggests that the proposal would facilitate a more efficient use of the roof space and he is concerned that the extant planning permission does not provide sufficient headspace in the loft. While the proposals would contribute to achieving the appellant's aims in this regard, these are private benefits which do not outweigh the harm that I have identified.

Conclusion and Recommendation

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

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

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

RC Kirby

INSPECTOR



Appeal Decision

Site visit made on 18 August 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2020

Appeal Ref: APP/J0350/W/20/3250126

11 St. Marys Road, Slough SL3 7EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Philip Lomas against Slough Borough Council.
 - The application Ref P/17925/000, is dated 31 October 2019.
 - The development proposed is a front extension and pitch roof over existing/original front protrusion.
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Decision

1. The appeal is allowed and planning permission is granted for a front extension and pitch roof over existing/original front protrusion at 11 St. Marys Road, Slough SL3 7EN in accordance with the terms of the application, Ref P/17925/000, dated 31 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be commenced within 3 years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following plans and drawings: DWG-01 Existing/Location plan/Block plan and DWG-02 Proposed Floor plans/Elevations.

Main Issue

2. Whilst the application was not determined, the Council did submit an appeal statement and it is evident that the main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The site is set back from the St Marys through road and is one of a row of houses which appear to date back to the 1970s. On the other side of the road is a terrace of almshouses and the St Mary's church which is notable for a brick tower. The site includes a semi-detached house; there are some similarities between the pair but also some differences.
4. The appeal dwelling has an existing forward projecting garage/porch which is an overly dominant feature particularly due to the white panel door. This garage door would be replaced by a wall and windows which would be more in keeping with the existing dwelling. The garage/porch has a flat roof which would be also replaced by a lean-to sloping roof along the width of the

- dwelling. These alterations would give the dwelling more coherency because the projection would appear more part of the dwelling. The pitch roof would also unify the house whereas the flat roof jars with the original. Furthermore, the arrangement of the fenestration would give a symmetrical appearance to the dwelling.
5. Whilst the extension would be along the width of the appeal building, it is only single storey and would have hipped ends to the roofline which would soften its appearance. The proposal does not extend beyond the existing building line and is annotated as being only 1.517m wide. The proposal would be a modest scale which would appear subservient to the main dwelling.
 6. The proposed dwelling would not look the same as its attached semi-detached partner, however that would not be dissimilar to the current situation as the partner has a bay window and walling rather than the appeal's site garage door. The proposed changes are small scale and would not stand out. Similarly, there would not be any impact to the adjacent buildings, particularly as there is no uniformity to their style.
 7. Paragraph 3.3 of the Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document states that canopies which span the property will not normally be permitted. However, in this particular case there is an existing flat roof projection which is more assertive. Indeed paragraph 3.4 continues that such extensions must be in proportion and must not appear overly dominant. As I have found above the proposal would be modest width, subservient, in keeping with the appeal building and the area.
 8. The almshouses opposite are grade II* listed. However, being set within their own grounds and gabled end on to the road, they have a very limited relationship with the appeal site. Furthermore, the appeal building is set back from the road which gives it a different context. The grade I listed church has its own clearly demarked grounds and is segregated by the road, so that it is experienced distinctly from the appeal building.
 9. The St Mary's Church Conservation Area excludes the appeal site, and this appears purposely so by the indented boundary line. The Conservation Area is centred around the church, almshouses and other notable public buildings and does not relate to the appeal building. In any event I have found that the changes would not be harmful to the character and appearance of the area, and the effect on the setting of the Conservation Area and listed buildings would be neutral. I note that the Council's Conservation Officer came to a similar conclusion.
 10. I therefore conclude that the proposal would not harm character and appearance of the area, including the setting of the heritage assets. Policy 8 of the Slough Local Development Framework Core Strategy promotes design, which is respectful to the area, The Local Plan for Slough Policies EN1 and EN2 provide criteria for general design and extensions, whilst Policy H15 encourages sympathetic design of extensions. National Planning Policy Framework (the Framework) paragraphs 127 -130 promote quality design in conjunction with The National Design Guide. Paragraph 194 of the Framework seeks to protect the setting of heritage assets, particular weight is placed on those of greatest significance. Paragraph 193 places great weight on the significance of a

designated heritage asset. The proposal would accord with these policies and guidance.

Conditions

11. Paragraph 55 of the Framework and the Planning Practice Guidance provide the tests for the imposition of conditions. The approved plans are helpful for certainty. The Council's Conservation Officer recommends a condition requiring matching materials, but these are specified as such on the application form.

