

Date of issue: Monday, 17 April 2023

MEETING	PLANNING COMMITTEE (Councillors Carter (Chair), J. Davis (Vice-Chair), Akbar, Dar, Gahir, Mann, Mohammad, Muvvala and S. Parmar)
DATE AND TIME:	TUESDAY, 25TH APRIL, 2023 AT 6.30 PM
VENUE:	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	MADELEINE MORGAN 07736 629 349

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.



STEPHEN BROWN
Chief Executive

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

1. Declarations of Interest

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All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 9 and Appendix B of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.



sustainable
forest

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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PLANNING APPLICATIONS

5.	P/01223/047 - Langley Grammar School, Reddington Drive, Slough, Slough, SL3 7QS <i>Officer's Recommendation: Delegate to the Planning Manager for Approval</i>	9 - 56	Langley Kedermister
6.	P/20054/001 - Bay 9-13 (building 1) Banbury Avenue, Slough Trading Estate, Slough, SL1 4LH <i>Officer's Recommendation: Delegate to the Planning Manager for Approval</i>	57 - 118	Farnham

MATTERS FOR INFORMATION

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Press and Public

Attendance and accessibility: You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before any items in the Part II agenda are considered. For those hard of hearing an Induction Loop System is available in the Council Chamber.

Webcasting and recording: The public part of the meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The footage will remain on our website for 12 months. A copy of the recording will also be retained in accordance with the Council's data retention policy. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

In addition, the law allows members of the public to take photographs, film, audio-record or tweet the proceedings at public meetings. Anyone proposing to do so is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

Emergency procedures: The fire alarm is a continuous siren. If the alarm sounds Immediately vacate the premises by the nearest available exit at either the front or rear of the Chamber and proceed to the assembly point: The pavement of the service road outside of Westminster House, 31 Windsor Road.

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 Tuesday, 21st February, 2023.

Present:- Councillors Carter (Chair), J. Davis (Vice-Chair), Akbar, Dar, Gahir, Mann, Mohammad and S. Parmar

Apologies for Absence:- Councillor Muvvala

PART I

69. Declarations of Interest

None.

70. Guidance on Predetermination/Predisposition - To Note

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

71. Minutes of the Last Meeting held on 24th January 2023

Resolved – That the minutes of the meeting held on 24th January 2023 be approved as a correct record.

72. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

73. P/03596/071 - Verona 2, 50, Wellington Street, Slough, SL1 1YL

The application was withdrawn by the applicant, as noted in the Amendment Sheet.

74. P/07584/011 - Land at Stoke Wharf, Stoke Road & Land to west of 9 to 17 Kendal Close &, Former builders merchants to rear and north of 132-144 Stoke Road &, Bowyer Recreation Ground, Slough

Application
Comprehensive redevelopment to provide 312 residential units, 329 sq.m. commercial floor space, canal side recreational facilities and public realm improvements, including enhanced recreational facilities within the retained open space at Bowyer Playing field.

Planning Committee - 21.02.23

Decision
<p>1.1 The Committee agreed to an amendment to the original Planning Committee resolution. It was recommended that the requirement for the S106 Agreement to be completed prior to the decision notice being issued, be replaced by the suggested condition, which would require a planning obligation pursuant to S106 of the Act to be entered into prior to the commencement of development (other than site preparation works).</p> <p>1.2 That the following condition be included on the decision notice: “No development [other than the Site Preparation Works] shall take place on the Obligation Land unless and until all parties with an interest in the Obligation Land have entered into a planning obligation pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) in order to bind the Obligation Land. This planning obligation must be in the form of, and must secure the same obligations as, the draft planning obligation appended to this decision notice. [For the purposes of this condition “Site Preparation Works” shall mean:</p> <ul style="list-style-type: none">a) site clearance works;b) demolition;c) remediation works;d) archaeological investigations;e) erection of hoardings and fences;f) erection of temporary facilities associated with the construction of the Development;g) site investigations or surveys; andh) decontamination works.1] <p>For the purposes of this condition the ‘Obligation Land’ shall mean all that land shown edged red on Plan [x]2 appended to the decision notice. For the avoidance of doubt, the Obligation Land does not include the land shown edged green on Plan [x].</p> <p>Reason: To ensure that the planning obligations that are necessary to mitigate the impacts of the proposed development are appropriately secured.”</p> <p>1.3 That the application be deferred for approval by the Planning Manager.</p>

75. Planning Appeal Decisions

Members received and noted details of planning appeals determined since the previous report to the committee.

