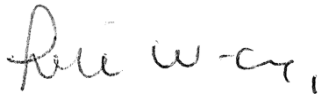


Date of issue: Tuesday, 6 April 2021

<b>MEETING</b>	<b>PLANNING COMMITTEE</b> (Councillors Dar (Chair), M Holledge, Ajaib, Davis, Gahir, Mann, Minhas, Plenty and Smith)
<b>DATE AND TIME:</b>	WEDNESDAY, 14TH APRIL, 2021 AT 6.30 PM
<b>VENUE:</b>	VIRTUAL MEETING
<b>DEMOCRATIC SERVICES OFFICER: (for all enquiries)</b>	NICHOLAS PONTONE 07749 709 868

NOTICE OF MEETING

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



**JOSIE WRAGG**  
Chief Executive

**AGENDA**

**PART 1**

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

**CONSTITUTIONAL MATTERS**

1. Declarations of Interest

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

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Guidance on Predetermination/Predisposition - To Note	1 - 2	-
3.	Minutes of the Last Meeting held on 10th March 2021	3 - 8	-
4.	Human Rights Act Statement - To Note	9 - 10	-
<b>PLANNING APPLICATIONS</b>			
5.	P/04290/008 - Automotive House, Grays Place, Slough SL2 5AF  <i>Officer's Recommendation: Refuse</i>	11 - 46	Central
6.	P/08557/005 - 1 Stoke Road, Slough  <i>Officer's Recommendation: Refuse</i>	47 - 68	Central
7.	P/16337/007 - 9, Mina Avenue, Slough, SL3 7BY  <i>Officer's Recommendation: Delegate to the Planning Manager for Approval</i>	69 - 86	Langley St Mary's
<b>PRE-APPLICATION PRESENTATION</b>			
8.	183-187 Liverpool Road, Slough Trading Estate, Slough	87 - 92	Farnham
<b>MATTERS FOR INFORMATION</b>			
9.	Members' Attendance Record	93 - 94	-
10.	Date of Next Meeting - 26th May 2021	-	-

#### Press and Public

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

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

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

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



## **PREDETERMINATION/PREDISPOSITION - GUIDANCE**

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

### Predisposition

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

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

### Pre-determination / Bias

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

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

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**Planning Committee – Meeting held on Wednesday, 10th March, 2021.**

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

**Also present under Rule 30:-** Councillor Strutton

**Apologies for Absence:-** Councillor Minhas

**PART I**

**114. Declarations of Interest**

No declarations were made.

**115. Guidance on Predetermination/Predisposition - To Note**

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

**116. Minutes of the Last Meeting held on 10th February 2021**

**Resolved –** That the minutes of the meeting held on 10<sup>th</sup> February 2021 be approved as a correct record.

**117. Human Rights Act Statement - To Note**

The Human Rights Act Statement was noted.

**118. Planning Applications**

The Amendment Sheet, which included details of alterations and amendments received since the agenda was circulated had been sent to Committee Members and published on the Council website. Members of the Committee 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 follows:-

Application P/02272/030 – Buildings 1 and 3, Future Works: the agent addressed the committee.

Application P/02418/038 – 234-236 High Street: the agent addressed the committee.

Application P/00442/017 – 426-430 Bath Road: Ward Member Councillor Strutton (Haymill & Lynch Hill) and the agent addressed the committee.

**Planning Committee - 10.03.21**

**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.

**119. P/02272/030 - Buildings 1 and 3, The Future Works, Wellington Street, Slough, SL1 1FQ**

Application	Decision
<p>Construction of two office buildings, at 12 storeys in height and 11 storeys in height (plus basements) and a single storey pavilion building, to include flexible uses at ground floor (uses at ground floor and mezzanine level within 3 The Future Works) to comprise a mix of office, parking, shop, financial and professional services, gym, café/restaurant, pub or drinking establishment, health centre dentist/and or community floorspace, and associated landscaping, access, car parking and public realm works.</p>	<p>Delegated to the Planning Manager for approval, pending:</p> <ul style="list-style-type: none"> <li>(a) the satisfactory completion of a Section 106 Agreement to secure financial contributions towards sustainable transport improvements including electrical vehicle infrastructure in the town centre, car club spaces, the relocation of an existing EV charger, public realm and landscaping enhancements and provision of Travel Plan and Section 278 highways/access works;</li> <li>(b) finalising conditions, including modifying Condition 13 to cover recessed areas, and any other minor changes; or</li> </ul> <p>Refuse the application if the completion of the Section 106 Agreement was not finalised by 10<sup>th</sup> September 2021 unless a longer period was agreed by the Planning Manager in consultation with the Chair of the Planning Committee.</p>

## Planning Committee - 10.03.21

### 120. P/02418/038 - 234-236, High Street, Slough, Berkshire, SL1 1JU

Application	Decision
<p>Conversion of existing first floor ancillary retail storage to residential flats (C3 Use Class) and upward extension over ground floor and first floor to create 14 flats (4 x studio flats; 8 x 1 bed flats; 2 x 2 bed). Rear extension for secure cycle store and bin store. Photovoltaic panels on flat roof.</p>	<p>Delegated to Planning Manager for approval subject to:-</p> <ul style="list-style-type: none"><li>(a) Redesigning the bin store to comprise hit and miss fencing, with no roof or door to the opening;</li><li>(b) Agreement of the pre-commencement conditions with the applicant/agent;</li><li>(c) Finalising conditions;</li><li>(d) Exploring the opportunity for the provision of balconies to the rear elevation and the appropriate public consultation to take place; or</li></ul> <p>Refuse the application if the above has not been satisfactorily completed by 31st July 2021 unless a longer period was agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.</p>

### 121. P/00442/017 - 426-430, Bath Road, Slough, SL1 6BB

Application	Decision
<p>Reserved matters application for approval of full details regarding matters of Appearance, Landscaping and Layout pursuant to outline planning permission (and Approval of Scale and Access) for demolition of existing buildings and redevelopment to provide up to 75 dwellings, including access, parking, amenity space, landscaping, boundary treatments and associated infrastructure (Ref. P/00442/016) dated 25th September 2020.</p>	<p>Delegated to the Planning Manager for approval subject to conditions or minor changes.</p>

## Planning Committee - 10.03.21

### 122. Local Plan Spatial Strategy - Initial Report on Public Consultation

The Planning Policy Lead Officer introduced a report that provided an overview of the responses to the public consultation exercise on the Spatial Strategy.

The consultation had been held between 9<sup>th</sup> November 2020 to 11<sup>th</sup> January 2021 and the report set out the initial findings. A fuller report would be produced and published in due course. The consultation methods had been impacted by the Covid-19 pandemic which had limited exhibitions and public meetings. However, the Council had sought to reach as many people as possible through digital technology and social media, a leaflet sent to every household in Slough and adverts in the local press. The overall level of response was disappointing, partly due to the restricted means of consultation as well as the general difficulty in engaging the wider population in consultations of this type. A total of 310 responses were received, mostly through the online consultation hub, and it was considered that this was sufficient to get an overall impression of local people's views. It was noted that a significant number of responses (35%) had been submitted from people in South Bucks which was particularly relevant in questions relating to the proposed expansion of Slough.

The headline results from the consultation were summarised. There was general support for the overall strategy set out, with no substantive proposals submitted for an alternative strategy. This was important as it meant the Council could proceed with the next stages in the production of the Local Plan. The Committee noted that:

- 59% of respondents agreed that "...it was acceptable to plan for a shortfall of homes within the Borough boundary and promote the cross border expansion instead."
- When asked where more homes should be built, 52% said in the centre of Slough; 49% by using some employment land, 30% intensification of suburban areas and 11% by releasing some Green Belt land on the edge of the Borough.
- 87% of respondents agreed that "... the centre of Slough was the right place for major developments." 57% thought the centre of Slough "...should have a different mix of uses in the future", with demand expressed for more leisure and culture, retail and residential provision.
- There were limited opportunities for major development outside of the centre of Slough but some new proposals were made including the Marriott Hotel site on London Road.
- There was overwhelming support (89%) for the proposal of protecting family housing and the distinct character and environment of the suburbs. There was support more widely for the concept of enabling people to 'live locally' by provided local facilities.
- 72% agreed that the strategic gap should be protected, although it was noted that many respondents appeared to support this in order to prevent the expansion of Heathrow.



## **Planning Committee - 10.03.21**

The Committee noted that next steps and future work which included a fuller report, technical work and a consultation on the Green Belt. The second part of the Growth Study was being completed, although it was noted that Buckinghamshire Council had withdrawn its participation from the joint study. Members discussed the response rate and the potential Green Belt sites for release. At the conclusion of the discussion the recommendations were agreed.

### **Resolved –**

- (a) That the initial results of the public consultation on the Spatial Strategy be noted;
- (b) That a full report on the Response to Public Consultation be produced and published.

## **123. 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.

## **124. Members' Attendance Record**

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

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

## **125. Date of Next Meeting - 14th April 2021**

The date of the next meeting was confirmed as 14<sup>th</sup> April 2021.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.37 pm)

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The Human Rights Act 1998 was brought into force in this country on 2<sup>nd</sup> 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

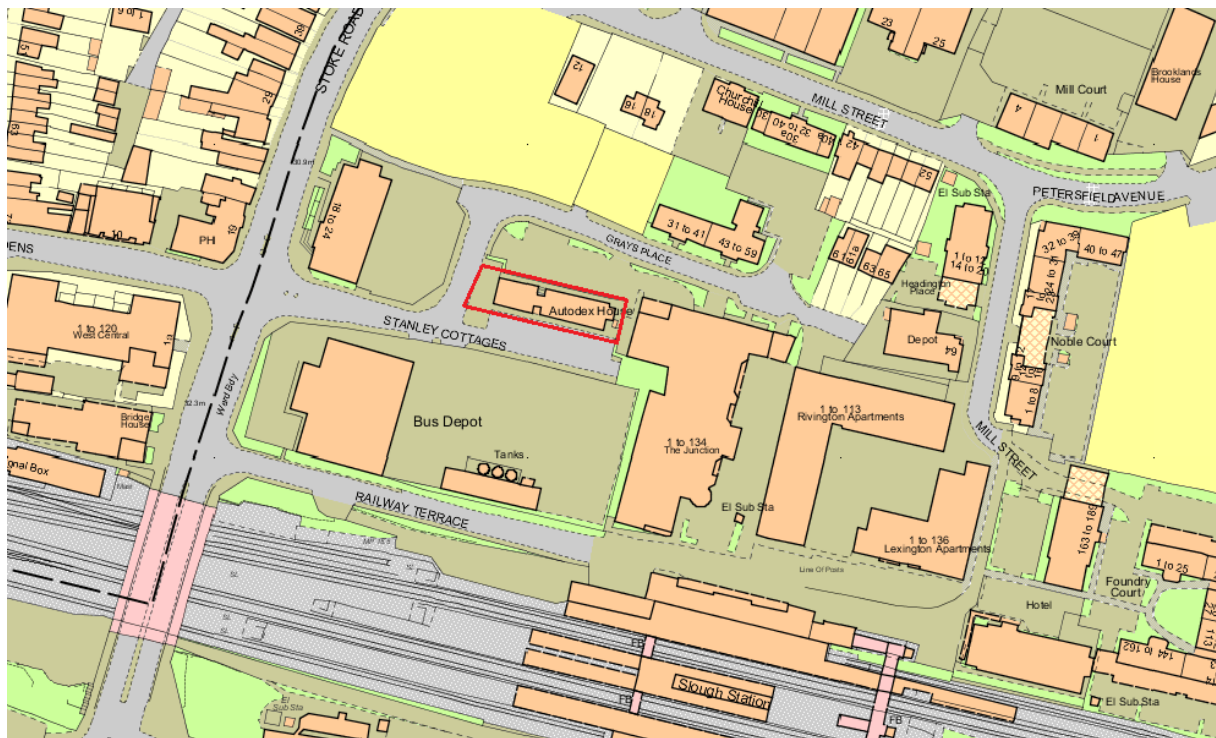
	<b>USE CLASSES – Principal uses</b>
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest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

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

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Registration Date:	12-Aug-2020	Application No:	P/04290/008
Officer:	Alistair de Joux	Ward:	Central
Applicant:	Slough Propinvest Ltd	Application Type:	Major
		13 Week Date:	11-Nov-2020
Agent:	Tim Waller Planning, Suite A, 19-25 Salisbury Square, Old Hatfield AL9 5BT		
Location:	Automotive House, Grays Place, Slough SL2 5AF		
Proposal:	Demolition of existing building and construction of 61 residential apartments, basement car and cycle parking, bin storage area, and ancillary development.		

**Recommendation: Refusal**



## 1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application be refused, for the following reasons:

1. The application site is within an area designated as Site no. SKL3 in the Council's Site Allocations DPD. It is noted that piecemeal development has occurred over the majority of the land included within in; however, the scale of development proposed, in conjunction with a current application on a smaller adjacent site and the potential impacts of the development on land to the south that is also covered by the Site Allocation highlights the continued importance of comprehensive planning in this area. For that reason it is considered that the application is contrary to Site Allocations Policy SKL3 in the Site Allocations DPD (November 2010).
2. The height, bulk and massing of the building would introduce a visually discordant element into the lower-rise streetscape of the western part of Grays Place and its surroundings, and the excessive coverage of this relatively small site would result in a number of other suboptimal design features, which include:
  - the number of single-aspect north facing flats,
  - shared amenity space which is poorly located within the development due to its northern aspect,
  - unacceptable impacts on natural light to adjoining property occupiers, particularly to the north, and
  - the use of obscure glazing to protect privacy between the development and its near-neighbours on habitable room windows.

In addition, while the local planning authority does not wish to discourage innovative design and recognises the marginal viability of the proposal, the proposed building's maximum use of the available space at the site while introducing some features intended to provide sufficient natural light for neighbours and a small number of car parking spaces results in a high cost building that takes away from the ability to provide affordable housing on site. As such, the proposal is not in accordance with Policies 4 and 8 of the Slough Local Development Framework Core Strategy 2006 – 2026 and saved policies EN1 and EN3 of the Slough Local Plan 2004.

3. While the building design has taken into account minimum standards for access to natural light for the adjoining neighbours to the east, the proposal results in an overbearing and poor relationship with the adjacent flats due to the proximity of the buildings and the much greater bulk at the application site than the building that it replaces, contrary to Policy 8 of the Slough Local Development Framework Core Strategy 2006 – 2026 and saved policies EN1 and EN3 of the Slough Local Plan 2004.
4. As shown in the submitted plans, the basement car park would not provide safe and convenient access and egress for vehicles using the car park, and insufficient provision has been made for turning

and parking within the site for delivery vehicles, contrary to Policy 7 of the Slough Local Development Framework Core Strategy 2006 - 2026.

5. The proposal would, if acceptable in other respects, be required to provide for necessary infrastructure and the mitigation of impacts on Burnham Beeches SAC by way of appropriate financial contributions, and to secure a late stage financial viability review in respect to off-site affordable housing contributions, all of which would need to be secured by the completion of a section 106 agreement. No such agreement has been completed, contrary to Policies 4, 9 and 10 of the Slough Local Development Framework Core Strategy 2006 - 2026, Slough Borough Council's *Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106)* and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

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

## **PART A: BACKGROUND**

### **2.0 Proposal**

- 2.1 The proposed development would require the demolition of the existing three-story office building and its replacement with a part-5, part-6, part 9 and part-10 storey building. The rise in levels would be from east, adjacent to Intercity House, to the west, adjacent to the Grays Place frontage.
- 2.2 The building's strong vertical elevational treatment would incorporate screens into the building facades so that in views from south and north the building would appear to have a sloping roof, in the same way as has been done at The Works office building, which is located almost directly to the south on Wellington Street at a distance of approximately 250m from the application site. This would visually accentuate the rise in levels away from Intercity House, and would also provide screening of communal roof-top amenity space at fifth floor level and private terraces serving two flats on the ninth floor. Two entrances / exits to the accommodation would be provided from Stanley Cottages, the main lobby being slightly west of centre in this elevation and the secondary entrance / exit being close to the eastern end of the building.
- 2.3 Most of the apartments would have their own private amenity space. In addition to the private terraces at ninth floor level referred to above, almost all of the flats would have balconies, which range from 4 sq.m of those on the north side of the building, 5 sq.m for those on the south elevation, and up to 4 sq.m for those on the west elevation. Four ground floor flats would have small terraces.
- 2.4 Vehicular access to the site would be along Stanley Cottages and via a ramp located at the eastern end of the site, to a basement carpark and cycle store. Twelve car parking spaces and 66 cycle spaces would be provided here, while short-stay Sheffield cycle stands located close to the

front building entrances would provide 4 short-stay cycle parking spaces for visitors.

### **3.0 Application Site**

3.1 The site consists of a three storey office building located adjacent to the corner of Stanley Cottages, which forms the southern road frontage, and Grays Place which provides the western frontage. Within the site, there is parking on the western and southern sides of the building, while on its northern side there is a separate parking area that serves the flats to the east. North of that, and to the north of Grays Place, there are recently constructed four and five storey blocks of flats, including accommodation within their gabled and crown roofs. They include a five storey block within the Vanburgh Court development which has its primary road frontage to Stoke Road. To the south, Stanley Cottages separates the site from the bus depot, and to the east there are residential flats that rise from five stories on the side facing the site to ten stories further from the application site.

3.2 The site is within the Slough Town Centre designation as shown in the Local 2010 Proposals Map, and within the Site Allocation SKL3 in the Council's Site Allocations DPD.

3.3 The existing office building on site has recently received prior approval for the change of use from B1 offices to C3 residential (see planning history below).

### **4.0 Relevant Site History**

4.1 The relevant planning history for the site is set out below:

<b>Application No.</b>	<b>Description of development</b>	<b>Decision</b>
F/04290/007	Prior approval for the change of use from B1 (offices) to C3 (residential) to create 13no. 1 bedroom, 2no two bedroom and 4no. studio flats (19 units)	Prior approval required and granted, 25 October 2019

### **5.0 Neighbour consultations**

5.1 Site notices were posted on in September 2020, and the application was advertised in the local newspaper on 12<sup>th</sup> March 2021.