Conclusion

12. I therefore conclude that the appeal should be allowed.

John Longmuir

INSPECTOR



Appeal Decision

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

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2020

Appeal Ref: APP/J0350/W/20/3257478

29/29A Merton Road, Slough, Berkshire SL1 1QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Iftakhar Ahmed against the decision of Slough Borough Council.
 - The application Ref P/03798/009, dated 2 December 2019, was refused by notice dated 26 May 2020.
 - The development is the erection of 1.8 metre high wrought iron boundary access gates.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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

Procedural Matters

3. In accordance with the details submitted by the appellant and from my own observations, it is clear that the development has been undertaken. I have therefore assessed the appeal on a retrospective basis.
4. The appeal form provides the address of the appeal site as 29 Merton Road. The address in the banner header above has been taken from the application form and I have proceeded on the basis that the development relates to Nos 29 and 29A Merton Road.

Main Issue

5. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

6. The appeal site is located at the head of a residential cul-de-sac. Front boundary treatments within the road largely comprise low brick walls, railings and fencing enclosing landscaped gardens and parking areas, with a number of properties having open frontages to the road, all of which contribute to a sense of openness within this pleasant residential area.

7. The new gates are substantially higher than nearby front boundary treatments and they present as a prominent, incongruous feature within the streetscene, significantly enclosing the front of the dwellings that they serve. They have eroded the otherwise open characteristics of the streetscene. The planting of vegetation and trees behind the gates would be unlikely to mitigate the harm identified. That Merton Road is a no-through road does not, in my view, ameliorate this harm.
8. The appellant indicates that the gates are the same height as the boundary fencing shown on the plans attached to the planning permission for the new dwelling at the site. The Council appear to dispute this. In any case, I do not consider that the height of fencing elsewhere on the site justifies the unacceptable development undertaken or negates the harm that it has caused.
9. I observed the gates at No 1 Merton Road and the gates and railings at Merton Court (No 4 Merton Road). Both sets of gates are located at the entrance to Merton Road some distance from the appeal site, where the context of them is different to that of the new gates, in terms of both their location and the scale of buildings they serve. The circumstances of these examples is not directly comparable to the scheme before me and they do not provide justification for harmful development in this case.
10. I have been referred by the appellant to an application for gates at a block of flats in Church Street¹. However, no details have been provided of that proposal. I have also been referred to an approved application in respect of 39 Royston Way², which the Council indicate is approximately 5 kilometres from the appeal site. Again, no further information has been submitted and, given that neither example is in the immediate location of the appeal site, these developments would be likely to be seen in a wholly different context and are therefore unlikely to be comparable to the development before me. Likewise, the reference to gates at schools and commercial buildings has not been substantiated.
11. The appellant indicates that the gates have been erected to restrict access, improve security and to prevent theft and rubbish being dumped. However, it is likely that there may be other solutions available to the appellant which could resolve these issues and would not result in the harm that I have identified.
12. I conclude that the development has resulted in harm to the character and appearance of the area. There is conflict with Policy EN1 of The Local Plan for Slough March 2004 and Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document December 2008. These policies require, among other things, that development proposals reflect a high standard of design and that development within existing residential areas should respect the street scene. There would also be conflict with EX49 of the Slough Local Development Framework Residential Extensions Guidelines Supplementary Planning Document Adopted January 2010, which states that gates shall be designed to reflect the existing character of the street and surrounding area, and the aims of Section 12 of the National Planning Policy Framework with regards to achieving well-designed places.

¹ Application P/18067/000.

² Application P/02289/007.

Other Matters

13. I note that a comment in support of the development was submitted to the Council by a local councillor, however the decision of the Council was to refuse planning permission having assessed the proposal and the representations received. This matter does not alter the conclusion that I have reached.
14. The appellant is also concerned with how the Council determined the application, suggesting that it was subject to pre-determination. He also states that the decision was made outside the prescribed period and questions whether it should have been considered by Planning Committee. However, the Council considered the development that was put before it, as it was reasonable for them to do so and a decision has been issued. These matters, therefore, do not add weight to the appellant's case.
15. While I note the appellant's comments regarding previous enforcement enquiries concerning the appeal site, I have assessed the development before me on its own merits. Further, I note that the Council did not raise any highways objections to the development. Having considered the matter, I see no reason to reach a different conclusion. However, this is a neutral factor in my assessment of the appeal.

Conclusion and Recommendation

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

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

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

RC Kirby

INSPECTOR

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MEMBERS' ATTENDANCE RECORD 2020/21
PLANNING COMMITTEE

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

P = Present for whole meeting
 Ap = Apologies given

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

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