Resolved – That details on planning appeals be noted.

Planning Committee - 21.02.23

76. Members' Attendance Record 2022/23

Resolved – That the record of members' attendance for 2022/23 be noted.

77. Date of Next Meeting - 29th March 2023

The date of the next meeting was confirmed as 29th March 2023.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 6.38 pm)

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

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

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

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

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

	OFFICER ABBREVIATIONS
DR	Daniel Ray
ADJ	Alistair de Jeux
PS	Paul Stimpson
NR	Neetal Rajput
HA	Howard Albertini
JG	James Guthrie
SB	Sharon Belcher
IK	Ismat Kausar
CM	Christian Morrone
AH	Alex Harrison
NB	Neil Button
MS	Michael Scott
SS	Shivesh Seedhar
NJ	Nyra John
KP	Komal Patel
WD	William Docherty

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Registration Date:	25-Nov-2022	Application No:	P/01223/047
Officer:	Christian Morrone	Ward:	Langley Kedermister
Applicant:	Robin Lomas, Excellare Ltd.	Application Type:	Major
		13 Week Date:	
Agent:	Michael Gilbert, Mike Gilbert Planning Ltd. 62, Broadmarsh Lane, Freeland, Witney, OX29 8QR		
Location:	Langley Grammar School, Reddington Drive, Slough, Slough, SL3 7QS		
Proposal:	Construction of 14no flats with associated landscaping and parking following the demolition of former caretakers dwelling and garage.		

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, neighbour representations, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for:

A) For approval subject to:-

1. the satisfactory completion of a legal agreement to secure
 - a) £3,000 financial contribution towards a Traffic Regulation Order for additional parking restrictions on Reddington Drive and restrictions/signage for the proposed loading bay on Reddington Drive;
 - b) An area of wildflower meadow for net gains in biodiversity to be retained in consultation with our legal team.
2. agreement of the pre-commencement conditions with the applicant/agent; finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the above has not been satisfactorily completed by 25th October 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

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

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for:

- Demolition of the existing caretakers dwelling and clearance of some trees
- Construction of a three storey detached building comprising 14 residential flats at a mix of 8 x 1 bed; 5 x 2 bed flats; and 1 x 3 bed flats
- Vehicular and pedestrian access via Redington Drive
- 20 car parking spaces
- Landscaping and tree planting

2.2 The site was previously used as the school caretaker's dwelling. However, following an application to the Secretary of State, a consent for disposal has been granted.

3.0 **Application Site**

3.1 The application site is located on the southern side of Reddington Drive and neighbours Langley Grammar School to the east and south. The majority of the site comprises a two storey detached dwelling with a front and rear garden formally used as the school caretaker's dwelling. The site is accessed via a small vehicular access from Reddington Drive leading to a small detached garage to the eastern side of the dwelling. The dwelling is now vacant and the residential curtilage largely comprises overgrown shrubbery and a number of trees. There are a number of trees along the northern highway boundary which provide good screening into the residential curtilage. There are also a number of trees along the eastern boundary with the school and toward the rear of the residential curtilage. A stump of recently felled mature Lime tree by the western boundary of the residential curtilage is noted.

3.2 The site also comprises some undeveloped land to the western side of the residential curtilage which comprises overgrown shrubbery and another large tree stump of recently felled mature Lime tree.

3.3 To the south, the site neighbours a two storey pitched roof school building, and to the east the surface level parking serving Langley Grammar School. To the west is a strip of undeveloped land comprising shrubbery and trees. Further east is the north to south running public right of way footpath and further east is the public open space at Kedermister Park. To the north is the Reddington Drive and on the opposite side are three storey pitched roof residential flats. Further east and west on the northern side of Reddington Drive are two storey houses.

4.0 **Relevant Site History**

4.1 No planning history available for the application site.

The following at the neighbouring Langley Grammar School is relevant:

P/01223/045 Construction of 13no flats with associated landscaping and parking following the demolition of former caretakers dwelling and garage
Refused; Informatives; 24-Aug-2022

Refused for the following reasons:

1. The proposed development does not consist of family housing as defined by the Core Strategy within a suburban area and would result in the net loss of family accommodation. The proposal would therefore fail to comply with Core Policy 4 of the Core Strategy and the requirements of the National Planning Policy Framework 2021.