5.2 The following comments were received in objection to the application, in letters from a neighbouring resident:

*I am writing to express my deep concern to the above-mentioned planning application submitted in 2020. The application aimed to demolish the existing Automotive House on Grays Place and rebuild a residential tower of up to 10 storeys, providing 60+ residential flats. In principle I do not object the redevelopment of the outdated Automotive House. However, as a homeowner who lives within metres from the proposed site, I oppose the submitted plan, because of the following reasons:*



*Unacceptably high density:*

*I live on a ground floor flat in Vanburgh Court (26-40 Stoke Road, often referred as "block A" Vanburgh Court). The shortest distance between the sites of Vanburgh Court and Automotive House is only a few metres, with a narrow street Grays Place in between. According to the drawing (P/04290/008(002) pp.12-13) the tallest point of the proposed Automotive House will be 10 storeys or 33.2 metre above street level. In a pre-application meeting held on 14Nov2019, quoted in paragraph 2.20 from P/04290/008(006) Supporting Planning Statement [1], the Council considered that "the building's height should be reduced", and that "10 storeys to be too high". The Council also pointed out the proposal has "a harmful impact on the street scene" (paragraph 5.30). I completely agree with all the comments by the Council, and I am surprised that the submitted plan ignored the Council's advice. The applicant provided counter arguments in later paragraphs based on housing needs and other accepted planning applications, but these points were mostly irrelevant and inconclusive. They cited other "recent" tall buildings (e.g. Intercity House) in paragraph 5.28 to justify the proposed height of Automotive House, but failed to recognise that the application was granted in 2006 – about 15 years from now. In paragraphs 4.40, 5.6, and 5.30 they repeated mention the site is suitable for "medium rise" development with "up to 10 storeys in height", by quoting Centre of Slough Interim Planning Framework [2]. I think it has been taken out of context, as the document explicitly says "this does not necessarily mean buildings less than 10 storeys and above typical heights of surrounding buildings will be acceptable outside the identified zones" (paragraph 8.3.10 of [2]). In other words, there is no equal sign equating "medium rise" to "10-storey" high, and that the height of the surrounding buildings will need to be taken into consideration. I agree that housing (whether affordable or not) is a key question within the borough, but I do not think how this development with around 60 units (of which 0% are affordable) can instantly provide a solution to that, nor can this justify the erection of a building which is deemed harmful to its immediate neighbours. In contrast, bigger development sites (e.g. Horlick quarters and the Akzo Nobel factories) can easily provide 1000+ residential units with significant amount of affordable housing. The Core Strategy 2006-2026 requires a minimum of net density of 37 dwellings per hectare. The proposed development, with about 60 dwellings per hectare, is way above the requirement.*

*Overlooking, and loss of privacy:*

*The proposed Automotive House will have balconies and windows installed on the west (also the tallest) side of building across most floors [Figure 1], all facing Vanburgh Court and Abbey House on 18-24 Stoke Road. Because of the proximity of these buildings, overlooking and loss of privacy is an immediately consequence. In particular, the orientation of my windows in living-kitchen-dining (LKD) and my two habitable bedrooms are all facing Automotive House. My private outdoor urban garden (about 9m x 4m) is too facing the site, which is on my southeast. These windows and outdoor space will be directly exposed to Automotive House and its 10 storeys of residents, posing privacy issue.*

*Loss of sunlight and overshadowing:*

*As mentioned, the tallest side (33.2m about street level) of the proposed Automotive House will be on its west façade, facing Vanburgh Court and Abbey House. The horizontal distance between the proposed building and my LKD window is approximately 31 metre according to their site plan [Figure 2], and less than 30m to my outdoor garden space. If the vertical distance is larger than the horizontal distance, simple trigonometry will tell us that the angle of elevation will be larger than 45 degrees, and that all sunlight below 45 degrees will be blocked by the new building. According to the BRE Guidelines, a surrounding existing building to a proposed scheme will retain the potential for good interior daylighting if the scheme subtends less than 25 degrees from the horizontal as measured from the lowest habitable windows in the neighbouring windows. Although the “25 degrees” rule may not be directly applicable to urban settings, such principle of sharing sunlight should not be undermined.*

*In terms of orientation, the Automotive House is on the southeast of my flat and the majority of Vanburgh Court block A. This means the proposed building is extremely likely to block my sunlight, especially in winter, when it is the rarest but most needed. The modelling in Daylight and Skylight report P/04920/008(007) suggested significant impact on Vanburgh Court block B [3]. In some scenarios, the proposed building will reduce sunlight hours by 44%. With such detrimental Daylight and Sunlight impact to the neighbours, there is no way I can support the plan. I also expect the Council to protect the interest of the current residents.*

*Lack of Daylight and Skylight Report on Vanburgh Court block A:*

*The Daylight and Skylight report P/04290/008(007) excluded the entire Vanburgh Court block A (where I live in) from their analysis. As explained, because of the height of the proposed building, the proximity and orientation to Vanburgh Court, such analysis is essential to investigate the impact on the latter building.*

*While this application wrongly excluded Vanburgh Court block A from the Daylight and Skylight analysis, a similar report by another application P/06271/021 (erection of a new four-storey building to the rear of Abbey House, 18-24 Stoke Road) sheds some light on the potential impact of the new Automotive House. Their Daylight and Sunlight Report P/06271/021(14) included some windows from Vanburgh Court block A, and also studied two background scenarios: i) with the current low-rise Automotive House, and ii) with the assumption of the new 10-storey Automotive House as described in this application. The results from the two scenarios can be found in P/06271/021(14), in Appendix 2.1 and 2.2 respectively. While the full results are scattered across multiple pages of tables, I re-compiled a table to include results that are relevant to the ground floor Vanburgh Court block A. The table can be found in Figure 3 and the attached pdf file. In particular, windows W7-W8 on the ground floor (highlighted in red) are my windows in the LKD. The proposed Automotive House reduces VSC and NSC, two important daylight and sunlight measurements, for both windows. The impacts on my APSH (both Annual and Winter) are severe and worrying. The Annual APSH is expected to decrease by more than 10% (ratio>0.9). In Winter, the APSH of window W8 decreases by more than a half, from 7% to only 3% (ratio=0.43, failing BRE recommendation). For W7, the reduction of Winter APSH is nearly a third (ratio=0.72). All these Daylight and Sunlight measures will be further reduced if both planning applications are granted.*

*To summarise, a Daylight and Skylight report by a third-party has found that the proposed Automotive House will have severe impact on Vanburgh Court block A. I cannot think of why the applicant chose to ignore our building, other than being reckless and ignorant. Another speculation is that they might have done some analysis on Vanburgh Court block A but chose not to report the results, this practice may even look more suspicious. The applicant will have the sole responsibility to further demonstrate that there will no daylight and sunlight impact to the nearby buildings, but quite frankly, it is impossible with the current design.*

*Out of character design with neighbouring buildings:*

*One feature of the plan is that the proposed building will be 5-storey tall on its east side, extending to 10-storey to the west side. This design contradicts to the existing planning and layouts, as explained here: To the east of Automotive House there are mainly taller buildings: Lexington Apartments (15 storeys), Intercity House (10 storeys), Rivington apartments (8 storeys), Holiday inn Express (8 storeys). To the west of Automotive House we have lower-rise buildings: Abbey House (5 storeys), Vanburgh Court Block B (4 storeys), Vanburgh Court Block A (6 storeys, <18m, confirmed by the management company), and other shorter (~3-4 storey, such as ex-driving test centre) buildings on Grays Place. To summarise, the existing town planning intentionally puts the tallest buildings closet to the train station (to the east of Automotive House), then gradually descends away from it (to the west of Automotive House), creating “an elegant, consolidated skyline for the town centre” and “focusing the tallest buildings in the most sustainable locations near the railway station and retail core” (Slough Local Plan) [2]. By placing the highest point of the building to the west, this plan breaks not only all the precedents laid by the existing buildings and planning, but also the continuity of the skyline. The design creates a sharp edge between the west of Automotive House and its nearest neighbours (e.g. Abbey House), intimidating other buildings to its west, and is incoherent to all existing design. The proposed building will be a permanent one for the foreseeable future, thus will have long-lasting impact on the town’s appearance and skyline.*

*Lack of Transport Statement and traffic generation:*

*Automotive House is on the quieter Stanley Cottages and Grays Place. Grays Place is a narrow two-way street with no central marking/line, with off-street parking throughout. Stanley Cottages is an arc/bend like street connecting Grays Place with the main road Stoke Road. With the adjacent bus depot, this proposal will further increase the traffic volume of the two streets. It is not difficult to think that the segments just outside Automotive House, Abbey House, Vanburgh Court, and the bus depot will be highly congested at peak hours. While some new markings and pedestrian crossing were included in their drawings (there are already road markings on Stanley Cottages), there was no mention on widening the road or pedestrian pavement to increase traffic capacity or enhance road safety. I always find walking along Stanley Cottages quite dangerous, as there lots of blind spots due the bend with elevation. In fact, the applicant did not even submit a Transport Statement or any traffic analysis. Such incomprehensive application should never be accepted.*

*ZERO affordable housing:*

*In the pre-application meeting the Council recommended the development to provide 30-40% of affordable housing (paragraphs 5.42, 5.43 of P/04290/008(006)). As mentioned, the development refused and will provide **ZERO** affordable housing. I am proud to be a resident of Vanburgh Court, where a significant proportion of units are affordable. The inclusion of affordable housing is vital as demonstrated in many developments (e.g. Abbey House, Beacon House (50 Stoke Road), Horlick quarters). This application lacks social responsibility, and treats the project as a pure money-grabbing opportunity.*

*Perhaps I should emphasis again that I welcome to redevelopment of Automotive House. However, a more careful and sympathetic plan is needed. I am also frustrated by the lack of consultation, as many residents in Vanburgh Court were not informed. If this application is to be decided by councillors during a meeting of the Development Control Committee, please take this as notice that I would like to speak at the meeting in opposition of the application when it is decided by councillors. Please let me know as soon as possible the date of the meeting. More information can be provided upon request. References and figures can be found at the end of the letter. I look forward to hearing from you.*

## 6.0 **Consultations**

### 6.1 Natural England

Objection - further information required to determine impacts on designated sites - development within 5.6 kilometres of Burnham Beeches Special Area Of Conservation (SAC).

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Our advice is outlined below. Please re-consult Natural England once this information has been obtained.

When there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.

Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology in 2019, Natural England recognises that new housing within 5.6km of the internationally designated Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure.

The 5.6km zone proposed within the evidence base carried out by Footprint Ecology represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.

Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. These impacts, which have the potential to adversely affects its interest features, include:

- Contamination (e.g. dog fouling, litter, spread of plant pathogens);
- Increased fire risk;
- Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees

from climbing);

- Harvesting (e.g. fungi, wood);
- Difficulties in managing the site (e.g. maintaining the grazing regime);
- Disturbance (e.g. affecting the distribution of livestock and deer).

In light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.

In March 2020 Buckinghamshire Council (formally Chiltern and South Bucks Councils) produced the now adopted Avoidance and Mitigation Strategy Supplementary Planning Document (SPD) for Burnham Beeches. The SPD requires net dwellings within 5.6km of Burnham Beeches to make financial contributions towards the Strategic Access Management and Monitoring strategy (SAMM).

Development in accordance with the Adopted Avoidance and Mitigation Strategy SPD would not be likely to have a significant effect on the SAC because they will provide, or make an appropriate contribution to, acceptable avoidance and mitigation measures. The planning authority can grant planning permission to such developments in accordance with the Regulations.

A mitigation strategy or equivalent will be required for Slough to avoid adverse impacts at the SAC. We advise the strategy should build upon the plans for creation and enhancement of habitats and facilities at Upton Court Park, providing an alternative open space of Suitable Alternative Natural Greenspace (SANG) quality that will draw visitors reducing the recreational impact upon the Beeches.

However, development proposals which are not in accordance with the above would be likely to have a significant effect on the SAC, either alone or in combination with other plans and projects. In accordance with Regulation 61, before granting planning permission for such a proposal, the planning authority must undertake an appropriate assessment of the implications of the development on the SAC, in light of the site's conservation objectives. The conservation objectives are to maintain and, where not in favourable condition, to restore, the Atlantic acidophilous beech forest habitat.

Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 62.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it.

## 6.2 Thames Water

### *Waste Comments*

Thank you for consulting Thames Water for the discharge of matters relating to FOUL WATER networks. Thames Water confirms the foul water condition referenced, can be discharged based on the information submitted.

Thank you for consulting Thames Water for the discharge of matters relating to SURFACE WATER. Thames Water confirms the surface water condition referenced can be discharged based on the information submitted.

#### *Water Comments*

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

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

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

#### *Supplementary Comments*

These comments are based on foul and surface water flows connecting to the public sewers by gravity (not pumped).

There is concern on the high discharge of surface water, however, the site is situated at the head of the surface water sewer run and feeds into a wider 300mm sewer downstream.

#### 6.3 Berkshire Archaeology

No comments had been received at the time of writing; any received will be reported in the amendment sheet.

#### 6.4 Berkshire Fire and Rescue Service

No comments had been received at the time of writing; any received will be reported in the amendment sheet.

#### 6.5 Crime Prevention Design Advisor, Thames Valley Police

No comments had been received at the time of writing; any received will be reported in the amendment sheet.

## **SBC consultees**

### 6.6 Air Quality

In line with the Low Emission Strategy (2018-2025), this development will not contribute to air quality issues due to the reduction in car parking spaces, nor is it in an area with high exposure levels. As such, this is classed as a minor impact development and the following mitigation is 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 for 10% of the parking spaces.
- 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, and clearly outline measures for the demolition phase and construction phase.
- 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

### 6.7 Environmental Noise

A number of noise sources have potential to cause disturbance to future occupants of the development, including Slough railway ~100m south of the site and the bus depot.

The noise survey was conducted from 16th-21st July 2020. During this period, noise from the railway, bus depot including workshop noise, and construction noise from nearby developments was audible. As construction noise is temporary, this would result in a worst case assessment approach.

The assessment indicates that noise is highest at the south of the site, measuring at 60dB LAeq16h, 55dB LAeq8h, and 72dB LAm<sub>ax</sub> during the night. When taking into consideration noise from the bus depot and incorporating corrections to account for noise character, glazing capable of achieving 33dB Rw+C<sub>tr</sub> such as 4/12/4mm double glazing, and ventilation capable of achieving 50dB D<sub>new</sub>+C<sub>tr</sub> is required to maintain suitable internal noise levels and should be applied to the worst impacted (southern) facade. A full glazing and ventilation strategy for all facades must be submitted to the LPA for approval once at the detailed design stage. This may need to be informed by additional monitoring which excludes construction noise sources.

This assessment has been completed assuming windows are kept closed and not used for natural ventilation, therefore a full overheating assessment is required once at the detailed design stage. In the case that overheating is likely with windows closed to maintain internal noise levels, mechanical ventilation will be recommended.

Regarding external amenity, the upper threshold of 55dB will be exceeded on the southern façade balconies however use of the balconies will be optional for future occupants. Remaining balconies are expected to meet external amenity criteria.

### 6.8 Scientific Officer, Ground Conditions

I reviewed the Phase I Geo-Environmental Risk Assessment (ref. no. 20-213.01), dated July 2020, prepared by Aviron Associates Limited. The report identified potentially viable pollution pathways, and due to the remaining uncertainties

additional investigation and monitoring was recommended. I agree with these findings.

Conditions are recommended in the event that planning permission is granted.

## 6.9 Transport and Highways Development

This document provides additional Highways and Transport comments on transport issues for the planning application for the development of 61 dwellings at Automotive House (Ref: P/04290/008).

Highways and Transport comments were previously provided on this planning application dated: 02/12/2020. In response to those comments, a Transport Technical Note (Ref: P20110 TN/PC) has been submitted by Crosby Transport Planning.

The following revised drawings have been submitted:

- 19039-GAA-ZZ-B1-DR-T-2001
- 19039-GAA-ZZ-GF-DR-T-2002
- 19039-GAA-ZZ-XX-DR-T-2202

### Vehicular Access

Following previous comments provided on the width of the proposed access ramp, the proposed ramp width has been increased to 4.8m wide. Swept path analysis has been provided for the revised ramp design which is shown on Drawing No. 19039-GAA-ZZ-B1-DR-T-2001 dated 17/12/20.

The swept path analysis shows that an inward bound car and outward bound car would conflict on the straight section of ramp and also on the bend in the ramp where the swept paths clearly show the overlap between a car entering and a car leaving the car park. The swept paths show that should two vehicles approach each other on the access ramp, one would need to reverse down the ramp or a considerable distance onto Stanley Cottages.

The agent has confirmed that the gradients for the proposed car park would be 1:20 for the first 5 metres from Stanley Cottages, followed by a 1:10 gradient for the majority of the ramp, with a further 1:20 transition gradient at the bottom of the ramp as it enters the car park. The headroom of the ramp at the point of entry to the car park would be 2.15m. The transition at the top of the ramp is not confirmed.

The Transport Technical Note confirms in paragraph 6 that the applicant has obtained information which demonstrates the extent of Stanley Cottages and demonstrates that the proposed development will not result in construction on the public highway.

The agent has confirmed that the access to the Barratt Homes development to the east of Automotive House is only used infrequently for maintenance purposes, typically no more than once or twice per year.

The information submitted is considered insufficient to demonstrate a safe and convenient access is proposed and SBC request the following further information:

- SBC require the provision of a controlled one-way ramp, controlled by traffic lights which give priority to cars egressing the car park. The swept paths show that two cars cannot pass each other on the ramp and the ramp would need to be significantly wider to enable this.
- SBC require the applicant to confirm the transition length and gradient at the top of the ramp. At present there would appear to be an abrupt transition between the ramp at 1:10 gradient and the flat surface of Stanley Cottages. This may damage vehicles which could ground without a transition.



- SBC require the agent provide the information referred to which demonstrates that the proposed development will not result in construction on the public highway.

#### Access by Sustainable Travel Modes

At SBC's request, the agent has confirmed within paragraph 5 of the Transport Technical Note that removal of moss from the southern footway on Stanley Cottages will be completed at the applicants cost to ensure pedestrian safety.

#### Trip Generation and Traffic Impact

The agent has provided an assessment of the site's potential trip generation at the request of SBC Highways and Transport. A calculation has been completed based on trip survey data from the TRICS database which is the national database for Trip Generation Surveys.

The assessment presents a calculation of the site's existing B1a Office Land Use and estimates that the existing site use generates approximately 17 two-way vehicle trips during the AM Peak Hour of 08:00 – 09:00 and 23 two-way vehicle trips during the PM Peak hour (16:00 – 17:00).

SBC Highways and Transport require the exclusion of TRICS survey sites located in Greater London with a PTAL rating of 6a and 6b from the trip generation calculation. Sites within Greater London have a higher level of accessibility than the proposed site and a greater employment and retail offering is accessible by public transport. Survey site HM-03-C-02 in Hammersmith is located in close proximity to Hammersmith Tube Station and produces a particularly low trip rate.

SBC require the agent to take a consistent approach to selection of TRICS Survey Sites to calculate the trip generation of the site's existing use and its proposed use. The survey sites for the site's existing use includes sites in towns across the South East including Slough, St Albans, Bedford and Hove. These sites benefit from less public transport accessibility than the sites selected in Greater London to forecast the future trip generation of the site.

#### Parking Provision

SBC previously requested that the scheme provide an allocated parking ratio of 0.40 parking spaces per dwelling, as has been permitted for other residential housing schemes located within the town's highly accessible town centre area.

The agent confirms in paragraph 8 of the Transport Technical Note that the number of car parking spaces within the development site has reduced to 12 spaces in order to provide wider and more accessible spaces and that this would equate to an allocated parking ratio of 0.20 spaces per dwelling.

The agent has provided 2011 Car Ownership Data which shows 0.57 cars per dwelling were recorded in the local ward during the 2011 Census and that 50% of dwellings in the local ward owned at least one car, whilst 50% did not.

The Transport Technical Note states that an amended parking restriction on the surrounding roads will not be required to prevent parking overspill given the existing parking restriction is 8am – 7pm. The applicant does not appear to have considered possible parking provision associated with visitors to the development.

The submitted information remains unsuitable justification that parking demand will be sufficiently met and will not cause overspill of parked vehicles onto the surrounding highway network.

SBC Highways and Transport wish to make the following additional comments regarding parking provision:

- SBC require the applicant to confirm where visitors for the proposed development will park. Given no visitor parking will be available on site, the amendment of parking restrictions maybe required to allow a small number of visitors to park on the surrounding highway for short periods between 8am – 7pm.
- SBC consider the site highly accessible and suitable for a reduced parking ratio of 0.40 spaces per dwelling which falls well below the number required by the adopted Slough Car Parking Standards. However, further reduction in provision below a ratio of 0.40 spaces per dwelling cannot be accepted as some residents are still likely to own a car for leisure or employment purposes despite the proximity of town centre amenities. It is important to note that some professions require a vehicle. In addition the Car Ownership Data supplied by the applicant demonstrates that despite the proximity of town centre amenities there is still demand for 0.57 cars per dwelling in the ward. SBC also do not wish to set a precedent for parking ratios below 0.40 spaces for developments in the town centre area.
- SBC require the applicant to detail the measures implemented to support sustainable travel to/from the development and support a parking ratio of 0.40 spaces per dwelling. Nearby developments with a low parking ratio (Stoke Wharf, Beacon House and 23-25 Mill Street) have provided car clubs and cycle hire stations to encourage travel by sustainable travel modes.
- SBC Highways and Transport remain unable to accept the proposed parking ratio of 0.20 spaces per dwellings and cannot support the application unless an allocated ratio of 0.40 spaces per dwelling is provided.

#### Cycle Parking Provision

The applicant has amended the proposed cycle parking provision to sub-divide residents' cycle parking into stores of 20 cycle spaces or less. A mix of two-tier and Sheffield stands is provided (acknowledging that some residents have particular preferences).

The proposed site plan (Drawing No. 19039-GAA-ZZ-B1-DR-T-2001) now display a total of 66 cycle spaces, comprising the following mix:

- 29x Sheffield stands providing 58 cycle spaces
- 4 x two-tier cycle racks, providing 8 cycle spaces (4 of which are in the overhead tier).

The proposed resident cycle parking would comply with the amendments previously requested by the SBC Highway and Transport Team and the SBC Developers Guide – Part 3: Highways and Transport which requires the allocation of 1 cycle space per dwelling.

The proposed site plan has also been amended to show 2 short-stay Sheffield Stands providing 4 short-stay cycle parking spaces for visitors.

SBC request a minimum of 4 Sheffield Stands providing 8 short-stay cycle parking spaces.

#### Servicing and Refuse Collection

The agent has confirmed that delivery vehicles will not be able to enter the Ground Floor Car Park and that the Stanley Cottages frontage of the site will be utilized for servicing and deliveries of food shopping and online retailers such as Amazon and that such daily deliveries will be able to pull up in front of the building entrance and turn at the eastern end of Stanley Cottages.

SBC require the swept path analysis to demonstrate a 7.5t Luton Box Van can turn at the eastern end of Stanley Cottages. The swept path analysis shows a 4.6t Light Van

which is smaller than some of the vehicles used for online shopping deliveries by Tesco, Sainsburys etc.

### Summary and Conclusions

Mindful of the above significant amendments are required before this application could be supported. If the applicant considers that they can address the comments that have been made then I would be pleased to consider additional information supplied. Alternatively, should you wish to determine this application as submitted then I would recommend that planning permission be refused for the reason(s) given.

#### 6.10 Heritage advisor

Automotive House is a circa mid 20th century 3-storey flat roofed office property, the application proposes its demolition and the construction of new residential development on the site up to 10 storeys in height. Approximately 100 metres to the south of the site lies Slough railway station which includes 3 grade II statutory listed buildings; Slough Station booking hall (fronting Brunel Way), an island platform building and the Area Managers Building (which fronts Railway Terrace). The station buildings were all constructed in 1882 and were designed by J. E. Danks, a Great Western Railway architect in the 'Second Empire' style; the buildings are separately listed but clearly have group value. These are the only designated heritage assets that could be impacted. The prime conservation consideration is whether the proposal will preserve the setting (and thereby the significance) of these designated heritage assets.

In accordance with NPPF, para. 189 the application has been accompanied by a Heritage Statement which assesses the significance of the designated heritage asset (the listed buildings) and considers any impacts there may be upon the significance of the asset through development within its setting. The NPPF defines setting as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surrounding evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral.'

Historic England advises that setting itself is not designated. Whilst every heritage asset has a setting, its importance, and therefore the degree of protection it is offered in planning decisions, depends entirely on the contribution it makes to the significance of the heritage asset or its appreciation.

Views of the southernmost listed station building from Brunel Way already features several tall developments in the background. The setting of the grade II listed modest scale station buildings has changed since their construction by virtue of late 20th century and more recent high-density development within Slough town centre and the existing development is considered to detract from its setting to a degree however any impact upon significance is low. The development will be seen in context with the southernmost station building from the station forecourt area and Brunel Way when looking north, The CGI views provided within the Heritage Statement are not of great quality and before BEAMS provides further advice it is recommended improved CGI / Visually Accurate Representations are submitted (as seen from Brunel Way). Details such as the station chimney stacks currently stand out above the distinctive roof of the station, they should be included on any VAR views. Slough Borough Council should also be mindful of the cumulative impact of redeveloping sites in this area upon the setting of the Slough Station buildings.

## 6.11 Lead Local Flood Authority

We have reviewed the following information in relation to the above planning application:

- Flood Risk Assessment report (Rev:0, issue date:7/8/2020)
- *Drainage Strategy plan (drwg no:ST-3006-01)*
- *Geo-environmental Risk Assessment (rev A, July 2020)*
- Surface Water Proforma

We understand from the report that the applicant would like to submit the maintenance plan when they undertake the detail design, hence we recommend the following condition.

*“No development shall take place until a maintenance regimes of the entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.”*

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

#### **7.1 National Planning Policy Framework 2019 and National Planning Practice Guidance:**

- Chapter 2: Achieving Sustainable Development
- Chapter 4: Decision making
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 6: Building a Strong Competitive Economy
- Chapter 7: Ensuring the vitality of town centres
- Chapter 8: Promoting healthy and safe communities
- Chapter 9: Promoting sustainable transport
- Chapter 10: Supporting high quality communications
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment
- Chapter 16: Conserving and enhancing the historic environment

Paragraph 11 of the NPPF states that decisions should apply the presumption in favour of sustainable development which, for decision-taking, means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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

Core Policy 1 - Spatial Vision and Strategic Objectives for Slough  
 Core Policy 4 - Type of housing  
 Core Policy 5 - Employment  
 Core Policy 6 - Retail, Leisure and Community Facilities  
 Core Policy 7 - Transport  
 Core Policy 8 - Sustainability and the Environment  
 Core Policy 9 - Natural and Built Environment  
 Core Policy 10 - Infrastructure  
 Core Policy 11 - Social Cohesiveness  
 Core Policy 12 - Community safety

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

Policy H9 - Comprehensive planning  
 Policy H11 - Change of Use to Residential  
 Policy H14 - Amenity space  
 Policy EMP6 - Stoke Road area  
 Policy EN1 - Standard of Design  
 Policy EN3 - Landscaping  
 Policy EN5 - Design and Crime Prevention  
 Policy T2 - Parking Restraint  
 Policy T7 - Rights of Way  
 Policy T8 - Cycling Network and Facilities  
 Policy T9 - Bus Network and Facilities

7.4 Slough Local Development Framework Site Allocations (November 2010)

Part of the site is allocated under site reference SKL3 (Stoke Road and Mill Street) in the Slough Local Development Framework Site Allocation Development Plan Document for possible Residential or mixed use development.

7.5 Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4:
  - Part 1: Planning application procedure and decision making
  - Part 2: Developer contributions and affordable housing
  - Part 3: Transport and highway guidance
  - Part 3: Update to Table 3 charges for highways agreements and licences
  - Part 4: General development guidance
- Proposals Map 2010
- SBC Slough Low Emission Strategy (LES) 2018 – 2025 Technical Report

7.6 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 in June 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.

#### 7.7 Emerging Preferred Spatial Strategy for the Local Plan for Slough

One of the principles of the Emerging Preferred Spatial Strategy is to deliver major comprehensive redevelopment within the “Centre of Slough”. The emerging Spatial Strategy has then been developed using some basic guiding principles which include locating development in the most accessible location, regenerating previously developed land, minimising the impact upon the environment and ensuring that development is both sustainable and deliverable.

It is important that key sites within the town centre or on the edge are developed in a comprehensive manner and that all of the necessary linkages and infrastructure are provided. The *Local Plan Spatial Strategy Key Components* report was considered by the Planning Committee at the extraordinary meeting of 26<sup>th</sup> August. The three key themes for the Spatial Strategy which are derived from the Local Plan Vision and analysis of the most important issues that are facing Slough. These are:

- To make Slough a place where people want to “work rest, play and stay”, by making sure that people who have prospered in Slough have the opportunity to “stay” in the Borough
- By making sure that we have “inclusive growth” in Slough by ensuring that more of the wealth that is generated in Slough stays in Slough, by enabling residents to participate in more of the well paid employment opportunities in the town and providing more facilities in the Borough for people to use and enjoy.
- Making Slough a place where residents can meet all of their needs and be able to “live locally” in their own community, which will help to develop local communities and reduce the need for people to travel.

Given its current status minimal weight is afforded to the “Strategy”.

## **8.0 Planning Assessment**

8.1 The planning considerations for this proposal are:

- The principle of redevelopment
- Impact on the character and appearance of the area
- Mix and density of dwellings
- Impact on amenity of neighbouring occupiers
- The amenities of future residents at the site
- Burnham Beeches SAC
- Wind conditions / microclimate
- Highways / Transport and parking
- Sustainable Design and construction
- Surface water drainage
- Archaeology
- Safe and Accessible Environment
- Fire Strategy
- Infrastructure/S106 requirements

## **9.0 Principle of development**

9.1 The existing site is within the boundary of the town centre. Core Policy 1 of the Slough Core Strategy relates to the Spatial Strategy for Slough, which 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. Core Policy 4 of the Core Strategy (Types of Housing) reaffirms this point, and also sets out affordable housing requirements.

9.2 The site is within an existing Business Area on the Proposals Map within allocated site SKL3 (Stoke Road and Mill Street). This sets out that

*The area needs to be comprehensively planned in order to accommodate the pressure for development in this location close to the railway station. This could be achieved by relaxing the policy for the Existing Business Area which prevents the loss of employment land. Residential or mixed use development may be appropriate as part of the comprehensive regeneration of this area.*

9.3 The reference here to loss of employment land relates to Saved Local Plan policy EMP6, which sets out that:-

*Within the Stoke Road, Mill Street and Grays Place areas, redevelopment schemes which provide a range of business and residential uses, either independently or combined as mixed use schemes, will be permitted if they comply with all of the following:*

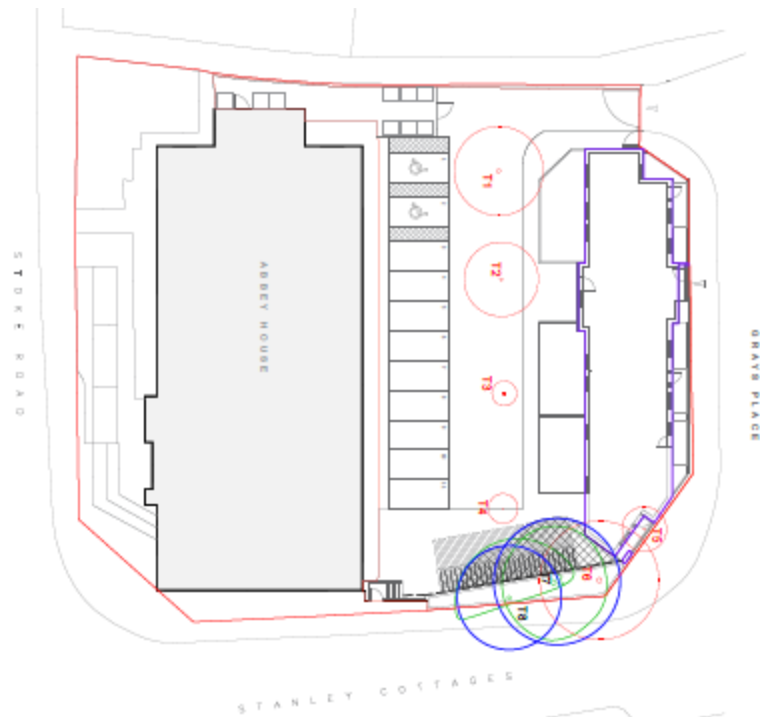
- a) *there being no adverse effect on the amenities of neighbouring residential areas;*
- b) *there is adequate access, servicing arrangements and landscaping;*
- c) *on site car parking being limited to reflect the area's good public transport links; and*
- d) *that the proposals make a positive contribution to enhancing the local environment in accordance with the design policies contained in this Plan.*



**Figure 2: Site Allocation SKL3**

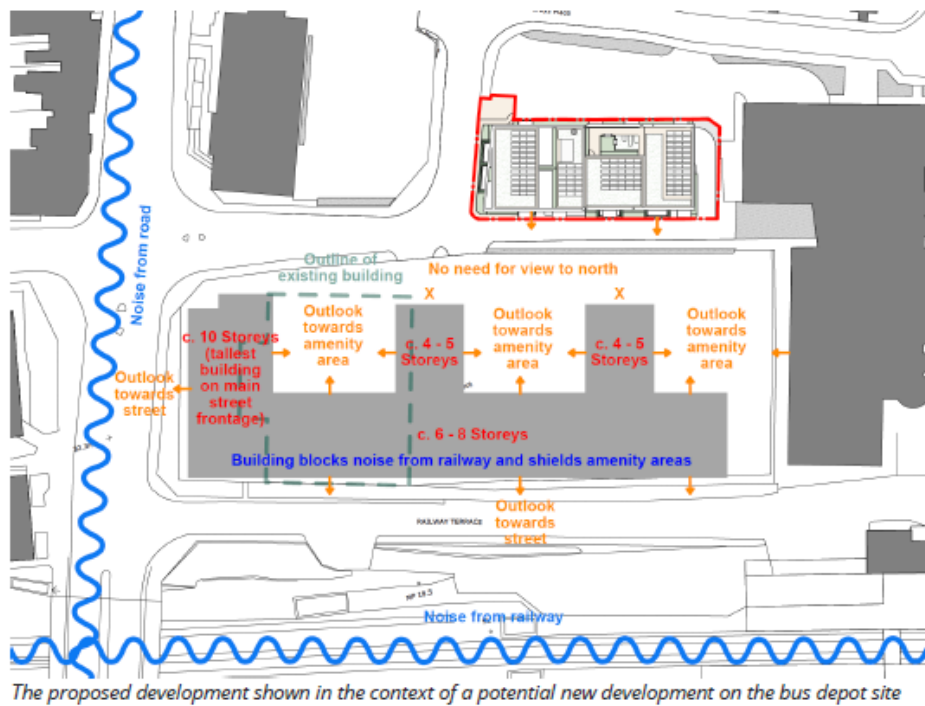
9.4 It is recognised that since the Site Allocations DPD was adopted, there has been a significant amount of development in the area, including the land on the north side of Grays Place, which includes the former Driving Standards Agency site (ref. P/16122/000, approved in 2015), and Vanburgh Court (ref. P/00731/032, approved in February 2018). Development to the east of the application site, while not shown on the above Site Allocation plan, was permitted prior to the adoption of the Site Allocations DPD. In the case of Intercity House, the largest building adjacent to the site, the principal planning permission was approved in July 2006 (ref. P/10406/006). The Bus Station site to the south opposite side of Stanley Cottages is now the largest remaining site within close proximity of the site which is within the Site Allocation SKL3 area. There are currently no plans before the Council for its redevelopment. A smaller piece of land on the western side of Grays Place, land to the rear of 18-24 Stoke Road, is subject of a separate application for *Construction of a part 1, 2, 3 and 4 storey building comprising of 9 flats (6 x one bedroom, 1 x two bedroom and 2 x 3 bedroom) with associated parking and landscaping* (planning ref. P/06271/021). The site layout plan for the site is illustrated below:





**Site layout plan for proposed block of nine flats to the rear of 18-24 Stoke Road (planning ref. P/06271/021)**

9.5 The Site Allocation DPDs aspiration for comprehensive development raises important concerns about the scheme's potential impacts on future redevelopment of the bus station. The applicant has providing an indicative plan drawing of how this could be achieved and this is shown below:








**Extract from applicant's letter dated 18<sup>th</sup> January 2021**

9.6 While this illustrates a possible layout for a development at the bus station site, it is noted that with the exception of a suggested 10 storey block on the Stoke Road frontage, the scale of the development at this

neighbouring site is suggested as being lower than that at the application site. It is also notable that this is predicated on the basis of a significant separation of built forms at this neighbouring site from the northern boundary, whereas as the application proposal abuts its main boundary lines to the north, west and south. While this is a useful indicative layout, it has not been subject to assessment in any depth, and in conjunction with the proposed site layout for land to the rear Abbey House, it is considered that this serves best to illustrate that a more comprehensive consideration of how this area can be developed is needed before an acceptable scheme can be brought forward at the application site. For this reason, the first of several grounds on which the application is recommended for refusal is its failure to consider the redevelopment of the site as part of a more comprehensive development, which would be in line with the aspirations of the Site Allocations DPD.

- 9.7 The planning agent has made a case for the scale of development proposed based on the Draft Interim Framework of 2019. The Interim Framework does not form part of the Local Plan, and likewise the subsequently produced Slough Regeneration Framework of 2020, also does not form part of the Local Plan, although both were referenced in the Proposed Spatial Strategy Document November 2020 (Regulation 18 Consultation document). This was consulted on around the turn of the New Year. The Local Plan is at a very early stage of preparation and carries little weight in decision making at this stage. Nevertheless, it is noted that the Regeneration Framework 2020 does form part of the evidence base for the emerging local plan, and as such its content establishes a direction of travel for the redevelopment of key parts of Slough including the application site. General building heights are shown in the extract below from the Framework indicate potential for an urban scale of 5-7 stories:



	Intense urban (8 - 14 storeys)
	Dense urban (6 - 8 storeys)
	Urban (5 - 7 storeys)
	Moderate scale (4 - 5 storeys)
	Low scale, typically 2 and with some 3 storeys

**Context heights (extract from Regeneration Framework 2020).**

9.8 More specifically, the site is identified as Development Site 5 in the Appendix to the Framework, which provides indicated development capacities and possible forms of development for over 30 potential development sites. This suggests a potential capacity of 36 units at the site.

9.9 While the ability to provide a greater number of units than suggested in the Regeneration Framework must not be discounted, this further illustrates how a more comprehensive development would assist in providing a more coherent form of development for the area as a whole.

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

10.1 The National Planning Policy Framework 2019 at paragraphs 124 and 128 - 131 encourages new buildings to be of a high quality design that should improve the character and quality of the area in which it is set and the way in which it functions. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and EN2.

10.2 The surrounding area to the site has been through a transition in recent years from a mix of primarily business uses to a predominantly residential area, and while some older houses remain on the north side of Grays Place these are in sharp contrast to the large apartment buildings to the east and south (numbers 61 - 65). Moreover recent development comprising smaller and mid-size flatted developments are more predominant in the western part of Grays Place. These include four-storey flats at the former Driving Test Centre and five-storey flats at Vanburgh Court Block B both including accommodation in the roof space, having their top floors accommodated within steeply hipped crown roofs. Buildings scale rises to six and seven stories at Vanburgh Court Block A where the taller elements primarily address their Stoke Road frontage. To the west and on the opposite side of Grays Place, Abbey House at 18-24 Stoke Road is a recent office to residential prior approval development that will provide 47 flats in a five storey building, which is also located adjacent to a Stoke Road frontage. The current application on land to the rear of this site, for nine flats opposite the Automotive House site is also limited to four stories (refer para. 9.4 above). Land directly north of the application site is outdoor car parking associated with Intercity House, and as such this land is highly unlikely to come forward as a development site any time within the mid-term future. The bus depot on the south side of Stanley Cottages is therefore the only substantial remaining site suitable for redevelopment within the area. As already alluded to in Section 9 of this report, the emerging character of the western part of Grays Place is more strongly coherent than to the east, and while unmistakably urban this setting is rather more “domestic” in scale than at Intercity House and the other higher buildings located around Mill Street to the north of the Railway Station - for example Rivington Apartments and the Holiday Inn. The application site is in a prominent location within the western

Grays Place setting, and the scale and form of the proposed development would be highly visible from the smaller scale residential properties surrounding the site.

10.3 Although the provision of flats that comply with the criteria of saved policy EMP6 and Core Strategy policy 8 is acceptable in this location, the proposed ten storey building would be highly dominant in this streetscape. The proposal maximises coverage of the site to the extent that there is very little scope here for landscaping, and no scope for the landscaping to be of a scale that would help to integrate the building into its surroundings. While much of the space around existing buildings in the immediate vicinity is occupied with car parking, landscape planting has been provided which will in time mature to provide a setting for the smaller scale buildings noted above. Abbey House to the west already has some trees within the rear carpark, and while the future of all of them is not assured, at least one better quality tree is to be retained there in conjunction with one of the conditions of development relating to the residential conversion. In contrast to these neighbouring sites, the application proposal would completely fill its site, apart from an area on the north-western side of the site where an outdoor refuse and recycling store is proposed.

10.4 For a development of the size proposed here, the refuse / recycling store should be provided within the building rather than in this street frontage location, and the small area shown for this purpose on the site layout could then be used for some significant structural landscaping. This is not considered to be representative of good design. Notwithstanding, this would not overcome the issues of excessive scale in the context of the site's immediate surroundings, rather it remains as an opportunity to be considered in any acceptable redesign of the site. It is acknowledged that the proposed building has some interesting design features which could suit another location, but in this context it represents an overdevelopment of a small site and would constitute an overdominant extension of the denser and bulkier built forms into this low- to mid-rise area, with the result that the emerging higher-quality character of this area would be harmed. As such, it is considered to be contrary to saved policy EMP6 and Core Strategy policy 8, and to design advice in the NPPF.

## 11.0 Mix and density of dwellings

11.1 The mix of units sizes as proposed is as follows:

Unit Type	Number	Proportion
1-Bed 2 person	28	46%
2-Bed 3 person	14	23%
2-Bed 4 person	15	25%
2-Bed 5 person flats	2	3%
2-Bed 5 person duplex	2	3%
<b>Total</b>	<b>61</b>	

11.2 Notwithstanding the objections noted above, as already discussed Core Strategy Policies 1 (Spatial Strategy) and 4 (Types of Housing) provide for high density housing within Slough town centre. The Core Strategy notes a tendency to formation of smaller households and a corresponding demand to smaller units, and while the unmet needs for family housing in Slough remains acute, the mix of units proposed is considered to be an acceptable in this location.

11.3 However, given the constrained size of the site, 1013 sq.m. the proposal would result in a density of 602 dwellings per hectare. This reinforces the objection in para. 10.3 above; while high densities are supported in Town Centre locations, this would be uncharacteristically high in this location.

## 12.0 Impact on amenities 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 Policy EN1.

12.2 The building height at the eastern end of the development is five storeys high, as against three stories for the existing building to be demolished. The new building would be located in close proximity to windows at Intercity House that serve habitable rooms, which currently have outlook to the west and to the south of Automotive House. The existing neighbouring building is set about 5m in from the common boundary, and the two buildings would in addition be separated by the access road to the proposed basement car parking area, approximately 10m in all from the existing west-facing windows to the wall of the new building. Internal arrangements in this part of Intercity House provide two flats at each level; one with outlook to the north and west, the other to the south and west. Eight apartments are located in the first to fourth floor levels of this part of the neighbouring building, with the west facing windows primarily serving bedrooms where they face Automotive House and in secondary windows are provided for with either a northern or southern aspect. For the north facing flats at first and second floor, existing separation from Automotive House is approximately 7.5m, so the increased separation between buildings to 10m would result in an improvement for these rooms (albeit that the closest element at Auto House has a restricted footprint). However, for the flats on the other side of the neighbouring building the same 10m separation distance would replace outlook to the west across the Automotive House carpark while for flats at fourth and fifth floor levels which currently have outlook across the roof at Automotive House, that outlook would be lost and replaced by the same 10m separation distance that would result for the other existing west-facing windows. It is noted that the fourth floor at the neighbouring building recesses to provide terraces on the north and south sides of the building. For six of the eight flats, a significant loss of outlook would therefore result.

12.3 It is noted that any inter vision between habitable room windows from this 10m distance would result in a loss of privacy. First to fourth floor windows on the facing wall at the proposed development would serve kitchens but would be obscure glazed; nevertheless any windows located in line with existing windows are likely to result in a perception of overlooking and loss of privacy for adjacent occupiers at Intercity House.