2. Insufficient information has been provided to demonstrate how surface water would be effectively drained from the site in accordance with the published standards by the government and the local planning authority. Therefore, the site and adjoining land would be at risk of surface water flooding. The proposal would fail to comply with Core Policy 8 of the Core Strategy, the standards set out within the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016, the Government's Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015, and the requirements of the National Planning Policy Framework 2021.
3. By virtue of its siting, layout, design, scale, height and positioning, the proposal would appear overly dominant in the Reddington Drive streetscene which would cause harm to the character of the area and would not be in-keeping with the existing landscaped appearance of the site or the pattern of development in the area. The adverse impacts identified are symptomatic of the proposals being an inappropriate over-development of the site which the Local Plan policy indicates should be refused planning permission. The proposal would therefore fail to comply with Policy EN1 and EN3 of the Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2021.
4. The application has not demonstrated the proposal would create a safe and suitable access and layout which minimises conflicts between traffic and pedestrians. It is considered the proposed vehicular crossover access is not sited in an appropriate position to facilitate the level of resulting traffic generation forecast to be created by the development. In addition, there is an absence of space for a safe pedestrian route from the public footway through the vehicle access, car park and into the buildings and insufficient detail in relation to corner radii, visibility splays, and swept paths to demonstrate vehicles can enter and leave in a forward gear. By virtue of the insufficient onsite parking provision, the proposal would increase on street parking demand in the area where on-street parking already appears to be operating at an over-capacity level, leading to vehicles parking in dangerous locations. The proposal would therefore result in an unacceptable impact on highway safety and would fail to comply with Core Policy 7 of the Core Strategy, Local Plan Policy T2, and the requirements National Planning Policy Framework 2021.
5. Insufficient information has been provided to make a detailed assessment of the impacts on biodiversity as a result of the development. The proposal would therefore fail to comply with Core Policy 7 of the Core Strategy, and the requirements of the National Planning Policy Framework.
6. By virtue of four of the proposed two bedroom flats being served by small balconies which are accessed through a bedroom, and no proposed

external amenity space for a one bedroom flat, the proposal would not provide an appropriate level of external amenity space, and therefore would not result in a high standard of amenity for all future users. The application would therefore fail to comply with Local Plan Policy H14, Core Policy 4 of the Core Strategy, and the requirements of the National Planning Policy Framework.

7. Insufficient information has been submitted to determine the level of overshadowing caused as a result of the development. Therefore, in absence of this detail, by virtue of its siting, height, width, and positioning, the proposal would likely overshadow the neighbouring flats on the opposite side of Reddington Drive and result in the loss of sunlight to these properties. No sunlight study has been carried out to measure the loss of sunlight and therefore the extent of the loss of sunlight cannot be assessed. The proposed development has therefore failed to demonstrate compliance with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2021.

P/01223/036 Demolition of existing school block, phased construction of a replacement two-storey block and three storey block, with amended parking and landscaping. Temporary construction of 1x2 storey admin block, 1x single storey dining/teaching block and site offices during construction.
Approved with Conditions; Informatives; 21-Dec-2018
[Implemented]

5.0 **Neighbour Notification**

- 5.1 Due to the development being a major application, in accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), site notices were displayed outside the site on 05/12/2022. The application was advertised in the 09/12/2022 edition of The Slough Express.

One letter of objection has been received by a neighbouring residents, and one letter from the Ward Councillor objecting to the proposal with comments on material planning considerations relating to:

- Site is not suitable for flats.

[Officer Note: the above issue is addressed with the 'land use' & S-supply of housing' section of the Planning Assessment part of this report].

- The traffic congestion is already a huge issue.
- The lack of parking for residents is already a huge issue.

[Officer Note: the above issues are addressed with the 'Highways and Parking' section of the Planning Assessment part of this report].

- Increase in crime.

[Officer Note: the above issue is addressed with the 'Crime Prevention' section of the Planning Assessment part of this report].

- There are a huge amount of wildlife living in that area.

[Officer Note: the above issue is addressed with the 'Impact on biodiversity and ecology' section of the Planning Assessment part of this report].

- Which doctors would these people use.
- Insufficient capacity at the local doctors surgery.
- Concerns in securing infrastructure.

[Officer Note: the above issues are addressed with the 'Infrastructure' section of the Planning Assessment part of this report].