12.4 A Daylight and Sunlight Report was submitted with the application which assesses impacts on natural light for these and other neighbouring residential properties using the Building Research Establishment (BRE) standard methodologies, namely the Vertical Sky Assessment (VSC), Annual Probable Sunlight Hours (APSH) and Daylight Distribution (DD) tests. In the case of Intercity House, impacts on four west facing windows at first floor level and two each at second and third floor levels were assessed. All of these were assessed as bedroom windows, where lower levels of natural lighting are considered in the BRE guidance to be more acceptable than for rooms that are used in the daytime - kitchens and living rooms. However reference to the approved floor plans at Intercity House shows that the use of some of the



rooms in this assessment was not correctly identified. The assessment in the Report found that one first floor bedroom window would underperform terms of VSC and APSH guidance on minimum light levels, while four windows fail the Daylight Distribution (DD) test. The report does not assess living room windows, on the basis that they are on the secondary elevation of these rooms, and they are located at the corners of the neighbouring building. The Report also does not assess windows at third and further level, which currently have unrestricted outlook. The Report goes on to justify non-compliant rooms on the basis of the mirror image principal, which provides for lower standards in situations that “have the potential to unduly affect the reasonable utilisation of adjacent land”. In these situations, lower natural lighting targets can be set for side-facing windows on the basis of the impact of a "mirror-image" building of the same height and size, set an equal distance away from the boundary that the actual existing building. Applying this principle, the windows tested can be said to comply more broadly with BRE guidelines.

12.5 The Report also notes that several windows serving flats in Vanburgh Court Block B and the adjacent flats in Grays Place would underperform in terms of BRE natural light standards. The ‘mirror image’ principle does not apply in this case, so the loss of light must be taken into consideration as part of the overall impacts on the amenity of neighbouring residents. In addition, a resident in Vanburgh Court Block A has also objected on grounds of the combined impacts of multiple developments in the area, specifically on the daylight / sunlight impacts of this application in combination with the proposed for-storey apartment block applied for under ref. P/06271/021 on land to the rear of 18-24 Stoke Road, which is opposite the application site on the western side of Greys Place. This serves to highlight that the 2010 Site Allocation requirement for comprehensive planning in the area remains relevant.

12.6 Setting to one side the question of the development’s technical compliance with BRE guidance, the scale and proximity of the development would lead to a significant sense of over dominance for neighbouring property occupiers, particularly in the flats considered above at Intercity House but also for properties to the north of the development on the northern side of Grays Place. In combination, it is considered that the proposal would result in unacceptable impacts on the residential amenities of occupiers at the site.

12.7 Taking all of the above points into consideration, it is considered that the development fails to meet the requirements of the NPPF and saved policies EMP6(a) and EN1(k), and Core Strategy Policy 8(2) in relation to impacts on neighbouring residential properties, and as such should be refused.

### 13.0 Living conditions for future occupiers

13.1 The submitted Daylight and Sunlight Report considers the amenities of neighbouring properties, but does not assess the availability of natural light to the proposed flats. There is little doubt that the south and west-facing flats would have good natural light levels, although for those at the south-eastern corner of the development the obscure glazed kitchens may not be illuminated to an acceptable standard in terms of BRE guidelines. The availability of natural light to single aspect north-facing flats is less certain, and it is considered that this should be subject to further testing in any otherwise acceptable development.

13.2 All of the proposed flats comply with the Council’s minimum internal space standards, which are set out in the Developer’s Guide Part 4 supplement and were adopted in November 2018 and is in line with the national ‘*Technical*

*housing standards – nationally described space standard*'. However, it is noted that the floor areas for the majority of the flats are at or are close to the minimum set out in these standards. While no objection is made on this point, this does serve to emphasise the high dwelling density to which the development has been designed.

- 13.3 Eighteen flats have a single aspect to the north, and for a further four at first to fourth floor levels where the aspect would be generally to the north but with the addition of obscure glazing for one east-facing window, towards Intercity House, in each of these flats. The number of single aspect north facing flats appears to be increased here due to the long northern elevation, which in turn is a feature of the way that the building almost fills the plot, with minimal spacing between it and Intercity House. In addition to the four north-facing flats noted above that have eastern facing obscure glazed windows, there are also four south-facing flats also at first to fourth floor levels which also have the same feature. In all eight of these flats, the obscure glazed windows serve the kitchens. A single 1B2P flat at fifth floor level would also have its sole bedroom window obscure glazed, also east-facing, although in this case it would be set 20m in from the line of Intercity House. The use of obscure glazing means that there is no direct outlook from any of these rooms, which would detract from the levels of amenity that they would otherwise be provided for future occupiers of the dwelling. In addition it has not been demonstrated that sufficient internal illumination would be provided for the occupiers in this room, and this point would need to be tested in a Sunlight and Daylight Assessment for any acceptable proposal with a similar feature.
- 13.4 The fifth floor flat noted above is also one of the few within the development that would not have its own balcony or other amenity space. It would however have close access to the shared fifth floor level amenity space, with a distance of about 5m between the doors serving the flat and the amenity space. However, this amenity space would be located on the north side of the adjacent built form, which would limit its use to the warmer months only. Most of the other flats would have their own private balconies or, for four of the ground floor level flats, small terraces. The remaining exceptions are two ground floor level flats, both of which would be north facing single aspect flats. These two flats comprise a 1B2P flat with internal area of 51 sq.m. and a 2B3P flat of 64 sq.m. These areas are 1 sq.m. and 3 sq.m. respectively over the minimum standards noted at para. 13.2 above. While occupiers would have access to the communal amenity space on the fifth floor, this is not readily accessible and it is therefore considered that in any acceptable proposal, improved levels of amenity should be provided for those flats without either private amenity space, or good access to a shared space.
- 13.5 In conclusion, while the flats would meet most of the standards required of them the number of single-aspect north facing flats, the limited value of the shared amenity space due also to its northern aspect, and use of obscure glazing to protect privacy between the development and its near-neighbours serve to demonstrate that the proposal represents poor design and an overdevelopment of the site.
- 13.6 In the event that the application is approved, a condition would be required to provide for a proportion of the flats, and access to them, to be laid out to disabled access standards. It is noted that the access within the main lobby includes ramped access, but there are no specifically designated disabled parking standards within the development although there are two larger spaces within the basement car parking area that could be redesigned and designated

as such. This would also require redesign / redesignation of the lifts, which includes a residents lift and a fire fighting lift. At present, only the fire fighting lift provides access to and from the basement. The Council's section 106 guidance Part 2 *Developer Contributions and Affordable Housing* (Section 106) notes the high levels of housing need for disabled residents across all tenures. A requirement is set for 5% of homes on all developments of 25 or more dwellings to be wheelchair accessible, so if the application is considered to be acceptable in all other respects, a condition or conditions would be required to ensure that a minimum of three flats in the development are provided to Part M4(3) standard (wheelchair user dwellings).

#### **14.0 Impacts on Burnham Beeches Special Area of Conservation**

14.1 Paragraph 17 of the NPPF 2019 states that when determining planning applications, if significant harm to biodiversity cannot be avoided or adequately mitigated or as a last resort compensated for then planning permission should be refused. It also states that opportunities to incorporate biodiversity improvements in and around the developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

14.2 Natural England's comments and objection in relation to effects on Burnham Beeches Special Area of Conservation refer to a South Buckinghamshire SPD which is not adopted in or applicable to Slough. However, the principle of providing mitigation for any identified significant effects is accepted. Natural England (NE) has asked for a suitable strategy to be agreed that will provide on-going mitigation for future major development within a 5.6km buffer zone around the SAC. This would require mitigation to be secured for an identified project through a planning obligation, in order to ensure that there will not be any in-combination effect as a result of additional recreation pressure on the Burnham Beeches SAC.

14.3 Informal discussions with NE regarding all proposed future development in Slough and the need for mitigation have been held and a way forward has been identified by officers. This is based on financial contributions to be provided for mitigation works within Slough, with Upton Court Park identified as a key site for such works. The applicant has indicated that a Habitats Regulation Assessment will be provided, and when that has been received further comment will be sought from NE. While it is hoped that further discussion with NE will result in the withdrawal of their objection, it is not likely that this will be concluded within the timespan of this application. It is therefore considered that unless that is achieved, the application must be refused on grounds that no mitigation for impacts on the SAC has been provided.

#### **15.0 Wind conditions and microclimate**

15.1 Potential impacts of this tall and somewhat irregularly shaped building have been considered and a wind report was requested during the assessment of the application. A Pedestrian Wind Environment Statement has now been submitted, which demonstrates that the wind environment around the building will be acceptable for pedestrian and cyclist use. As such, there is no objection on the basis of the building's impacts on the local wind environment.



## 16.0 Highways, transport and parking

- 16.1 Paragraph 106 of the NPPF 2019 states that in town centres local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists. While the site is not currently within the Town Centre, this policy is considered applicable in this edge-of-centre location.
- 16.2 Paragraph 108 states that in assessing specific applications for development, it should be ensured that:
- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) Safe and suitable access to the site can be achieved for all users; and
  - c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree
- 16.3 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 16.4 Paragraph 110 of the NPPF states development should give priority first to pedestrian and cycle movements and second to facilitating access to high quality public transport and appropriate facilities that encourage public transport use. It also states applications for development should create places that are safe, secure and attractive, minimising conflicts between pedestrians, cyclists and vehicles and allow the efficient delivery of goods and access by service and emergency vehicles. Development should also be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 16.5 The Transport and Highways Officer has provided detailed comments at Section 6.9 in this report, which include an objection on grounds of
- not having demonstrated that the vehicle access ramp to the basement car park will not result in conflict,
  - insufficient turning space for delivery vehicles on the public highway, and
  - Insufficient car parking.
- 16.6 The first point may be capable of being resolved through further detailed design of the proposal, but in view of the other objections planning officers have not pursued this option. It is less certain whether the second point can be resolved within the parameters of the proposed design. With regards to the numbers of car spaces that would be provided; the proposed low provision must be weighed against the highly sustainable location of the development in terms of public transport availability. The Council's Parking Standards are dated, and it is noted that an acceptable number of cycle spaces have been provided. While the Environmental Quality Officer has noted that the reduced vehicle trips would have a positive impact in terms of air quality (AQ), and no request for AQ mitigation has been made, in this instance an appropriate financial contribution towards a car club would provide future occupiers with a

viable alternative to owning and using their own cars for the purposes of trips that cannot conveniently be made by more sustainable means. Delays to the delivery of a Slough Car Club are noted, and it is therefore considered that in the event that planning permission is granted it would be necessary to restrict occupation of the units until the car club is in place and operational. However the first two of the bullet points above remain to be resolved, so for that reason are the subject of one of the reasons for refusal as recommended in paragraph 1.1 of this report.

## 17.0 Sustainable design and construction

17.1 The NPPF 2019 seeks to promote high levels of sustainability, and to avoid increased vulnerability to climate change through planning of green infrastructure and reducing greenhouse gas emissions.

17.2 Core Strategy Policy 8(1) requires all development to include measures to:

- a) *Minimise the consumption and unnecessary use of energy, particularly from non renewable sources;*
- b) *Recycle waste;*
- c) *Generate energy from renewable resources where feasible*
- d) *Reduce water consumption; and*
- e) *Incorporate sustainable design and construction techniques, including the use of recycled and energy efficient building materials.*

17.3 The Planning Statement sets out general aspirations in regards to building sustainability and a separate Energy Statement is provided which sets out details of energy use and avoidance of overheating. The Council's sustainability requirements could be required by condition, if the application was considered acceptable in all other respects. For any acceptable application, consideration should be given to making the building connection-ready for any future district heating system.

## 18.0 Environmental quality

### Air Quality

18.1 The Council's EQ officer has commented that the development will not contribute to air quality issues due to the reduction in car parking spaces. As a result the application is classed as a minor impact development and the mitigation requested is limited to issues that can be controlled by conditions. Notwithstanding this, a financial contribution towards a car club is requested as a result of the Highways objection to the low car parking ratio.

18.2 In the event that planning permission is granted, and subject to the submission and approval of a Construction Environmental Management Plan and the other measures noted in the Environmental Officer's comments, there would be no objection to the proposal on grounds of impacts on air quality.

### Environmental Noise

18.3 The Council's EQ officer comments on Environmental Noise raise no objections to the development on grounds of noise impacts on residents. Conditions were requested which would be applicable if the application were to be approved. These would need to be submitted when the proposed development is at the detailed design stage, and would require:

- A glazing and ventilation strategy for all facades, and
- An overheating assessment.

18.4 Subject to submission and approval of these further assessments, there would be no objection to the proposal on grounds of impacts on environmental noise.

## 19.0 Flood Risk and Surface water drainage

19.1 A Flood Risk Assessment and Surface Water Drainage pro forma were submitted with the application. The site lies within Flood Zone 1 where there is a less than 0.1% (1 in 1000) chance of tidal/fluvial flooding; however there is a high risk of surface water flooding.

19.2 Both Core Strategy Policy 8 and paragraphs 155 and 163 of the NPPF 2019 require development to be directed away from areas at highest risk of flooding and to ensure flood risk is not increased elsewhere. Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development.

19.3 The Council's drainage consultant has reviewed the submitted information, and requested a condition to require submission and approval of a maintenance regime for the entire surface water drainage system including individual SuDS features.

## 20.0 Affordable housing

20.1 The NPPF 2019 at paragraph 62 requires that *planning policies should specify the type of affordable housing required, and that in most cases this need should be met on-site.*

20.2 Core Policy 4 provides for residential developments for 15 or more dwellings to have between 30% and 40% of the dwellings as social rented units, along other forms of affordable housing, with the affordable housing should to be secured by a section 106 planning obligation. The Council's updated Developer Guide Part 2, (September 2017) requires developments of 25 to 69 units to make a 30% on-site provision of affordable housing (split between Slough Affordable / Social Rent, Slough Living Rent Intermediate). However, in this case a Financial Viability Assessment (FVA) has been submitted by the applicant, which sets out a case that the development would not be able to support affordable housing either on-site or by way of an off-site contribution.

20.3 The Council's viability consultant has subjected the FVA to a rigorous review, and summarises his findings as follows:

*"We have identified a deficit on a 100% private basis despite our changes outlined in our report and therefore agree with Aspinall Verdi that affordable housing cannot be provided. It appears from our calculations that the scheme has a gross to net floor area of 67%. This is surprisingly inefficient and may be the cause of the scheme's lack of viability.... We recommend that the scheme is subject to a late stage review of viability if consented."*

20.4 Any grant of planning permission should therefore be subject to completion of a section 106 agreement to secure an off-site contribution, if property values improve over the course of the development of the site and a late review shows that this can be supported. However, the consultant's comment about the inefficient gross to net floor

area is significant, and it is also noted that the design of the building results in

- the higher floors accommodating progressively fewer units, and
- provision of a basement that accommodates only twelve car parking spaces, in addition to cycle stores.

20.5 It follows that this is a building with some expensive features, for example, the build cost per car parking space would be very much more expensive than for a basement that accommodates twice the number of cars. While the results of the FVA review show that it would be difficult or just not possible to robustly defend a refusal on the grounds of not providing affordable housing, it is considered that this lack should be noted in the reasons for refusal as a more efficiently designed building may be able to overcome this key area of policy non-compliance.

## 21.0 Housing supply

21.1 The extant Core Strategy covers the 20 year plan period between 2006 and 2026. Core Policy 3 sets out that a minimum of 6,250 new dwellings will be provided in Slough over the plan period, which equates to an average of 313 dwellings per annum. However this is updated by the Council's Housing Delivery Action Plan (July 2019), which confirms that the objectively assessed housing need for the plan period is 893 dwellings per annum (dated April 2019). The emerging targets are for the delivery of something approaching 20,000 new homes over the lifetime of the emerging Local Plan.

21.2 Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2019, it is acknowledged that the Local Planning Authority cannot currently demonstrate a Five Year Land Supply. The benefits of the additional housing offered in this application therefore form a key element of weight in the planning balance.

## 22.0 Safe and Accessible Environment

22.1 Paragraph 91 of the NPPF 2019 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other
- Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

22.2 These objectives are consistent with Core Strategy Policies 8 and 12, and Local Plan Policy EN5.

22.3 No comments have been provided on the application at the time of writing this report by the Crime Prevention and Design Advisor, and any that are provided prior to the Planning Committee meeting will be reported on in the amendment sheet.

## 23.0 Fire Strategy and safety

23.1 The NPPF 2019 does not have any policies relating to fire safety; this is normally considered under Building Control rather than planning. However, the Royal Berkshire Fire & Rescue Service was consulted. No consultation comments have been provided on the proposals at the time of writing this report, and any that are

provided prior to the Planning Committee meeting will be reported on in the amendment sheet.

**24.0 Impact on Heritage Assets including archaeology**

24.1 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 provides that in considering whether to grant permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As a consequence the desirability of preservation must be given considerable importance and weight in the decision making process.

24.2 Paragraph 190 of the NPPF 2019 states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 199 of the NPPF which states that local planning authorities should "...require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

24.3 There are three Grade II statutory listed buildings located approximately 100 metres to the south of the site at the Slough railway station. These are the booking hall fronting onto Brunel Way, the Area Managers Building which has street frontage to the north, and an "island" platform building between the above two buildings which is separated from them by rail tracks to either side of it.

24.4 A Heritage Statement was provided and while it was noted by the Council's Heritage consultant that CGI views within this Statement are not of great quality, improved views were subsequently submitted. These demonstrate that the proposed redevelopment of the application site will change the setting of the southernmost listed railway station building in particular, as there will be views across with the building clearly visible to the north. However, The setting of the station buildings has changed markedly since their construction, and it is not considered that the additional significant impacts on the significance of the listed Slough Railway Station buildings would result be significantly harmful. No objection is therefore raised on this issue.

24.5 Berkshire Archaeology has been consulted; however, no comments have been provided on the application at the time of writing this report. Any that are provided prior to the Planning Committee meeting will be reported on in the amendment sheet.

**25.0 Infrastructure requirements / Section 106**

25.1 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. Section 106 contributions excluding mitigation of impacts on Burnham Beeches SAC would be as follows:

<b>Infrastructure area</b>	<b>Contribution</b>
Education	£184,608
Transport	£50,000
Recreation	£30,500
Public realm	£12,200
<b>Total excluding Burnham Beeches mitigation</b>	<b>£277,308</b>

25.2 Clarification of an appropriate sum for mitigation of impacts on the Burnham Beeches SAC will be included in the amendment sheet.

## **26.0 Equalities Considerations**

26.1 Due consideration has been given to the potential impacts of development, upon individuals either residing or working 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).

26.2 This report identifies the need to ensure the new development provides new residential units which are suitable for individuals with respect to access and use. The Design and Access Statement identifies design measures that will be incorporated to make the development safer and more secure, therefore considerate of all individuals with protected characteristics. In the event that the proposals were considered acceptable, conditions would be recommended to ensure the development and its external areas are laid out to be easily accessible to all protected groups.

26.3 The proposals will be required to make provision for wheelchair accessible car parking spaces, level accesses and thresholds to the buildings and communal terraces.

26.4 It is considered that there would 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 can be incorporated into a demolition method statement and construction management plan to mitigate the impact and minimise the extent of the effects.

26.5 In conclusion, it is considered that the needs of individuals with protected characteristics have been fully considered by the local planning authority exercising its public duty of care, in accordance with the 2010 Equality Act.

## **28.0 Planning Balance**

28.1 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. Given that the Council does not have a 5 year supply of housing land it is necessary for the planning balance exercise to be undertaken.

28.2 The development would make a positive contribution to the supply of housing in the Borough, including smaller units, and would be located in a sustainable location. Significant weight is given in the planning balance to this contribution.

28.3 However, the proposal would extend a high building typology into an area of midrise housing, and would not make any provision towards much-needed affordable housing, for which there is an acute need in the Borough. Very significant weight is given in the planning balance to these issues. It would also be an unneighbourly development for adjacent occupiers and this must also be given significant weight in the planning balance.

28.4 The proposal fails to make financial contributions for necessary infrastructure and the mitigation of impacts on Burnham Beeches SAC. In the absence of a completed section 106 agreement to secure the contributions, and also to secure a late stage review in respect to off-site affordable housing contributions, the development is not considered to be sustainable and this is considered to be a strong negative in the planning balance. The proposal would result in significant and demonstrable harm as identified in this report and is unacceptable.

## **PART C: RECOMMENDATION**

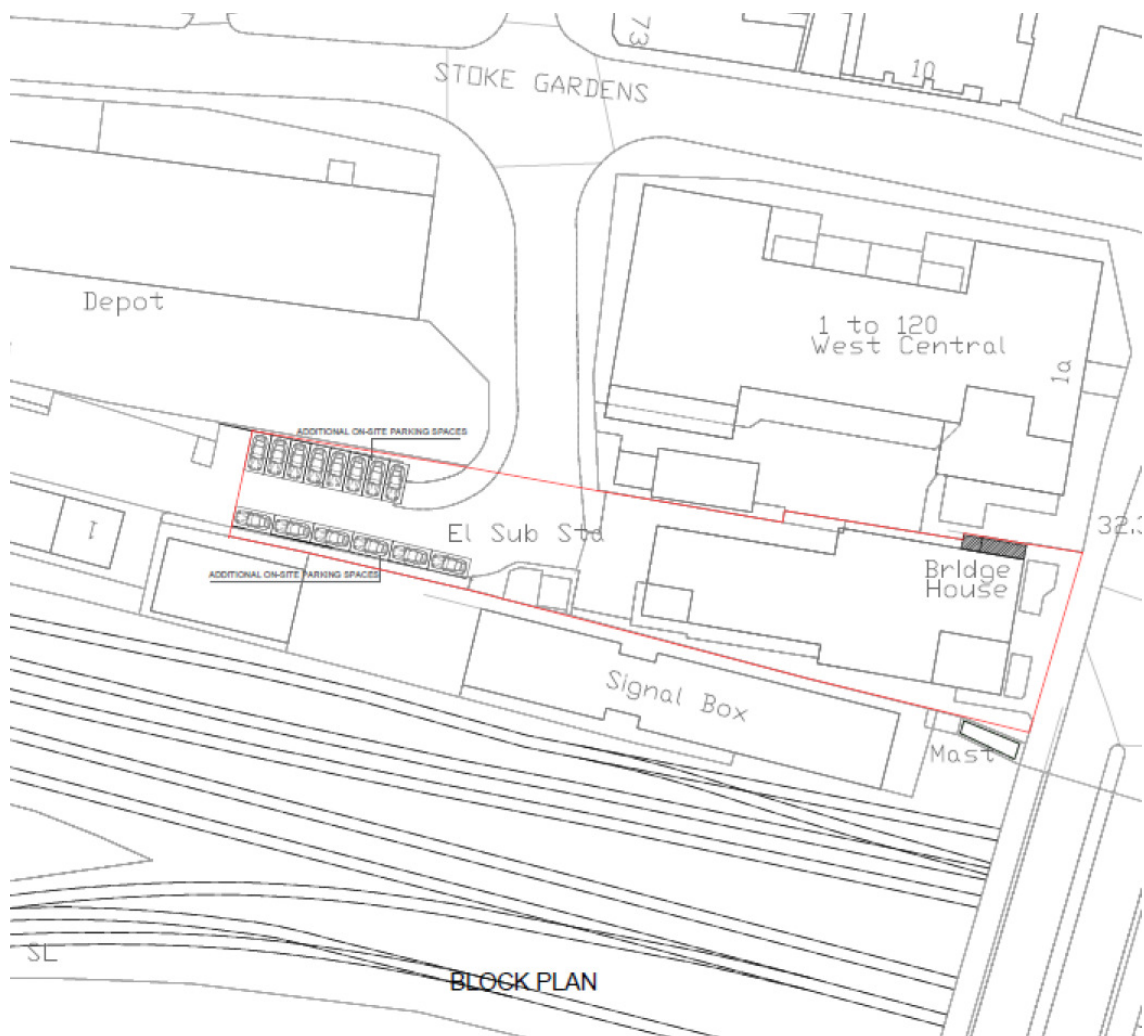
Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended that the application be refused for the reasons set out in Section 1 of this report.

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Registration Date:	16 <sup>th</sup> July 2018	Application No:	P/08557/005
Officer:	Neil Button	Ward:	Central
Applicant:	Mr Mohammed Anees 1 Stoke Road, Slough, SL2 5AH	Application Type:	Minor
Agent:	MCS Design Architectural Services, 53 Westmead, Windsor, SL4 3NN	8 Week Date:	10 <sup>th</sup> September 2018
Location:	1 Stoke Road, Slough		
Proposal:	Construction of a second floor on the existing building		

**Recommendation: Refusal**



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application is refused on the following grounds:

1. The Proposed development by reason of its height, scale, massing, proximity and siting would constitute an obtrusive form of development that would result in material and significant losses of daylight and sunlight experienced from habitable rooms within the residential dwellings at the block of flats to the north of the site. The proposals would constitute significant harm to the living conditions within the flats by creating sub-standard units of accommodation with low levels of natural light serving the windows. The proposals are contrary to the Local Plan policies EN1 and EN2 which require that development does not result in the significant loss of sunlight or create significant overshadowing as a result of their construction and Core Policy 8 of the Core Strategy, and the NPPF (2019).

1.2 The application is referred to planning committee as the extension would create a building with a floor area greater than 1000m<sup>2</sup> and due to the planning matters to be considered, the planning manager considers an exemption can be made to have this application considered by the planning committee.

**PART A: BACKGROUND**

2.0 **Proposal**

2.1 The proposal comprises the erection of a single storey rooftop extension above the two storey (plus lower ground) Islamic & Community facility at 1 Stoke Road and internal alterations to the ground and first floors to reconfigure the existing uses and functions within the building. Internal alterations to the lower ground floor car parking area are also proposed to enable the provision of additional cycle storage facilities.

2.2 The proposed extension will form a new second floor above the existing building to provide 546 sqm new floorspace (Class D1 – Community Use).

2.3 The front elevation is constructed using mirror glazing and blue UPVC frame. All windows (on the northern façade) which face the adjacent building to the north will be obscure glazing to prevent overlooking of the neighbouring block of flats at West Central. The remaining rear extension above the existing first floor will be constructed using matching brickwork to repeat the external material of the lower floors.

2.4 The applicant has stated that the proposal will provide additional floorspace for the Sri Lankan Islamic Culture and Education Community Centre which provides Islamic education to the Muslims and non-Muslims. The ground floor will be used as the main prayer hall. The first floor consists of open space which will be transformed into several rooms

providing classes for ladies programs; library and for community activities as well as children' classes for extra tuition and Arabic classes.

- 2.5 The proposed second floor will provide recreational and educational services to the general youth. The applicant confirms that around 20-30 people are expected to attend on daily basis between the hours of 17:00 and 20:00. This will marginally increase to 30-40 during the weekends.
- 2.6 The proposals include modifications to the lower ground floor car park to facilitate the provision of an enlarged cycle stores for 18 additional bikes (in addition to the retained 12 spaces). The resulting change results in the reduction of car parking within the lower ground floor provision to 28 car spaces (reduced from 30).
- 3.0 Application Site**
- 3.1 The site is currently used as an Islamic Culture and Community Centre within a two storey building above a lower ground level. Planning permission for the community centre use of the former office building was granted on 13<sup>th</sup> October 2013 (P/08557/002). The community facility benefits for planning permission for construction of a side extension at lower ground level to the existing community centre to provide with WCs and ablution area.
- 3.2 The Centre has been providing social, religious, recreational and educational activities for the Sri Lankan and other Muslim communities in Slough. The applicant confirms that the Centre provides much needed educational facilities to support a growing local need which helps residents integrate with the wider community. The centre provides services to people who live in the Slough West area. During prayer times, the centre operates from at least 40 minutes before sunrise to 10.30pm at the latest. The number of persons attending the Centre for 5 times prayer for a period of 20 minutes is between 20 and 30 persons.
- 3.3 The lower ground floor consists of secured parking spaces for 30 vehicles and a further 14 on street spaces near the rear entrance. The additional 14 off-street car parking spaces are provided adjacent to Bristol Way within the application red line area shown on the submitted plans.
- 3.4 The site is accessible for pedestrians from Stoke Road with the front entrance adjacent to the street. By car, the site is accessed by Bristol Way which is connected to Stoke Gardens. The car park and access is set at lower ground floor level which reflect the lower lying nature of this part of the site. The upper ground floor level is located level with Stoke Road.
- 3.5 The site is located within Slough Town Centre in close proximity to the rail and bus stations to the east, the with town shopping centres to the south. The site is located on the western side of Stoke Road south of the junction with Stoke Gardens. Bristol Way is located to the west of the site which serves the industrial area to the west.
- 3.6 The site is located immediately to the north of the Stoke Road Railway bridge which is in close proximity to Slough Rail Station (to the east). The area to the west of the site comprises the Bristol Way and Stoke Gardens

Industrial Area which is defined as an Existing Employment Area in the Local Plan Proposals Map.

- 3.7 The site is located within Slough Town Centre in the Local Plan Proposals Map and forms a part of Selected Key Location site SKL03 (see below). The Allocations Development Plan Document (DPD) 2010 identifies that the SKL03 is designated to be comprehensively planned for Residential or mixed use development to support regeneration of this area.



**Strategic Key Location (SKL03) Designation (in red) + Site (in green)**

- 3.8 The adjoining buildings comprise a two storey flat roofed storage unit and railway network operations office to the south and west of the site. To the east (of Stoke Road) lies the Slough Bus Depot.
- 3.9 The adjoining building to the north of the site comprises a modern 7 storey block of flats known as West Central which lies on the site of the former Northgate House. This comprises 120 flats with a lower level car parking yard with bin and cycle stores. The development [Planning Ref: P/00149/017] was approved in 8<sup>th</sup> November 2013.
- 3.10 From site inspection it was noted that the lower ground level of the existing car parking area within West Central is level with the lower ground floor level of the Community Centre. There are steps leading up to a platform with an artificial grassed roof which provides maintenance access for both 1 Stoke Road (the site) and West Central.

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

- 4.1 The relevant planning history for the site is set out below
- 4.2 **Ref: P/08557/004:** Construction of a side extension at lower ground level to the existing community centre to provide with WCs and ablution area. Relocation of car parking spaces to the rear of the site. Approved 6<sup>th</sup> March 2018
- 4.3 **Ref: P/08557/003:** Submission of details pursuant to conditions 7 (cycle

parking), 10 (noise level), 13 (scheme to control/reduce noise) and 15 (lighting scheme) of planning permission p/08557/002 dated 21-oct-2013 for change of use of office (class b1) to community centre (class D1). Approved 10<sup>th</sup> April 2014

- 4.4 **Ref: P/08557/002:** Change of use of office (Class B1) to Community Centre (Class D1). Approved 13<sup>th</sup> October 2013

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 20<sup>th</sup> July 2018.

- 5.2 The following addresses were sent neighbour notification letters (dated 20<sup>th</sup> July 2018):

West Central – Flats 1 to 120, 1A, Stoke Road, Slough, SL2 5PF, Network Rail, Signal Box, Bristol Way, Slough, SL1 3QE, 3, Bristol Way, Slough, SL1 3QE

- 5.3 13 responses were received raising objections to the proposals on the following grounds (this included a letter from the Management Company representing residents in West Central):

- 5.4
- Lack of car parking for the additional uses;
  - Development will increase dangerous car parking in vicinity of the site when the centre will be busy;
  - Anti-social behaviour caused by visitors arriving early in the morning and late at night;
  - Loss of privacy and increased overlooking;
  - Doubling size of mosque will cause additional noise and disturbance to adjacent residential uses;
  - Building is not in an area fit for purpose;
  - Impact on health and safety of residents in West Central;
  - Users dump litter outside the site which will be worse with new development;
  - Adding additional floor will increase nuisances caused;
  - Proposals will generate increase construction traffic which will have knock on effect on highway safety in the area;
  - Parking on yellow lines nearby makes it difficult for pedestrian to cross – this will be made worse with the development;
  - Development will cause over-shadowing of the flats to the north;
  - Extension will block light from entering properties to the north;
  - All natural light will be stopped for most of the day to flat;
  - New floor will directly overlook apartments – mirrored glass will not stop people in centre looking out into apartments;
  - Additional noise and disturbances will be caused when centre is very busy (at festival season) –this will worsen late at night and early mornings;
  - Additional noise and disturbance from construction work;
  - Design of building not in-keeping with modern style of the rest of Central Slough;
  - Existing building looks out of place and old fashioned – the additional extension in same style will add to this;
  - Additional floor will block views of the city from a premium flat;

- Adjoining uses on Bristol Way battling with cars parked on our street from the development blocking accesses to premises – this will be made worse with development;
- Travel Plan(both original (2018) and revised Travel Plan (Sept 2019) do not address our concerns over car parking levels;
- Better parking provisions are needed to stop cars blocking private roads;
- Travel Plan identifies 35 is the highest number of cars on Fridays – and 36 spaces are provided in the plans;

## 6.0 CONSULTATIONS

6.1 **Transport & Highways:** A Revised Travel Plan should be secured as a planning obligation.

6.2 **Environmental Protection:** No objections subject to additional conditions and adherence with permission P/08557/002.

**Use of Premises:** We have received 3 complaints regarding noise emanating from the premises between June 2018 and July 2020. The source of the noise on all occasions was from within the premises and involved the use of loudspeakers, the noise causing a disturbance to the residents of the block of flats immediately adjacent. In addition to this I have noted that their submitted information shows use of the premises and activities starting at either 7am or 30 minutes before dawn. During the summertime months this could be as early as 0415 hours. Both of these times precede the opening times stated in their current planning conditions.

There are existing conditions in place that relate to noise and should planning permission be granted I would advise retaining these conditions prevent the occurrence of a statutory noise nuisance. The conditions to be retained are:

- Condition 9 - There shall be no outdoor amplified public address systems, sound systems or loudspeakers used at the site at any time.
- Condition 10 - that the existing noise climate of the surrounding area must be protected so that the equivalent continuous noise level (leq) in dB(A) as measured outside the nearest noise sensitive building over a 5 minute period with the use taking place does not exceed the equivalent continuous noise level (leq) in dB(A) measured over a comparable period from the same position with no such use taking place and the building unoccupied.
- Condition 12 - the use hereby permitted shall not be open to members of the public outside the hours of 08:00 hours to 23:00 hours on Mondays-Thursdays, 08:00 hours to midnight on Fridays and Saturdays, and 10:00 hours to 20:00 hours on Sundays and Bank/Public Holidays.
- Condition 13 - no development shall commence until a scheme to control/reduce noise emanating from the development (including details of existing noise levels) has been submitted to and approved in writing by the Local Planning Authority.

On reviewing the submitted information I found there was no information

relating to any additional plant/machinery that may need to be installed to service an additional storey. From reviewing existing information we have about the premises from a complaint received in July 2018 regarding excessive noise from an air conditioning unit at the premises I would suggest the following condition to be added should planning permission be granted:

Condition - Noise during operation of extraction and ventilation equipment

The noise from any extraction and ventilation system shall be so attenuated that noise generated by the operation of the equipment shall not increase the background noise levels at any nearby residential premises above that prevailing when the equipment is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. Details of the BS 4142 report shall be submitted to and approved by the Local Planning Authority in writing prior to the use of the equipment.

Reason: To protect the occupants of the neighbouring properties from noise disturbance.

Construction phase

Due to the close proximity of residential properties there is a need to protect persons living in the vicinity of the construction site from the effects of noise. Therefore should planning permission be granted I suggest the following conditions be added in relation to the construction:

Condition - Control of noise from demolition/construction sites

1. All works and ancillary operations during both demolition and construction phases which are audible at the site boundary shall be carried out only between the hours of 08:00hours and 18:00hours on Mondays to Fridays and between the hours of 08:00hours and 13:00hours on Saturdays and at no time on Sundays and Bank Holidays.
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instruction.
4. Noisy works outside of these hours only to be carried with the prior written agreement of the Local Authority. Any emergency deviation from these conditions shall be notified to the Local Authority without delay.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

#### **7.1 National Planning Policy Framework 2019 and National Planning Policy Guidance:**

Chapter 2: Achieving Sustainable Development  
Chapter 4: Decision making  
Chapter 6: Building a Strong Competitive Economy  
Chapter 7: Ensuring the vitality of town centres  
Chapter 8: Promoting healthy and safe communities  
Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land  
Chapter 12: Achieving well-designed places  
Chapter 14: Meeting the challenge of climate change, flooding and coastal change  
Chapter 15: Conserving and enhancing the natural environment  
Chapter 16: Conserving and enhancing the historic environment

Paragraph 11 of the NPPF states that decisions should apply the presumption in favour of sustainable development which means:

c) approving development proposals that accord with an up-to-date development plan without delay; or  
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 6); or  
ii. 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.

Footnote 6 notes that the policies referred to are those in the NPPF (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

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

Core Policy 1 - Spatial Vision and Strategic Objectives for Slough  
Core Policy 5 – Employment  
Core Policy 6 – Retail, Leisure and Community Facilities  
Core Policy 7 – Transport  
Core Policy 8 – Sustainability and the Environment  
Core Policy 9 – Natural and Built Environment  
Core Policy 10 - Infrastructure  
Core Policy 12 – Community safety

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

Policy EMP6 - Stoke Road Area  
Policy EN1- Design of Development  
Policy EN2 - Extensions  
Policy EN5 – Design and Crime Prevention  
Policy T2 - Parking Restraint  
Policy T8 – Cycling Network and Facilities  
Policy T9 – Bus Network and Facilities



#### 7.4 Other Relevant Documents/Guidance

Proposals Map 2010

Local Development Framework Site Allocations Development Plan Document (2010): Site allocation SKL3 states that proposals for development within the Stoke Road area should:

- Be comprehensively planned
- Provide for an overall mix of uses within the area
- Rationalise the road and pedestrian network
- Only include small scale ancillary retail uses
- Comply with the principles of the Slough Town Centre Urban Design Framework SPD

The reason for the allocation is stated as being required as the area needs to be comprehensively planned in order to accommodate the pressure for development in this location close to the railway station. It is stated that residential or mixed use development may be appropriate as part of the comprehensive regeneration of this area.

#### 7.5 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.

#### 7.6 Use Classes Order 2020

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 No.757) were introduced by the government on 20 July, and take effect on 1 September 2020. The new Regulations make radical changes to the 1987 Use Classes Order. These changes sit alongside the recent additions to permitted development rights, forming part of the government's "Project Speed", with the aim being to support the high street revival and allow greater flexibility to change uses within town centres without the need for express planning permission.

The Regulations introduce three new use classes:

1. Class E (Commercial, business and service) – including retail, restaurant, office, financial/professional services, indoor sports, medical and nursery uses along with “any other services which it is appropriate to provide in a commercial, business or service locality”;
2. Class F.1 (Learning and non-residential institutions) – including non-residential educational uses, and use as a museum, art gallery, library, public hall, religious institution or law court; and
3. Class F.2 (Local community) – including use as a shop of no more than 280 sqm mostly selling essential goods, including food and at least 1km from another similar shop, and use as a community hall, area for outdoor sport, swimming pool or skating rink.

Parts A and D of the original Schedule to the Use Classes Order have been entirely deleted, with Use Classes A1, A2, A3, parts of D1 and D2 subsumed into new Use Class E along with Class B1. Changes of use within this new Class E will not constitute development at all (as opposed to permitted development).

The application is to be determined on the basis of the additional floorspace falling within Class D1 (Community Use) which was specified in the planning application description of development and is consistent with the authorised D1 (Community) Use as per condition 3 of planning permission Ref: P/08557/002 dated 13th October 2013. Given the wording of the condition, the existing building or extended building will not benefit from the provisions in new Class F.1 (Learning/Residential Institution) or Class F.2 (Local Community). It is noted that the authorised community use combines elements of both new uses but the planning assessment will consider the effect of additional ‘D1’ floorspace.

## 7.7 Equality Act

In addition, Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. In coming to a recommendation, officers have considered the equalities impacts on protected groups in the context of the development proposals. This planning report identifies the possible equality impacts on the protected groups within the following sections.

## 8.0 **Planning Assessment**

8.1 The planning considerations for this proposal are:

- Principle of Extension to Community Facility
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Highways/Transport and parking

**9.0 Principle of Extension to Community Facility**

- 9.1 The proposals involve an upward extension to the existing Sri Lankan Islamic Culture and Education Community Centre which provides Islamic education to the Muslims and non-Muslims.
- 9.2 The proposals will create an additional 546 sqm of community floorspace alongside minor alterations to the lower ground floor level to provide additional cycle storage which requires the incorporation of two car parking spaces which will be removed.
- 9.3 It is recognised that the proposals will provide a valued facility for the local community to support groups in Slough and this is afforded considerable weight in the assessment. This was noted as an important consideration within the officer report for the previous change of use application which consented the change from Class B1 (Business) use to Class D1 (Community Facility).
- 9.4 As the site is located within the town centre it is generally considered to be an acceptable location for community developments having regard to the aims of Core Policies 1 and 6. Core Policy 1 requires that all development complies with the Spatial Strategy set out in the Core Strategy and Core Policy 6 states that all new major retail, leisure and community developments will be located in the shopping area of the Slough town centre in order to improve the town's image and to assist in enhancing its attractiveness as a Primary-Regional Shopping Centre. It is considered that the principle of the proposed development would generally comply with these policies.
- 9.5 Core Policy 11 of The Core Strategy relates to social cohesiveness. This policy states that the development of new facilities which serve the recognised diverse needs of local communities will be encouraged. All development should be easily accessible to all and everyone should have the same opportunities. The previous Officer report for the change of use (Ref: P/08557/002) noted that:
- "The community centre would be self-financed and would be based on charitable donations from the local community. The community centre would provide a facility for the Sri Lankan community. It is understood that the community has risen to 400 families in the Slough area and as such the need for a community centre has arisen. It is understood that a search has been carried out for an alternative site, however none has been identified".*
- 9.6 Taking account of the policies along with the previous justification for the community use, it is considered that the principle for providing additional floorspace is acceptable, subject to the detailed environmental impact of the additional capacity and scale/height of the extension. It is noted that the proposals would continue to provide community floorspace for meeting the diverse needs of local communities.
- 9.7 The site forms part of site allocation Selected Location for Comprehensive Regeneration SKL3 as set out in the Slough Local Development Framework Site Allocations Development Plan Document. The reason for

this allocation is to comprehensively plan the area in order to accommodate the pressure for development in this location close to the railway station. Residential or mixed use development may be appropriate as part of the comprehensive regeneration of this area.