- Something educational and for the community should be done instead.
- No thought for the local community.

[Officer Note: the above issues are addressed with the 'Neighbour Representations' section of the Planning Assessment part of this report].

The consultation period has expired.

The above comments are taken into consideration within the relevant parts of the Planning Assessment below.

6.0 **Consultations**

6.1 **Local Highway Authority:**

Vehicle Access:

SBC Highways and Transport have no objection to the proposed site access junction. Suitable visibility splays of 2.4m x 25m from the proposed site access have been demonstrated on HJV Drawing No. P1115-02 titled '*Swept Path Analysis – Large Car*', dated January 2023). The visibility splay is in accordance with Manual for Streets requirements for a 20mph speed limit. Collision data does not show any collisions have occurred in close proximity to the proposed site access.

Swept path analysis has been provided which demonstrates that a 4.88m long range rover can ingress/egress the proposed site and that there is suitable turning space for the vehicle to ingress/egress each parking space on site.

SBC require the completion of a Stage 1 Road Safety Audit of the proposed access junction and delivery bay prior to the commencement of construction on site. The audit will need to be completed by an Independent Road Safety Auditor approved by SBC and the RSA Audit Brief agreed in advance.

Section 106 Contribution:

A section 106 contribution of £3,000 is required towards a TRO for additional parking restrictions on Reddington Drive and restrictions/signage for the proposed loading bay on Reddington Drive.

Trip Generation:

SBC Highways and Transport do not object to the application on traffic generation grounds. The site is unlikely to cause a noticeable increase in queues on the surrounding road network.

The Transport Statement submitted forecasts 3 additional two-way trips during the AM Peak Hour and 3 two-way trips during the PM Peak Hour; with 27 trips forecast over the course of a 12-hour day.

SBC Highways and Transport do not accept the TRICS survey data used to make this calculation is comparable; however even if the survey data were corrected the site would be unlikely to have a severe impact on the capacity of the surrounding road network.

The NPPF advises planning applications may 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.

Access by Sustainable Travel Modes:

The proposed site is located 450m (5 minutes' walk) from Trelawney Avenue Shopping Parade, 1100m (14 minutes' walk) from Langley Shopping Parade, 1500m (19 minutes' walk) from Langley Railway Station. Langley College is 1100m (14 minutes' walk) from the site.

The nearest bus stops are Trelawney Avenue Library Bus Stops which are 270m (3 minutes' walk) from the site. The Number 7 bus stops twice per hour offering a service to Langley Harrow Market, Heathrow Central Bus Station, Slough Town Centre and Britwell.

A zebra crossing is present 65m west of the site which will allow residents to cross Reddington Drive and walk towards the bus stops and shopping parade on Trelawney Avenue.

For Bus Stops, a walking distance of 400 metres is deemed a reasonable walking distance by the Chartered Institute of Highways and Transport (CIHT) within their document: *'Planning for Walking and Cycling, 2015'*.

Car Parking:

SBC Highways and Transport have no objection to the proposed number of car parking spaces. 20 car parking spaces measuring 2.4m x 4.8m are proposed on site.

The 20 car parking spaces proposed are a shortfall of 0.5 spaces compared to the 20.5 Car Parking spaces required by the Slough Borough Council Parking Standards as presented in the table below:

Slough Parking Standards (Predominantly Residential Area)		
Dwelling Type	Car Spaces per Dwelling	Car Parking Spaces
1-Bedroom Dwelling (x8)	1.25	10
2-Bedroom Dwelling (x5)	1.75	8.75
3-Bedroom Dwelling (x1)	1.75	1.75
Total Car Parking Spaces		20

Source: Slough Developer's Guide – Part 3: Highways and Transport.

SBC are willing to accept 20 car parking spaces on the basis that 2 spaces can be provided for the 3-bedroom dwelling. A Car Parking Management Plan will be required to ensure that any unused car parking spaces could be reassigned to flats which need an additional parking space.

SBC Highways and Transport would have no objection due to the number of car parking spaces proposed.

Electric Vehicle Parking:

The applicant has confirmed that an EV Charger will be provided for each of the proposed 14 flats. SBC are satisfied with the proposed number of EV Charging Points.