- 9.8 Also of relevance is Policy EMP6 of the Adopted Local Plan which relates to the Stoke Road Area. This policy states that within the Stoke Road, Mill Street and Grays Place areas, redevelopment schemes which provide a range of business and residential uses, either independently or combined as mixed use schemes will be permitted subject to compliance with relevant criteria.
- 9.9 It is considered the proposed development would not conflict with either of these policies given the existing use is established and the proposals potentially create additional employment opportunities within the facility which supports the continued use of the site supporting some local employment.
- 9.10 In conclusion, in land use terms, the principle for providing additional floorspace to the community facility is supported in light of the town central location and mixed use character of the location which is located close to Slough Bus and Rail stations in a highly sustainable location. The principle of Class D1 use is permitted under the original change of use application (ref: P/08557/002). Notwithstanding the acceptability of the land use, it is necessary to consider the impact of the extension on the local character of the area and on the living conditions and amenity of residents adjacent to the site in terms of the below environmental considerations.

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

- 10.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and EN2.
- 10.2 Local Policy EN1 states that development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of:
- a) scale;
  - b) height;
  - c) massing/Bulk;
  - d) layout;
  - e) siting;
  - f) building form and design;
  - g) architectural style;
  - h) materials;
  - i) access points and servicing;
  - j) visual impact;
  - k) relationship to nearby properties;
  - l) relationship to mature trees; and
  - m) relationship to water courses.

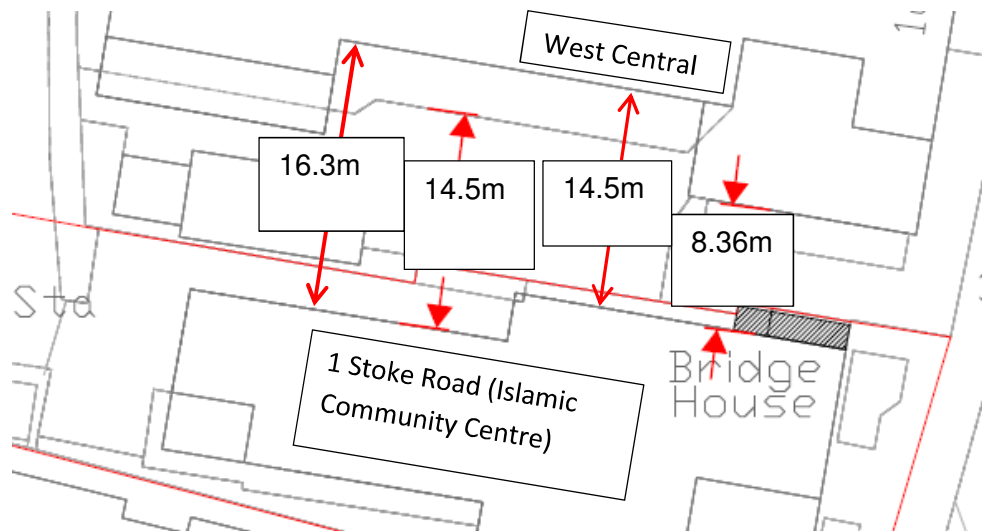
These factors will be assessed in the context of each site and their immediate surroundings. Poor designs which are not in keeping with their

surroundings and schemes which result in over-development of a site will be refused.

- 10.3 Policy EN2 states that Proposals for extensions to existing buildings should be compatible with the scale, materials, form, design, fenestration, architectural style, layout and proportions of the original structure. Extensions should not result in the significant loss of sunlight or create significant overshadowing as a result of their construction.
- 10.4 The front elevation is constructed using mirror glazing and blue UPVC frame. All windows (on the northern façade) which face the adjacent building to the north will be obscure glazing to prevent overlooking of the neighbouring block of flats at West Central. The remaining rear extension above the existing first floor will be constructed using matching brickwork to repeat the external material of the lower floors. This is considered an appropriate architectural response in terms of scale, height, massing, siting, form/design, style and materiality in broad visual terms and the development is not considered to harm the character or appearance of the surrounding area.
- 10.5 It is considered that the proposal broadly complies with majority of the criteria in Policy EN1 save for points (j) and (k) which will be discussed in detail below. Therefore, the character visual qualities of the local area would not be harmed in terms of the overall architecture or scale of development. In terms of Policy EN2, the proposed extension would be compatible with the scale, materials, form, design, architectural style, layout and proportions of the original structure and is compliant with this aspect of the policy.

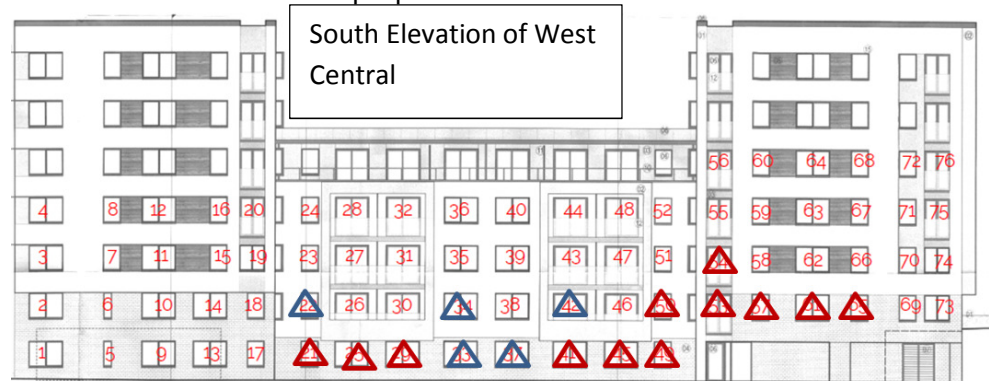
#### **11.0 Impact on amenity of neighbouring occupiers**

- 11.1 Core Policy 8 requires new development proposals to reflect a high standard of design and to be compatible with and / or improve the surroundings in terms of the relationship to nearby properties. The NPPF at paragraph 127 sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- 11.2 Also of relevance is the wording in Local Plan policies EN1 and EN2 referred to above. Specifically, Policy EN1 states that development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of: j) visual impact; and k) relationship to nearby properties. Policy EN2 states that extensions should not result in the significant loss of sunlight or create significant overshadowing as a result of their construction.
- 11.3 The below plan identifies the approximate separation distances between West Central and the site.



- 11.4 The south facing elevation of West Central contains a number of windows which directly face onto the northern elevation of the Community Centre. These windows all serve habitable rooms as illustrated in the floorplans in para 11.9 below.
- 11.5 In considering the proposals, officers have had due regard for the impacts on the amenity and living conditions of residents residing within adjoining and adjacent dwellings within West Central to the north of the site. The proposals have been considered with regards to the impact (of the additional height of the building) on the existing levels of privacy, daylight, sunlight and overshadowing to determine whether the residential amenity within neighbouring properties would be materially affected.
- 11.6 In terms of daylight and sunlight, the applicant has submitted a Daylight and Sunlight Report which considers the technical impacts of the development upon levels of daylight and sunlight within the flats within West Central.
- 11.7 The applicant has also submitted section plans showing the relationship between the buildings. The section drawing appears to inaccurately plot the lower ground level of West Central which is shown as being raised above the lower ground of the site. Site inspection revealed that the lower ground levels are level with each other. Therefore, it is anticipated the 45 degree line shown in the submitted plan is not correct. It is likely that the additional second floor would form an obstruction of the 45 degree line if measured from the correct position.
- 11.8 When considering the impact on daylight, the Vertical Sky Component (VSC) test (within the submitted Daylight & Sunlight Report) indicates that 17 south facing windows to the lower floor apartments in West Central will experience a material reduction in daylight levels with resulting levels less than 0.8 of the former value (ie; a 20%+ reduction in daylight). Of these 17 windows which are anticipated to experience a material noticeable reduction of daylight, there are 5 windows where the impact will be a more marginal or moderate noticeable reduction (ie: between 0.7-0.8 of the former level (20-30% loss of daylight)) and 12 windows where the impact will be greater and more significant (less than 0.7 the former value (30%+ loss of daylight)). It is also noted that there are a number of values that fall

well short of the 27% VSC (which the BRE Guide indicates represents a good level of daylight is received by a window) with 8 windows having a VSC value of 10 or below. Therefore, the proposals have the potential to worsen an already compromised condition to a number of flats in the adjacent development. The following southern elevation of West Central indicates the location of the south facing windows which receive less than 0.8 of the former (existing) value and which receive less than 27% VSC and are the most affected properties.



11.9 The below floorplans of the ground and first floors indicates the following 10 x apartments in West Central will be affected by losses of daylight beyond the BRE standards for which the effect is likely to be noticeable or perceptible. Save for one x 1 bed dwelling, the affected flats are mostly all 1 person studio units with the windows being the only source of natural light given the apartments are single aspect. The blue triangles identify the location of the flats which are likely to experience a noticeable reduction of daylight.

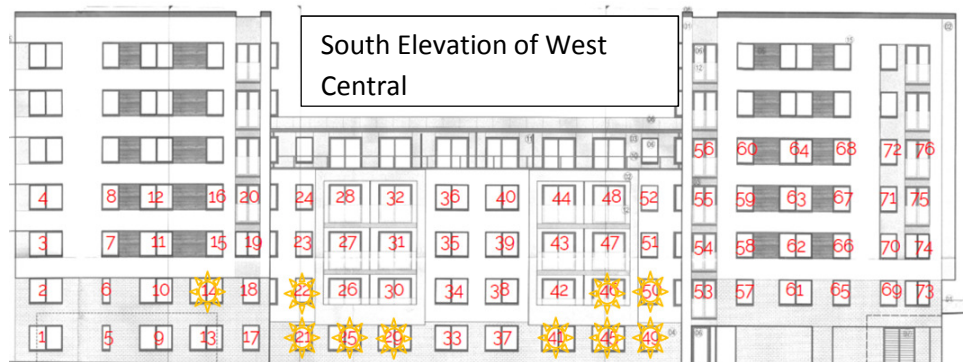






11.10 It is noted that on the first floor level, of the 8 windows which fall short of the BRE daylight standards, 5 of the 6 apartments will contain at least one other window which would retain adequate daylight levels in accordance with the BRE test. It is also noted that a number of these windows affected are also impeded by the presence of projecting bays within the building which results in a low existing VSC level and is more sensitive to obstruction. Notwithstanding these factors, it is considered the development materially reduces daylight at the adjacent residential properties, which in some cases compound existing low levels.

11.11 When considering the impact on the Annual Probable Sunlight Hours and Winter Probable Sunlight Hours (APSH/WPSH) test, there are 10 south facing windows which will experience a material reduction in sunlight levels with resulting levels less than 0.8% of their former value. Of these windows all 10 will have reductions below the minimum recommended BRE level for 25% of annual sunlight hours. 8 of these windows will result in levels less than 0.7 their former value.



11.12 These windows are located mainly at the ground floor level and affect 4 x studio flats in addition to 3 x flats on the first floor level.

11.13 Taking the above results into context, it is clear from the floorplans for West Central that all the specified affected windows are serving habitable rooms with most of the flats being single aspect. The close proximity of the host building at 1 Stoke Road to West Central is also noted. The host building is located between 8.36m and 16.3m of immediately facing windows in West Central. Therefore, the development could also be



expected to create additional opportunities for overlooking causing a loss of privacy and forming an obtrusive feature which would harm the outlook from within the residential properties. These matters, in the officer's view would compound the above specified sunlight and daylight transgressions if the windows were not obscured.

- 11.14 The submitted plans do not indicate whether the north facing windows will be obscured, although the Design and Access Statement states that "All windows facing the adjacent building will be obscure glazing to protect the privacy of the adjoining occupants". A planning condition could therefore be imposed to prevent overlooking by specifying the windows which would require obscure glazing and it is confirmed that the applicant would be amenable to this proposal.
- 11.15 In terms of over-shadowing, the development is likely to result in some overshadowing on areas to the south and east of the site. Given the orientation of the development and trajectory of the sun, and that the external space south of West Central does not comprise useable external amenity, there are no harmful overshadowing impacts anticipated as a result of the increased height of the building.
- 11.16 It is considered that the development would fail to comply with Local Plan policies EN1 and EN2 referred to above. Specifically, the proposed extension would fail to comply with Policy EN1 as the development proposals will not reflect a high standard of design and will not improve their surroundings in terms of: j) visual impact; or k) relationship to nearby properties by reason of the height, scale, massing, proximity and siting given the proposals would constitute an obtrusive form of development that would result in material and significant losses of daylight and sunlight experienced from habitable rooms within the residential dwellings at the block of flats to the north of the site. The proposals would constitute significant harm to the living conditions within the flats by creating sub-standard units of accommodation with low levels of natural light serving the windows. The proposals are contrary to the Local Plan policies EN1 and EN2 which require that development does not result in the significant loss of sunlight or create significant overshadowing as a result of their construction and Core Policy 8 of the Core Strategy, and the NPPF (2019).
- 11.17 **Noise:** Notwithstanding the visual impact of the development on the amenity of occupiers within adjoining and nearby properties, officers have also considered whether the proposals will cause additional noise disturbances. Paragraph 170 of the NPPF 2019 states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things) "preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. ..."
- 11.18 In terms of noise from the existing use, the officer report which accompanied the planning application (Ref: P/08557/002) which consented the use of the building as a Community Facility considered that the proposed community centre would not have the potential to have an adverse impact on the amenity of the future occupiers of the West Central development by reason of noise, disturbance, and vehicular movements or through other activity.

- 11.19 The application included a number of controls in the interests of limiting the potential for future noise and adverse amenity impacts. These included the following:
- Condition 9 states that there shall be no outdoor amplified public address systems, sound systems or loudspeakers used at the site at any time.
  - Condition 10 states that the existing noise climate of the surrounding area must be protected so that the equivalent continuous noise level (leq) in dB (A) as measured outside the nearest noise sensitive building over a 5 minute period with the use taking place does not exceed the equivalent continuous noise level (leq) in dB(A) measured over a comparable period from the same position with no such use taking place and the building unoccupied;
  - Condition 11 requires that the total capacity of the community centre hereby approved (inclusive of prayer hall and school) shall not exceed 250 persons;
  - Condition 12 requires that the use hereby permitted shall not be open to members of the public outside the hours of 08:00 hours to 23:00 hours on Mondays-Thursdays, 08:00 hours to midnight on Fridays and Saturdays, and 10:00 hours to 20:00 hours on Sundays and Bank/Public Holidays.
  - Condition 13 requires that no development shall commence until a scheme to control/reduce noise emanating from the development (including details of existing noise levels) has been submitted to and approved in writing by the Local Planning Authority.
  - Condition 14 states that the development shall not commence until details of a scheme to prevent overlooking and safeguard the privacy of future occupiers of the adjacent site to the north has been submitted to the Local Planning Authority and approved in writing.
- 11.20 The above planning controls would apply to the whole facility including any extension to it. Therefore, officers consider the existing planning controls provide sufficient safeguards to ensure the extended community facility will be required to continue to operate in accordance with the original planning permission and would minimise significant adverse impacts on the amenity of nearby residential occupiers. The Environmental Protection Officer (EPO) advises that 3 complaints have been received regarding noise emanating from the premises between June 2018 and July 2020. The source of the noise on all occasions was from within the premises and involved the use of loudspeakers, the noise causing a disturbance to the residents of the block of flats immediately adjacent. It is also noted that the DAS submitted shows use of the premises and activities starting at either 7am or 30 minutes before dawn. During the summertime months this could be as early as 0415 hours. Both of these times precede the opening times stated in the current planning conditions.
- 11.21 The existing conditions should remain in place that relate to noise. The EPO advises retaining these conditions prevent the occurrence of a statutory noise nuisance. Officers note that the provision of an additional 546 sqm floorspace at the new second floor would not permit an increased capacity of the site as per condition 11. Therefore it is considered the development will not give rise to further noise disturbances and or result in

an over-intensification of the use of the site subject to the existing controls and additional recommended conditions set out by the EPO in connection with Noise Insulation and Construction Management Plan.

11.22 Noise and disturbance has been raised by a number of local residents within the adjoining West Central development and therefore due consideration has been to these concerns within the report. The operational impact of the development has been addressed in paragraphs 11.14-11.18 above. In terms of construction noise disturbance controls, planning standard (Construction and Environmental Management Plan) conditions and informatives could be secured to minimise disruption during the works which would minimise the impacts during construction. The proposal comprises a comprehensive revised Travel Plan which details how sustainable travel options will be promoted at the centre in addition to the provision of car parking for 40 vehicles on and off site. A combination of these measures would ensure that the centre will continue to provide adequate car parking and the advice in the TP would promote sustainable transport to ensure car parking disturbances will be minimised. The Car Parking provisions and impacts of the development is addressed in the below paragraphs of the report.

11.23 It is considered that the proposal would give rise to significant detriment to the amenities of neighbouring occupiers with regards to noise, but it would cause undue harm due to the impacts on living conditions as a result of the material losses of sunlight and daylight, it is considered that the development will amount to a significant level of harm to the amenity and living conditions of occupiers within the lower level apartments within West Central to the north of the site. The proposals would therefore be contrary to Policies EN1 and EN2 of the Local Plan and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

## **12.0 Highways/transport and parking**

12.1 Core Policy 7 of the Core Strategy sets out the Planning Authority's approach to the consideration of transport matters. The thrust of this policy is to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel. Policy T2 of The Adopted Local Plan for Slough 2004 seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards.

12.2 Paragraph 108 states that in assessing specific applications for development, it should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree

12.3 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 12.4 Paragraph 110 of the NPPF states development should give priority first to pedestrian and cycle movements and second to facilitating access to high quality public transport and appropriate facilities that encourage public transport use. It also states applications for development should create places that are safe, secure and attractive, minimising conflicts between pedestrians, cyclists and vehicles and allow the efficient delivery of goods and access by service and emergency vehicles. Development should also be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 12.5 As per the above commentary, although the proposals result in the provision of additional floorspace on the site for community use purposes, the capacity of the centre is capped to 250 people at any time. Therefore, it is anticipated that the impact on car parking within the area and additional trips to the site will not exceed the maximum capacity when open. It is reasonable to conclude though that the centre could be used more frequently and so, the demand for car parking and cycle parking provisions needs to be considered as part of the assessment.
- 12.6 There are 28 car parking spaces provided within the lower ground floor car park and a further 14 designated on-street spaces within land on Bristol Way within land on Bristol Way to the west of the site which are available to visitors of the Community Centre. Secure cycle storage is available for 30 bicycles within the lower ground floor as amended. The proposed additional cycle storage results in the loss of 2 car parking spaces.
- 12.7 As the site is located within the Town Centre, the Council's Developer Guide 3 (Parking Standards Table 5) advises that the level of car parking for most D1 uses (with the exception of clinics/schools) is considered on its merits on a case by case basis. It has been accepted (under the previous planning applications for the change of use and side extension) that up to 46 car spaces was appropriate to support the community facility.
- 12.8 The proposals result in the provision of a further 546 sqm floorspace within the new second floor. Noting the existing on-site provision of car parking and the town centre location which is close to the rail and bus stations, it is considered that no further car parking is required for the additional floorspace. This is consistent with the Core Policy 7 which seeks to locate development in the accessible locations. It is noted that the proposal results in the loss of 2 existing spaces within the lower ground floors to accommodate an additional 18 cycle spaces. This amendment is welcomed as the proposal would promote an alternative form of travel.
- 12.9 The applicant has submitted an updated Travel Plan (September 2019) which aims to minimise the impact traffic generated by the enlarged centre on the local community; to minimise the transport related environmental impact of the enlarged centre and to minimise on street parking demand. The Travel Plan sets out measures in order to maximise the accessibility of the centre by sustainable modes of travel and minimise the impact of those journeys which are made by car.
- 12.10 The Travel Plan comprises an update of the former approved Travel Plan

which accompanied the change of use planning application and has been revised to ensure the information is more up to date. At the date of planning committee, it is considered that the Travel Plan may require further updating in light of the fact that the document related to 2019 and this must be borne in mind when considering the proposed traffic related impacts.

12.11 The Transport Officer has reviewed the Proposed Travel Plan and recommends that the operation of the TP should be secured by way of a S106 Agreement. As part of the TP requirements, the applicant would be obligated to appoint a Travel Plan co-ordinator and procure that the Travel Plan co-ordinator shall in consultation with the Owner implement and comply with the Travel Plan. The approved Travel Plan will be required to set out a package of measures and targets to reduce car travel to the site. Transport Officers have recommended that the wording of the Section 106 agreement should cover (as a minimum), details of the site assessment, baseline travel information, objectives, targets, Travel Plan Coordinator, Measures, Monitoring and review, Action Plan and Funding in accordance with the Council's Travel Plan Standard Guidance.

12.12 Subject to the above measures, the proposals would comply with Core Policy 7 of the Core Strategy, Policy T2 of The Adopted Local Plan for Slough 2004 and the parking standards set out in Developer Guide 3 (Parking Standards Table 5) and the NPPF.

### **13.0 Planning Conclusion**

13.1 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.

13.2 Notwithstanding the above, officers have considered whether there are any other material circumstances that need to be taken into account, notwithstanding the development plan provisions.

13.3 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development."

13.4 The report identifies that the proposal complies with elements of the relevant saved policies in the Local Plan and Core Strategy but falls short of several key policies which are relevant to the determination of the application. It has been found that the proposals are contrary to the Local Plan policies EN1 and EN2 which require that development does not result in the significant loss of sunlight or create significant overshadowing as a result of their construction and Core Policy 8 of the Core Strategy.

13.5 Notwithstanding the above, the development would make a positive contribution to the local area by providing additional Class D1 Community Floorspace and this is a matter which is afforded beneficial weight in the planning balance. The design and appearance of the development and transportation impacts are neutral factors in the balance and result in an absence of harm in these respects.

- 13.6 The Daylight and Sunlight Report indicates that the proposal causes a material reduction in daylight and sunlight which would result in a significant degree of harm to the living conditions and visual amenity of residents within the adjoining block of flats. It is concluded that these transgressions in the round make the application unacceptable in its current form, on the basis of the information provided. The site is acknowledged to be centrally located and the existing West Central contains self influencing obstructions, but these do not in my view override the extent of the harmful impacts or justify why the living accommodation should be materially compromised by the development. The adverse impact on living conditions is afforded significant harm in the planning balance.
- 13.7 Weighing all of the factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies in the Core Strategy and Local Plan, the proposals would not constitute sustainable development due to the harm which has been identified in the report. In applying paragraph 11 of the NPPF, it is considered that the harmful impacts of the development outweigh the benefits of the proposals.
- 13.8 It has been found that the proposals would fail to comply with the Development Plan for the reasons set out in this report and there are no other material considerations that would lead to an alternative determination of the planning application, the in accordance with S38 of the Planning and Compulsory Purchase Act 2004.

#### **14 PART C: RECOMMENDATION**

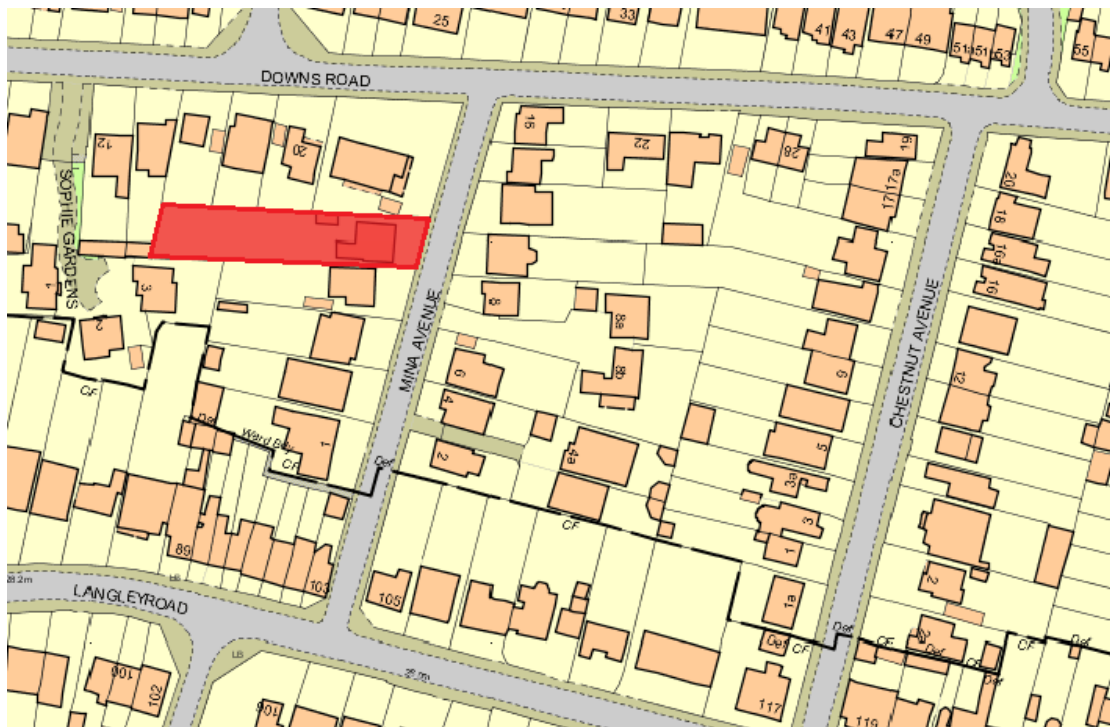
- 14.1 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application is:

Refused on the following grounds:

The Proposed development by reason of its height, scale, massing, proximity and siting would constitute an obtrusive form of development that would result in material and significant losses of daylight and sunlight experienced from habitable rooms within the residential dwellings at the block of flats to the north of the site. The proposals would constitute significant harm to the living conditions within the flats by creating sub-standard units of accommodation with low levels of natural light serving the windows. The proposals are contrary to the Local Plan policies EN1 and EN2 which require that development does not result in the significant loss of sunlight or create significant overshadowing as a result of their construction and Core Policy 8 of the Core Strategy, and the NPPF (2019).

Registration Date:	11-Jan-2021	Application No:	P/16337/007
Officer:	James Guthrie	Ward:	Langley St. Marys
Applicant:	Mr. Ash Bhatti	Application Type:	Minor
Agent:	Mr. I Hayley 83, Churchill Road, Slough, SL3 7RD		
Location:	9, Mina Avenue, Slough, SL3 7BY		
Proposal:	Construction of two semi-detached dwellings incorporating landscaping, parking provision and associated development		

**Recommendation:** Delegate to Planning Manager for Approval



**1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application is delegated to the Planning Manager for approval.
- 1.2 This planning application is for 'minor' development for 2 new dwellings, which would normally be determined under powers of officer delegation; however, the application has been "called in" by a Ward Councillor to be determined by the Planning Committee.

**PART A: BACKGROUND**

**2.0 Proposal**

- 2.1 This is a full planning application for demolition of an existing building (bungalow) and construction of a pair of semi-detached, two storey houses with off street parking.
- 2.2 The pair of houses will be 15m deep, 5.4m wide with a front facing gable end roof with a height of up to 8.9m (5.3m at the eaves to the side wall). Each house will have a lounge, study room, kitchen and cloak room at ground floor, with three bedrooms at first floor (one ensuite), plus additional bathroom and a study room. The garden depth for each house will be over 45m deep, and two parking spaces per dwelling will be provided at the front. Cycle and bin storage are proposed within the rear garden
- 2.3 The pair of dwellings will represent a mirror image of each other, with symmetrical fenestration and entrance porches. The submitted plans indicate that the houses will be constructed with exposed brick at ground floor level, and render at first floor level, however exact details and specifications have not been submitted at this stage.

**3.0 Application Site**

- 3.1 The site is located on the western side of Mina Avenue, to the south of the junction with Downs Road. The site is currently a detached bungalow, within an area characterised as residential; the immediate vicinity has a mixture building styles, including single storey and two storey dwellings, some examples of bay windows, front canopies, render and exposed brickwork and a variety of roof styles (some gable roofs, some hipped pitched roofs). There does not appear to be a predominant design feature within the area, likely due to alterations to individual properties over time.
- 3.2 The property to the south, no.7 Mina Avenue is single storey, albeit with a higher roof than the existing site, and the property to the north, no.11 Mina Avenue has two storeys. There is a window within the side wall of no.7 Mina



Avenue, approximately 1m from the side boundary which currently overlooks the roof of the site; the property at no.11 Mina Avenue has several windows facing the site at ground and first floor level. The rear garden of the site adjoins properties on Downs Road (nos.14 to 20) and no.3 Sophie Gardens.

3.3 The site does not fall within an area liable to flooding according to Environment Agency records, and is not within a Conservation Area. The area to the south of the site on Langley Road is within the Residential Area of Exceptional Character, as defined by the Local Plan for Slough (2004) which affords special protection to retain some original design features prevalent in the area; however the site is some 100m from this designated area.

3.4 The site is in close proximity to Langley Road, which is served by bus routes to Slough town centre (and train and bus stations); the A4 London Road is approximately 800m to the south, which has a bus route to Central London.

4.0 **Relevant Site History**

4.1 P/16337/000 Demolition of an existing bungalow and construction of two storey detached dwelling house at no. 9 Mina Avenue and parking provision.

Approved with Conditions; Informatives 26-Feb-2016

P/16337/001 Demolition of an existing bungalow and construction of two storey 3 bedroom detached dwelling house and construction of a 2 bedroom detached bungalow at the bottom of the rear garden at no. 9 Mina Avenue and parking provision.

Refused; Informatives 09-Sep-2016

P/16337/002 Demolition of an existing bungalow and erection of 3bedroom house at the front and a 2 bedroom bungalow in the rear garden with appropriate parking provision

Refused; Informatives 20-Feb-2017

Appeal Dismissed 18-Sep-2017

P/16337/003 Demolition of existing bungalow and construction of a two storey detached dwelling.

Approved with Conditions; Informatives 12-Jan-2018

P/16337/004 Construction of a single storey outbuilding

Approved with Conditions; Informatives 06-Apr-2018

P/16337/005 Submission of details pursuant to conditions 3 (materials) 6 (access and visibility) 7 (landscaping) 8 (boundary treatment) 11 (removal of access) 13 (cycle parking) 14 (wall) 15 (contamination) 16 (contamination) 17 (contamination) 18 (contamination) 19 (drainage) of planning permission P/16337/000 dated 26/02/2016

Conditions Complied With; Informatives 08-Feb-2019

P/16337/006 Demolition of existing bungalow and construction of a 4no. bedroom dwelling

Approved with Conditions; Informatives 08-Jan-2019

This planning permission is extant, and subject to the approval of construction materials, the applicant may commence development by 8 January 2022, for a two storey, 4 bedroom house in the approximate position of the current proposal (the current proposal is at least 4m shallower).

## 5.0 **Neighbour Notification**

5.1 The application was publicised by site notices displayed on 20 January 2021, in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 and The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020.

Following amended plans submitted by the applicant, the application was subsequently publicised by site notices on 24 February 2021.

5.2 Several comments were received following the display of site notices, including a petition in support (35 signatories) and a petition opposing the proposal (16 signatories). The following addresses form the respective petitions:

<b>Petition in support</b>	<b>Petition opposing</b>
7 Chestnut Avenue x3	12 Downs Road
17 Chestnut Avenue	14 Downs Road
	16 Down Road
1 Downs Road	
3 Down Road x2	3 Mina Avenue
6 Downs Road	6 Mina Avenue
15 Downs Road x2	7 Mina Avenue
21 Downs Road x2	8A Mina Avenue
24 Downs Road	8b Mina Avenue
29 Downs Road	8 Mina Avenue
31 Downs Road	10 Mina Avenue x2
35 Downs Road x2	11 Mina Avenue
37 Downs Road	12 Mina Avenue
Flat 4, 45 Downs Road	14 Mina Avenue
51B Downs Road	
	61 Plough Lane

135 High Street, Langley x2	
	8a Shackleton Road
113 Langley Road x4	
24 Marlborough Road	
4 Mina Avenue	
4A Mina Avenue	
62 Spencer Road	
62 Spencer Road	
45 The Drive x2	

5.3 The following comments were received (some of which were individual representations, others within a collective petition):

- Inadequate parking provision
- Impact upon traffic in the area
- Loss of hedge to the front (impact upon habitat for wildlife)
- Housing should be zero carbon
- Application site could extend into the roof in the future
- Design would be out of character with the area
- Loss light of light or overshadowing to neighbouring properties created by an increase in roof height; this includes legal right to light
- Overlooking towards neighbouring properties and gardens
- Increase litter in the area
- Overdevelopment of the area by an increase in dwellings
- Impact upon the street scene
- Plans do not accurately reflect relationship with neighbouring properties.

5.4 Comments received in support of the application focussed on the design of the dwellings, contribution to family housing, compatibility with the area, reduction in size and level of overshadowing and overlooking compared to an extant planning permission at the site.

## 6.0 **Consultations**

6.1 Arboricultural / Landscape Consultant  
Slough Borough Council

““The proposed building will have a similar impact on wildlife habitat and trees as the scheme previously approved. No trees will be removed to accommodate the development.

There is considerable scope for ensuring that there is an opportunity to increase biodiversity within the site by including bat/bird bricks within the fabric of the building or on the roofs, see Designing for biodiversity: A technical guide for new and existing buildings.

Hedgehog holes should be provided within the boundary fencing to allow wildlife to traverse the garden.

New trees in the front garden and rear garden would further add to biodiversity. In the front garden a small flowering cherry or similar would be appropriate. In the rear garden apple, pear or plum trees would greatly enhance opportunity for biodiversity.

No objection

Reasons

Subject to the correct level of biodiversity enhancements and additions the landscape scheme the can be considered compliant with local planning policy.”

**Officer response:** The applicant has provided an amended landscaping scheme, including flowering cherry, pear and apple trees within the rear gardens, the inclusion of hedgehog holes in the fence and the use of bat bricks will support biodiversity, and addressed the points raised by the landscaping officer. The removal of the hedge to the front was a cause for concerns from some local residents, and the impact this may have on habitats; whilst there has not been a habitat survey, it is likely the hedge would support some wildlife, and it is appropriate that some replacement planting is provided. The recommendation for a tree to the front (to replace the existing hedge) would impact upon parking provision, and it is considered appropriate that planting to the rear will supplement any habitat that the hedge may currently offer.

6.2 Transport and Highways Development, Slough Borough Council

No comments received. Any comments received will be reported in the Amendments 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 7 – Transport

Core Policy 8 – Sustainability and the Environment  
Core Policy 9 – Natural and Built Environment

The Adopted Local Plan for Slough 2004

EN1 – Standard of Design  
EN3 – Landscaping Requirements  
H14 – Amenity Space  
H15 – Residential Extensions  
T2 – Parking Restraint  
T8 – Cycle Network and Facilities

Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document
- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map
- Technical Housing Standards – Nationally described space standard - 19 May 2016
- Protecting the Suburbs Strategy Document Adopted June 2020.

7.2 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).

7.3 The planning considerations for this proposal are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Highways and parking
- Housing supply
- Neighbour representations

8.0 **Principle of development**

8.1 The existing site is a single detached dwelling, the proposal includes demolition of the existing dwelling, to be replaced by two new dwellings within an area characterised by residential dwellings, predominantly two storeys although some single storey buildings exist within the vicinity.

8.2 Core Policy 1 of the Slough Core Strategy 2008 relates to the spatial strategy for Slough, stating that development should take place within the built up area and predominantly on previously developed land. Family housing should be located

within urban areas outside of the town centre, as confirmed by Policy 4 of the Core Strategy 2008, 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.

- 8.3 On 31 October 2018, the Planning Committee resolved to adopt the Government’s “Technical housing standards – nationally described space standard” (which require minimum space standards for bedrooms, and overall internal floor area) when considering planning applications for new dwellings, and to incorporate these standards in the Slough Borough Council Developers Guide part 4. The following minimum internal floor area standards:

**Table 1 - Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings
1b	1p	39 (37) *		
	2p	50	58	
2b	3p	61	70	
	4p	70	79	
3b	4p	74	84	90
	5p	86	93	99
	6p	95	102	108

According to the above standards, a single bedroom should have an area of at least 7.5m<sup>2</sup> and 2.15m wide; double or twin bedroom should be 11.5m<sup>2</sup> and 2.75m wide. The proposed dwellings would have 2 bedrooms which meet the double room size requirements and 1 bedroom which are adequate as a single bedroom in terms of floor area; therefore the houses would be considered to be 3 bedroom, 5 person houses. It should be noted that “bedroom 2” as indicated on the floorplans is not adequate as a bedroom, however the study room at first floor achieves the minimum floor area requirement for a bedroom, and therefore swapping the indicated use of these two rooms would overcome an otherwise unacceptable internal layout, and the rear facing window would provide adequate light and outlook. It should be noted that internal alterations do not require planning permission (with specific exceptions such as Listed Buildings), and the LPA cannot control which room an individual chooses to use as bedroom; the internal layout indicates that three bedrooms can be accommodated, and it would be for the applicant to use the rooms how they wish. Table 1 above indicates that a 3 bed 5 person two storey dwelling should have an internal area of at least 93m<sup>2</sup>; the houses are approximately 74m<sup>2</sup> at ground floor and 64m<sup>2</sup> at first floor with an overall internal area of 138m<sup>2</sup>, meeting the minimum standards.

- 8.4 Core Policy 4 Slough of the Core Strategy 2008 also states that there should be no net loss of family accommodation, defined within the Slough Core Strategy 2008 as “A fully self-contained dwelling with a minimum gross internal floor area of 79 square metres, that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached, semi-detached, terraced and town house dwellings but not flats and maisonettes.” The proposal results in a net gain of a family dwelling as defined above.

8.5 There is an extant planning permission, granted on 8 January 2019, reference P/16337/006 for a two storey dwellinghouse, with a marginally larger footprint than currently proposed, between 4 to 5m shallower adjacent to no.7 Mina Avenue. The extant planning permission includes a condition requiring construction materials to be agreed prior to commencement of development, however in the event that satisfactory construction materials are proposed, the applicant may implement the proposal; which represents a fall-back position and is a material planning consideration for the current application.

8.6 The character of the residential area will be preserved, and the proposed dwellings meet the definition of family housing, with the appropriate level of internal space; the proposal would result in the provision of an additional dwelling beyond the existing situation, and the extant planning permission. The principle of the construction of a pair of semi-detached dwellings is acceptable.

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

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

9.2 On 24 June 2020, the Planning Committee resolved to adopt the “Protecting the Suburbs” strategy, which seeks ensure that the suburbs continue to provide family housing within established suburban area, designed to enhance the distinct local character, at a density appropriate to the area.

9.3 The original character of Mina Avenue consisted of detached bungalows, which has been altered over time due to planning permission granted to demolish these and construct 2 storey dwellings; for example nos. 4, 8 and 11 Mina Avenue were originally detached bungalows, now detached two storey houses. Policy H12 of the Local Plan for Slough (2004) designates certain Residential Areas of Exceptional Character (parts of Langley Road comprise such an area), which seeks to retain a particular style, design or character; the site does not fall within such an area, and a departure from a predominant design feature is not inappropriate. The existing site is a detached building, and the predominant feature in the area is detached dwellings, albeit with a variety of heights and designs. The proposed building forms 2 separate houses, however due to the shared front facing gable end roof, and the symmetry within the front elevations it contributes towards an appearance of a single building.

9.4 The proposed dwellings will be set back from the main highway by at least 10 from the main highway (due to the splayed front boundary with Mina Avenue this increases by approximately 4-6m from the existing dwelling), and the front wall would generally be level with the front wall of no.7 Mina Avenue. The area surrounding the site is a mixture of single storey and two storey dwellings, with a variety of roof designs, and external wall treatment; the design of the proposed dwellings in terms of roof, fenestration, scale and mass are appropriate for the residential area, and is compatible with the existing 2 storey buildings in the vicinity.

- 9.5 There would be a separation distance of at least 1m to the side boundaries, with a 2m between the respective side walls of the neighbouring property, no.7 Mina Avenue and at least 6.8m from the side wall of no.11 Mina Avenue. The separation distance between the site and adjacent neighbours, and the set back from the highway would ensure the development would not appear dominant to the street scene when viewed from Mina Avenue Road. A condition is recommended to restrict roof alterations which may impact upon the character of the area, in particular dormers to the side pitched roof which may have a dominating effect caused by additional bulk.
- 9.6 Details of construction materials have not been provided at this stage, however this can be secured by planning condition; external materials, including brickwork, render and roof tiles, can be submitted for approval prior to the commencement of development to ensure an acceptable external appearance.
- 9.7 This proposal maintains the character of the area because it keeps spacing either side of the two dwellings to the shared boundaries with existing neighbours of at least 2m to the south and 7m to the north, set back from the frontage by 10m and particularly generous rear gardens. The proposed conditions regarding landscaping and trees, and controlling hardstanding and outbuildings will ensure the rear garden is compatible with the residential setting. The height, scale, mass, form, and design of the dwellings, although semi-detached, is in keeping with the scale, form, massing of other buildings in the vicinity.
- 9.8 The residential character of the area will be preserved by the proposed development, and is acceptable in this regard and is consistent with Policy EN1 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 2019.
- 10.0 **Impact on amenity of neighbouring occupiers**
- 10.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high standard 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 Policy EN1.
- 10.2 The extant planning permission for a two storey is a material consideration, and the applicant may implement this planning permission subject to satisfactory external construction materials; the current proposal offers some improvements for the amenity of residential neighbours. An error within the plans submitted for the recent planning permission (and initially replicated for the current application) indicated that the front wall of no.7 Mina Avenue was set further from the highway than maps available to the Council suggest; this error has been rectified, and the plans now indicate that the proposed dwellings will generally be level with the front wall of no.7 Mina Avenue, therefore there will be minimal impact upon the front facing windows at this neighbour. The depth of the



proposed building is some 5m shallower at ground floor and 4m shallower at first floor adjacent to the boundary with no.7 Mina Avenue, thereby reducing impact upon rear facing windows. The eaves height adjacent to the side boundary as proposed reflects that approved on 8 January 2019, reference P/16337/006. The adjoining neighbour has a bedroom window within the side elevations, currently overlooking the roof at the site; whilst an increase in height caused by a two storey building will impact upon the outlook and light enjoyed by this window, the situation will be no worse than the extant planning permission.