The Slough Low Emissions Strategy (2018 – 2025) requires the provision of EV Charging Points for new dwellings with allocated parking. The National Planning Policy Framework Paragraph 112 requires applications for development to: *'Be designed to enable charging of plug-in and other ultra-*

low emission vehicles in safe, accessible, and convenient locations'. In addition, updated UK Building Regulations came into effect on 15th June 2022 which require the provision of an Electric Vehicle Charging Point for each new dwelling.

Cycle Parking:

SBC are satisfied with the proposed cycle parking at the proposed development. 15 secure cycle parking spaces are displayed within secure cycle stores on the proposed site plan.

The Slough Developers' Guide – Part 3: Highways and Transport (2008) requires the provision of 1 secure and covered cycle parking space per dwelling to encourage the uptake of cycling within the borough. The Slough Developer's Guide requires the provision of short-stay visitor cycle parking for flatted developments of 10 dwellings or more.

Deliveries, Servicing and Refuse Collection:

A dedicated loading bay is proposed on the site frontage as requested by SBC Highways and Transport during preapplication discussions. The provision of a loading bay is required to prevent online delivery vans stopping on Reddington Drive and blocking the free flow of traffic along Reddington Drive.

The applicant will be required to enter into a Section 278 agreement with SBC in order to construct the proposed loading bay.

Swept path analysis has been provided which shows that the delivery bay can accommodate a large Ford Transit (2019) measuring 6.76m long and a larger van 8.1m long and weighing 17 tonnes.

Parking restrictions and signage forbidding use by other vehicles will be provided a Traffic Regulation Order which will be funded by Section 106 contribution from the developer.

Summary and Conclusions:

I can confirm that I have no objection to the proposed development on highways and transport grounds. I would recommend use of the planning conditions/informatives listed below; should planning approval be granted.

Recommended Conditions relating to:

- Vehicle Access
- Visibility
- Redundant Access
- Gates

- Electric Vehicle Parking
- Cycle Parking
- Construction Management Plan
- Bin Storage

6.2 Thames Water:

No comments received; however, no objections subject to informatives was received on the previous application (ref. P/01223/045)

6.3 Neighbourhood Protection:

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

6.4 Lead Local Flood Authority:

Based on the additional information received, there is sufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

We consider that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of flooding.

6.5 Education Authority

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

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Planning Policy Framework 2021:

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

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

The Slough Local Development Framework, Core Strategy 2006 – 2026,

Development Plan Document, December 2008

Core Policy 1 – Spatial Strategy
Core Policy 3 – Housing Distribution
Core Policy 4 – Type of Housing
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 9 – Natural and Built Environment
Core Policy 10 – Infrastructure
Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Polices)

EN1 – Standard of Design
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
H14 – Amenity Space
T2 – Parking Restraint
T8 – Cycle Network and Facilities

Other Relevant Documents/Guidance

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

Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The revised version of the National Planning Policy Framework (NPPF) was published on 20 July 2021.

The National Planning Policy Framework 2021 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2021, the Local Planning Authority can not demonstrate a Five Year Land Supply. Therefore, when applying

Development Plan Policies in relation to the distribution of housing, regard will be given to the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2021 and refined in case law.

The weight of the harm and benefits are scaled as follows:

- Limited
- Moderate
- Considerable
- Substantial

Planning Officers have considered the revised National Planning Policy Framework 2021 which has been used together with other material planning considerations to assess this planning application.

7.2 Emerging Preferred Spatial Strategy for the Local Plan for Slough

The emerging Preferred Spatial Strategy has been developed using 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.

This site is not allocated for development within the emerging Spatial Strategy. Protecting the built and natural environment of Slough's suburban areas is one of the key elements in the emerging Spatial Strategy.

7.3 The planning considerations for this proposal are:

- Planning history and differences with previous proposal
- Land Use
- Supply of housing
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Crime Prevention
- Highways and Parking
- Surface water drainage
- Affordable Housing
- Infrastructure
- Impact on biodiversity and ecology
- Equalities Considerations
- Neighbour representations
- Presumption in favour of sustainable development

8.0 **Planning history and differences with previous proposal**

8.1 The planning history is a material consideration. The previous planning application (ref. P/01223/045) for the construction of 13 residential flats was refused on 24 August 2022 for the reason set out in 4.0 of this report. This application seeks to address the reasons for refusal by providing an alternative layout with a complete re-design of the building, together with a comprehensive landscaping strategy.

8.2 The proposal is substantially different to the previous application. The proposal is assessed against the relative planning policies and other material planning considerations.

9.0 **Land Use**

9.1 The site is located within a suburban area of Slough and accommodates a two storey dwelling with front and rear gardens and off street parking. Part of the application site to the western side of the residential curtilage is undeveloped land and forms part of the land owned by Langley Grammar School. The site is not allocated for development within the current Local Development Plan or the Emerging Spatial Strategy. The site is therefore regarded as a windfall site.

9.2 Core Policy 1 of the Core Strategy requires all development to take place within the built-up area, predominantly on previously developed land. The site is located within a built-up area, however part of the site to west and the residential garden for the school house are not previously developed land.

9.3 Paragraph 71 of the National Planning Policy Framework states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. There are no specific development policies which resist inappropriate development of residential gardens as a result of larger scale redevelopment. In addition, the undeveloped land to the western side does not fall within any specific designations to retain it as undeveloped land or any other use. However, Development Plan Policies are in place to ensure the undeveloped parts of the site can be appropriately developed and this is assessed further in the report within the relevant sections.

9.4 There are no development plan policies in place to resist a residential use of the land and no requirement to retain this land for the adjacent school. Paragraph 69 of the National Planning Policy Framework states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. To promote the development of a good mix of sites, local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits

of using suitable sites within existing settlements for homes.

9.5 Based on the above, the proposal for a residential land use on this windfall site would result in an acceptable use of the land in principle.

10.0 **Supply of housing**

10.1 Core Policy 3 (Housing Distribution) sets out the housing requirement for Slough as it was in 2008. This states that:

‘A minimum of 6,250 new dwellings will be provided in Slough between 2006 and 2026’.

10.2 This requirement has been superseded by a much higher requirement of 847 homes per annum equating to approx. 16,000 homes (in Slough) by 2040 as calculated using the Housing Delivery Test (2021). As a result, this is the housing target that the application should be considered against rather than the Core Strategy target which is out-of-date.

10.3 The Local Planning Authority cannot demonstrate a Five Year Land Supply. As such, the policies in the Adopted Development Plan which relate to housing supply are out of date. In accordance with Paragraph 11 of the National Planning Policy Framework (inc. footnote 8), the most important policies for determining the application are out-of-date. While an assessment based on the relevant development plan policies and development plan as a whole will be carried out, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (tilted in favour of housing), when assessed against the policies in the Framework taken as a whole.

10.4 The proposal for 14 residential units would make a small contribution to the supply of housing, which could be built out relatively quickly. Given that that the tilted balance is engaged, this contribution would in principle attract positive weight in the planning balance.

10.5 *Type and mix of housing:*

Core Policy 1 and Core Policy 4 requires high-density housing to be located in Slough town centre. Core Policy 4 details that within the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure. Within existing suburban residential areas there will only be limited infilling which will consist of family houses that are designed to enhance the distinctive suburban character and identity of the area.

10.6 Core Policy 4 also requires no net loss of family accommodation as a result of

flat conversions, changes of use or redevelopment.

- 10.7 With regard to the mix, one of the aims of National Planning Policy is to deliver a wide choice of high quality homes and to create sustainable, inclusive and mixed communities. This is reflected in Core Strategy Policy 4. The Local Housing Needs Assessment for RBWM, Slough & South Bucks (October 2019) suggests in table 39 the following percentage mixes are needed within Slough:

	1 bed	2 bed	3 bed	4 bed
Market	5	19	57	20

- 10.8 As the Local Planning Authority cannot demonstrate five year supply of deliverable housing sites, the above requirements of Core Policy 1 and 4 are out of date and therefore attract limited weight.
- 10.9 The site is located within a suburban area where Core Policy 4 states there will only be limited infilling which will consist of family houses. Therefore, there is a conflict in this regard as the policy implies that flatted type housing is not the preferred or required type of housing within urban or suburban areas outside of the town centre. The proposal would also result in the loss of a three bedroom house (which could support a family) and which represents a further conflict with Core Policy 4. However, due consideration is given to the fact the dwelling was tied to the school and did not provide family housing to the wider community. As such, the development does not result in the loss of an existing family dwelling thereby minimising the conflict with Core Policy 4.
- 10.10 The proposal would include 8 x 1 bed; 5 x 2 bed flats; and 1 x 3 bed flats which will provide accommodation to respond to the demand for smaller units in the Borough. There are flatted blocks at a similar density to the proposed development within the area so the proposed flatted accommodation is consistent with the character of the area and would respond to the need for this type of housing within Slough. The proposal does not provide family housing and so the most pressing housing need will not be addressed by the proposed development.
- 10.11 The type and mix of housing would conflict with the requirements in Core Policies 1 and 4 which promote predominantly family housing in this type of location. However, limited weight is applied to the conflict with policy. This is because the policies are out of date given the Local Planning Authority cannot demonstrate five year supply of deliverable housing sites. In addition, the loss of the family house on the site was tied to the school and did not provide family housing to the wider community.
- 10.12 In having regard to the provision of new housing, the proposal would provide 14 flats at a mix of 8 x 1 bed; 5 x 2 bed flats; and 1 x 3 bed flats which would contribute towards meeting the Council's housing targets. The loss of a three