- 10.3 Comments have been received from neighbours regarding loss of light, overshadowing and overlooking, however these factors are either no different, or improved from the extant planning permission; the reduction in depth from that approved will minimise the impact upon outlook and light enjoyed by no.11 Mina Avenue (to the north of the site, and therefore the new dwellings have the potential to cast a shadow to the rear garden). There are several windows at no.11 Mina Avenue facing the side boundary of the site, serving bedrooms and a living room (which are considered to be habitable rooms); the additional height and bulk created by the proposed development would impact upon the outlook from these windows, however would be no worse than the extant planning permission. The rear wall of the proposed dwellings will be at least 25m from the first floor rear windows of no.20 Downs Road, at an angle of 45 degrees, which is considered adequate to protect outlook from this property.
- 10.4 There are flank windows proposed at first floor, however these serve bathrooms which will have obscure glass; a condition is recommended to secure this, and require the windows are high level opening, and also a condition restricting additional windows without planning permission to prevent overlooking towards neighbours, therefore there will be no impact upon privacy enjoyed by neighbouring occupiers.
- 10.5 The proposal is considered to be generally consistent with the objectives of Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan and the NPPF in terms of impact upon neighbouring occupiers. The fall-back position of extant planning permission must be considered, and the reduction in bulk of the proposed dwellings represents an improvement to what could be constructed (subject to satisfactory construction materials).
- 11.0 **Living conditions for future occupiers of the development**
- 11.1 The NPPF states that planning should always seek to secure a quality design and a high standard of amenity for all existing and future users.
- 11.2 Core Policy 8 states that all development will *“be of a high quality design that is practical, attractive, safe, accessible and adaptable.”*

- 11.3 The proposed internal floor area for each new dwelling exceeds that required by the Slough Borough Council Developers Guide part 4, both in terms of minimum bedroom space, and overall internal floor area, to avoid cramped living conditions. The houses will have adequate private rear amenity space of over 25m depth, which is consistent with the Council's guidelines for the provision of amenity space around residential properties and subsequently consistent with Policy H14. The habitable rooms (living room, bedrooms) have either front or rear facing windows, which not only provide high quality outlook and light but also protect the privacy of occupiers which may be caused by side facing windows, which would allow overlooking from neighbours.
- 11.4 Core Policy 4 of the Core Strategy (2006 – 2026) Development Plan Document (2008) states that in urban areas outside the town centre, new residential development will predominately consist of family housing and be at a density related to the character of the surrounding area; "family housing" is defined within the Core Strategy (2006 – 2026) as a dwelling which provides at least 79m<sup>2</sup> of floor space and has direct access to private amenity space. The proposed new dwellings meets the definition of family housing, as it provides a combined floor area of approximately 138m<sup>2</sup>, which exceeds the minimum level, and provides adequate amenity space.
- 11.5 The Council's Contaminated Land Officer has been consulted in relation to previous planning applications at the site, as the land in the vicinity is potentially contaminated (low risk). The extant planning permission includes a condition requiring a watching brief during the construction phase to report any suspected contamination to the Council, and provide a programme of further investigation/mitigation as necessary; this condition is recommended to be replicated in order to safeguard the environment and to ensure that the development is suitable for the proposed use.
- 11.6 Based on the above, it is considered that the proposed dwellings will provide acceptable living conditions for future occupiers and so is consistent with the requirements of the NPPF, Core policy 8 of Council's Core Strategy 2008, and Policy H14 of the Adopted Local Plan 2004.

## 12.0 **Highways and Parking**

The Council's Transport and Highways Development team have been consulted, and it is anticipated that comments will be provided within the amendments sheet prior to the Committee meeting. In the absence of objections on Highways grounds, the proposal provides 2 off-street parking spaces per dwelling, which is adequate provision for the type of proposed dwellings according to local requirements.

The site is in close proximity to Langley Road, which is served by bus routes to Slough town centre (and train and bus stations); the A4 London Road is approximately 800m to the south, which has a bus route to Central London. The site is considered to be within a sustainable location with good public transport links.

13.0 **Housing supply**

13.1 In its overarching Core Principles the National Planning Policy Framework states that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units infrastructure and thriving local places that the country needs and requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupiers.

13.2 The NPPF further states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core principles is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

13.3 Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

13.4 In determining planning applications, Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Proposals should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

13.5 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.

13.6 The proposal involves the net increase of 1 residential unit, replacing an existing dwelling. The impact of the proposed dwellings, particularly in terms of the increased height and proximity to neighbouring occupiers, character of the area and amenity for future occupiers must be considered in the balance with the benefits of new dwellings, of a high design standard. The Local Planning Authority cannot demonstrate a Five Year Land Supply, which engages a titled balance in favour of the development, unless the benefit of doing so is outweighed by adverse impacts. As discussed in greater detail above, there is not considered to be a significant impact upon the character of the area, and the amenity of future occupiers is acceptable. It has been identified that there will be an impact upon neighbouring occupiers at Mina Avenue, however this not substantial to outweigh the other positive aspects of the proposal, which would tilt the balance towards approval.

#### 14.0 **Neighbour representations**

14.1 As detailed above, there have been several comments received from local residents, both in support and objecting to the proposed development. Concerns regarding the impact upon the character of the area, inadequate parking provision, loss of the hedge to the front (and the potential impact to habitats) have been addressed within the relevant sections of this report. The design of the pair of semi-detached houses is considered acceptable, and whilst there is not predominant design feature within the area, the gable roof, fenestration and indicative construction materials (exposed brickwork and render) would be appropriate within the area. The parking provision of 2 cars per dwelling is acceptable, and whilst there may be current concerns regarding the parking situation within Mina Avenue, the proposal meets the minimum required by local parking standards. The loss of the hedge to the front, and any potential habitat it provides, will be supplemented by planting to the rear; in any case, the applicant could remove the existing hedge without planning permission.

14.2 The concerns raised regarding loss of light and outlook for adjoining neighbours are material considerations, however the proposed development would have no greater impact of than the extant planning permission, and in some cases an improvement will be achieved due to a reduction in depth (particularly at first floor level).

14.3 The comments received from neighbours have been considered, and balanced with the positive aspects of the proposal, in particular the provision of additional housing, adequate parking and amenity space, and the material consideration of the fall-back position of extant planning permission for a larger building (single dwellinghouse) which could be constructed. As detailed above, the proposal is acceptable in accordance with national and local planning policies and guidelines.

#### 15.0 **Equalities Considerations**

15.1 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either residing in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority has given due regard for the needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (eg: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation). In particular, regard has been had with regards to the need to meet these three tests:

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

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

15.3 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.

#### 16.0 **Planning Conclusion**

16.1 The site is currently a dwelling, within an area characterised as residential; the proposal seeks to increase the number of dwellings on the site, and provides a good level of private amenity space, internal floor area and bedroom size. The impact of the development on some neighbouring occupiers has been assessed as minimal (or at least no more substantial than resulting from extant planning permission) and not considered sufficiently harmful to warrant refusal.

16.2 The proposal will provide much needed new family homes, with a net increase is 1. In the application of the appropriate balance, it is considered that there are benefits from the formation of new residential units in a sustainable location, which tilts the balance in favour of the proposal. Provided satisfactory external materials can be agreed, the proposal is considered acceptable.

#### 17.0 **PART C: RECOMMENDATION**

17.1 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 approved, with the following conditions:

##### 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: DR-001 Rev 004; Dated: Feb. 2021; Recd On: 22/02/2021
- (b) Drawing No: DR-002 Rev 003; Dated: Mar. 2021; Recd On: 19/03/2021
- (c) Drawing No: DR-004 (drainage drawings) Rev 002; Dated: Feb. 2021; Recd On: 22/02/2021
- (d) Drawing No: DR-004 (landscaping details) Rev 004; Dated: Mar. 2021; Recd On: 19/03/2021
- (e) Drawing No: DR-005 Rev 002; Dated: Feb. 2021; Recd On: 22/02/2021
- (f) Drawing No: DR-006 Rev 001; Dated: Feb. 2021; Recd On: 22/02/2021

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. No development shall commence on site until details (and samples if required) of external materials, including bricks, render and roof tiles to be used on the development hereby approved have been 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 Adopted Local Plan for Slough 2004.

4. The external materials to be used for the driveway and block paving for the development hereby approved shall be as detailed in drawing No: DR-004 (landscaping details) Rev 004; Dated: Mar. 2021; Recd On: 19/03/2021. The development shall be carried out in accordance with the details approved prior to first occupation of the development.

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

5. The soft and hard landscaping shall be provided at the application site shall be carried out no later than the first planting season following completion of the development, in accordance with drawing No: DR-004 (landscaping details) Rev 004; Dated: Mar. 2021; Recd On: 19/03/2021.

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.

6. The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any

suspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

REASON: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use.

7. The cycle parking provision for the development hereby approved shall be carried out prior to the occupation of the development in accordance with drawing No: DR-004 (landscaping details) Rev 004; Dated: Mar. 2021; Recd On: 19/03/2021 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.

8. Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), the windows in the side elevations at first floor of the development hereby approved shall be glazed with obscure glass and any opening shall be at a high level (above 1.7m internal floor height) only. The windows shall not be altered without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to adjoining occupiers in accordance with Policy H 15 of The Local Plan for Slough 2004.

9. Notwithstanding the terms and provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), Schedule 2, Part 1, Classes A, B, C, E and F, no extension or alteration to the house hereby permitted, or buildings, enclosures or hard surfaces shall be erected constructed or placed on the site without the express permission of the Local Planning Authority.

REASON To safeguard that character and appearance of the area and to safeguard neighbouring amenity.

10. Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no window(s), shall be formed in the side elevations of the development without the prior written approval of the Local Planning Authority.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Policy H15 of The Local Plan for Slough 2004.

11. Prior to first occupation of the proposed development bin storage shall be provided in accordance with the Refuse and recycling for new dwellings guidance contained within Slough Borough Councils Developers Guide and shall be retained at all times for future for this purpose

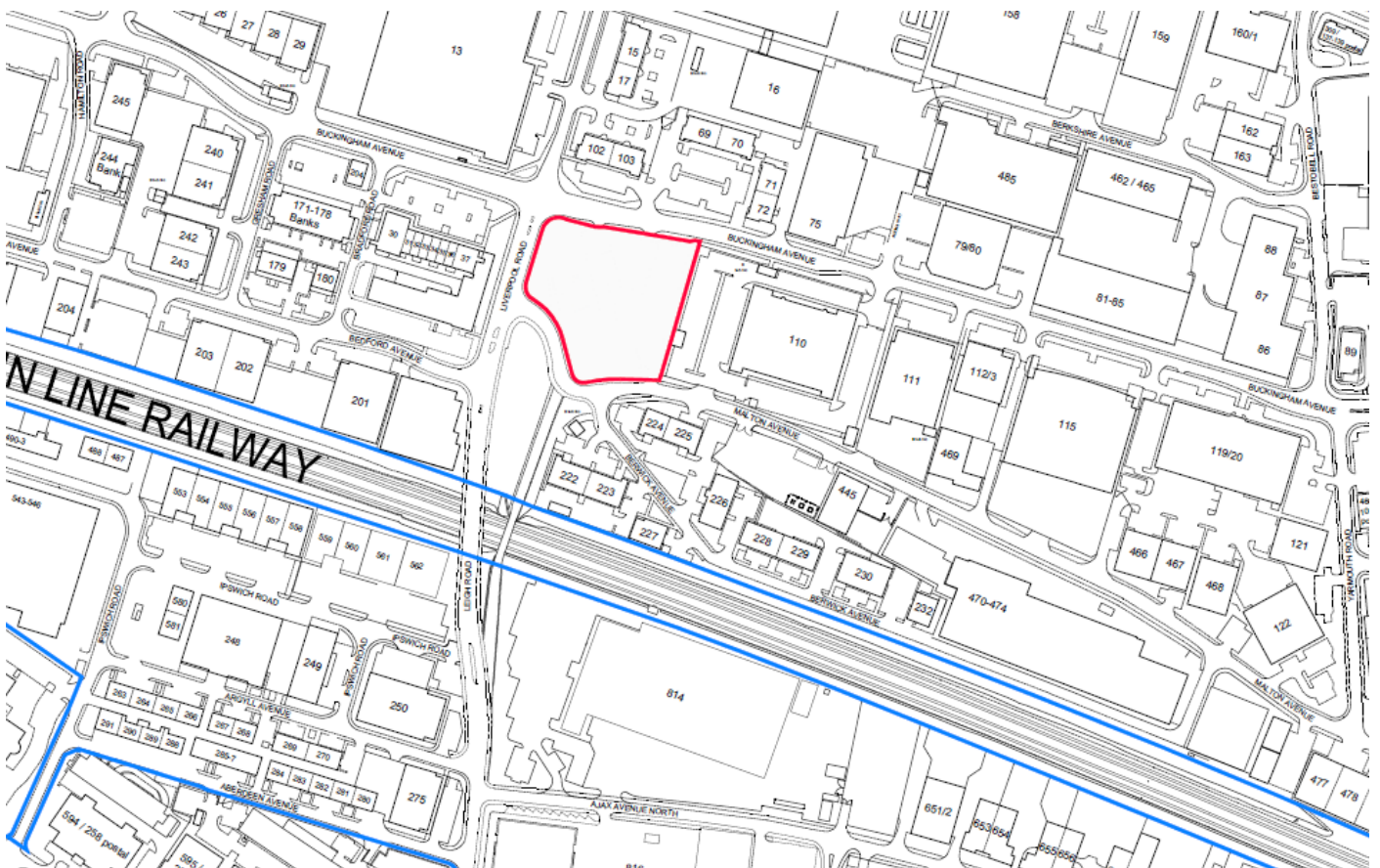
REASON: To ensure that there is adequate refuse and recycling storage to serve the development in accordance with the National Planning Policy Framework

#### INFORMATIVE(S):

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
2. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to [0350SN&N@slough.gov.uk](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.
3. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
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. In order to comply with this informative, the developer is required to submit a longitudinal detailed drawing indicating the location of the highway boundary.
5. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
6. 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.
7. The applicant must apply to the Highway Authority for the implementation of any works in the existing highway. The council at the expense of the applicant will carry out the required works.



Registration Date:	N/A	Application No:	PREAPP/1372
Officer:	Neil Button	Ward:	Farnham
Applicant:	SEGRO PLC	Application Type:	Major
Agent:	Barton Willmore, 9th Floor, Bank House, 8 Cherry Street, Birmingham, B2 5AL	13 Week Date:	N/A
Location:	183-187 Liverpool Road, Slough Trading Estate, Slough		
Proposal:	Redevelopment of 183-187 Liverpool Road to comprise the construction of a 7-storey building for offices (on the top floor) and light industrial (Class E), general industrial (B2) and storage and distribution (B8) uses with ancillary office floorspace, servicing and loading facilities and car parking.		



**PRE-APPLICATION PRESENTATION**

Introduction:

The applicant (SEGRO) has entered into pre-application discussions with Slough Borough Council Planning officers regarding the redevelopment of the land which comprises 183-187 Liverpool Road in Slough Trading Estate.

### The Site and Surroundings:

The site currently comprises two vacant industrial units which date back to the 1930s, their associated service yards as well as vacant land previously occupied by Units 185, 186 and 187 (now demolished under the SPZ). The site is 0.72 ha. The site lies adjacent to the Buckingham Centre which provides a range of retail uses. To the south comprises the Leigh Road Park constructed as part of the Leigh Road highways enhancement scheme including the new road over the rail line.

The site includes land to the east of the vacant industrial units currently in use as a temporary car park. This land is subject to a Temporary Planning Permission P/05211/001 at 186-187 Liverpool Road for the change of use from industrial (B2) to a surface level car park (Sui Generis) for a period of three years. Temporary Planning Permission P/05211/001 was granted on 2 July 2019 and the site provides temporary parking for the adjacent Premier Inn Hotel whilst the multi-storey car park on Bedford Avenue is being constructed (Ref: P/16611/008). The approved site plan (Drawing 3595-PL-2001 Rev A) for temporary planning permission P/05211/001 confirms that the service yards for Units 183-184 will be used for temporary car parking.

The development site is located with a pedestrian frontage to both Liverpool Road and Buckingham Avenue. Pedestrian access is provided to the northern and western side of the site with a footway access provided. Liverpool Road and Leigh Road have had significant investment in pedestrian facilities in recent years and a network of footways provides access across the railway to the south and to the A4 Bath Road. The Buckingham Centre is located to the west of the site.

The site lies to the south of Buckingham Avenue which is a bus corridor. Bus stops just north of Buckingham Avenue have shelters and service 12 and 13 operate between Burnham, Britwell, Manor Park and Slough town centre. The closest bus stops (with shelters) are less than 200m walk from the site. To the south of the site bus services are also provided on the A4 Bath Road which is a circa 650 metres walk from the Site. The A4 has service 4 which operates from Maidenhead to Heathrow.

Burnham station is located to the west of the Slough Trading Estate and is circa 1.75 km from the Site. Burnham station provides national rail services from Reading to Paddington serving Maidenhead and Twyford to the west and Ealing Broadway, Southall, Hayes and Harlington, West Drayton, Iver, Langley and Slough to the east.

### Site History:

#### **At 186-187 Liverpool Rd:**

**P/05211/001:** Change of use of land from industrial (B2) to surface level car park (Sui Generis) for a temporary period of three years. Approved 2-July-2019.

#### **Comprehensive Development at Leigh Road Central Core (which includes the 183-187 Liverpool Rd site):**

**P/14515/003:** Outline application for means of access (in part for changes to Leigh Road/Bath Road junction, access and re-alignment of Leigh Road, and changes to and new roads off Leigh Road, changes to Ipswich Road/Bath Road, Galvin Road/Bath Road and service road and Edinburgh Avenue/Farnham Road junctions and access), demolition of existing buildings and structures and redevelopment of the Leigh Road Central Core, consisting of offices (B1a), hotels (C1), retail (A1), financial and professional services (A2), restaurants (A3), drinking establishments (A4), hot food takeaway (A5), conference facilities, skills and learning centre, crèche (all D1) health club/gym (D2), transport hubs, new leigh road bridge, parking, hard and soft landscaping , CCTV, lighting, street furniture, boundary treatment and all enabling and ancillary works. Approved 18 June 2012.

### The Proposal:

The existing units (185 & 185 Liverpool Road) are proposed to be demolished under the SPZ and the replacement proposed development will involve the construction of a 7-storey building for offices (including on the top floor) and light industrial (Class E), general industrial (B2) and storage and distribution (B8) uses with ancillary office floorspace, cafe and car parking. The applicant (SEGRO) has confirmed that it is the intention to provide some of the units as part of their Enterprise Lease to encourage Small to Medium Enterprises (SMEs) to occupy the proposed development.

The proposed development will provide a total of 170 car parking spaces, 12 van parking spaces and 4 motorcycle spaces that will be provided on the ground, intermediate and first floors. 10% of parking spaces will be fitted with plug-in vehicle recharging points. The proposals will include the provision of 46 secure cycle spaces. In addition, on each floor of the proposed building there will be showers and changing facilities provided in order to encourage employees to cycle to the site.

The floorplans indicate flexible Industrial floorspace will be provided on the second-fifth floors and office floorspace will be on the sixth floor. The floorspace schedule includes indicative sizes for the workshops and offices. A goods lift will be provided for deliveries. The ground floor will contain a café adjacent to Liverpool Road.

The building will contain predominant brick facades with a vertical emphasis articulated with aluminium windows with bris soleil detailing. At ground level hit and miss glazed panels will be broken up with a green wall system. The corner facades will contain double height glazed panels to activate the street frontage. The main office/workspace entrance is provided at the corner. The applicant has worked up proposals to include a design which accommodates the Sub-Station on the corner of Liverpool Road and Buckingham Avenue and an alternative design without the sub-station.

The proposals will be provided with a slightly modified vehicular access from Malton Avenue. The access is located to the south-east of the site frontage and in a similar location as that used for the temporary car park use on the site.

The planning submission target date is May 2021.

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**Developer's briefings to Planning Committee Protocol**

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

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

1. The purpose of briefings is:

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

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

Presentations on proposed large-scale developments of more than 50 dwellings, or 5,000m<sup>2</sup> of commercial or other floorspace or which includes significant social, community, health or education facilities, or where the Planning Manager considers early discussion of the issues would be useful; and

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

3. Frequency and timings of meetings

The presentation will coincide with the monthly Planning Committee meetings.

#### 4. Format of the presentations

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

#### 5. Other matters

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

**MEMBERS' ATTENDANCE RECORD 2020/21**  
**PLANNING COMMITTEE**

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

P = Present for whole meeting  
 Ap = Apologies given

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

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