bedroom school house would be permitted in this instance given the building was caretakers accommodation. The development would make a modest positive contribution to the housing supply within Slough. Accordingly moderate positive weight is afforded in the planning balance.

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

- 11.1 Policy EN1 of the Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy require development to be of a high standard of design which respects, is compatible with and/or improves and the character and appearance of the surrounding area. Chapter 12 of the National Planning Policy Framework states “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”.
- 11.2 Policy EN3 of the Adopted Local Plan for Slough requires comprehensive landscaping schemes will be required for all new development proposals. Where there are existing mature trees, or other features such as watercourses, which make a significant contribution to the landscape, these should be retained and incorporated into the new scheme.
- 11.3 Local Plan Policy OSC8 sets out that development which would result in the loss of green spaces (private or public) will not be permitted unless the amenity value of the green space can be largely retained and enhanced through development of part of the site.
- 11.4 The application site comprises a residential curtilage containing single detached dwelling, garage to the side, and a large amount of garden space with overgrown shrubbery and trees. To the western side of the residential curtilage is an area undeveloped land containing overgrown shrubbery. A group of trees line the highway boundary with Reddington Drive and provide a pleasant feature in the streetscene. Two large mature trees appear to have been recently felled and would have interfered with the proposed development.
- 11.5 The application proposes to demolish the existing detached two storey house and detached garage and construct a three storey building to accommodate 14no. flats, along with hardstanding, landscaping and garden areas, access, a delivery bay, and 20 car parking spaces. The existing group of trees lining the highway boundary along with all of the five existing mature trees and the majority of grass / scrub within the site would be removed to make way for the proposed development.
- 11.6 The proposed building would front Reddington Drive and take up a large proportion of the site. The proposed building at its closest point would be positioned approximately 5.5 metres from the highway boundary with Reddington Drive. The western half of the building would then step back providing approximately 6.8 metres from the highway boundary with

Reddington Drive.

- 11.7 Grassed amenity areas are proposed to the western side and part of the southern rear elevation. Further pockets of grass / planting, hedging and trees are proposed throughout. Block paving is proposed to the vehicular access (eastern end of the frontage) and parking spaces which are partly located within the undercroft in the eastern part of the ground floor. A delivery bay is proposed to the western end of the frontage.
- 11.8 The height and form of the proposed building is similar to the existing flats on the opposite side of Reddington Drive. The predominant building line of the proposal would be positioned closer to highway compared to the existing flats on the opposite side of Reddington Drive. This siting of the proposed building contributed to a reason for refusal for the previous proposal which was sited approximately 2.3 metres (min) from the highway boundary. Compared to the refused scheme, the proposed increase in distance from the highway. However, it would now be set back from the streetscene by a distance ample (approximately 5.9 metres (min)) enough to prevent an overly dominant visual impact within the street.
- 11.9 The appearance of the elevations varies from the neighbouring flats which are red brick at ground floor and white render to the upper floors. The proposal would comprise red brick elevations, larger windows, and a ground floor undercroft. The detailing in the elevations include a mix of stacked and stretcher bond brickwork, chamfered reveals, and projecting brick header panels to the side of the window openings. The roof slope would be set behind a stone fascia which conceals the gutter work and down pipes. The resulting building results in a clean and modern appearance with additional architectural qualities that enhance the overall design. The development also reflects the height and form of the existing flats on the opposite side of Reddington Drive.
- 11.10 It is noted the existing site is well landscaped, containing five mature trees within the site and a group of mature trees lining the highway boundary with Reddington Drive. The site also contains relatively large areas of overgrown shrubbery and grass surrounding the dwelling on the site. The site would be cleared in its entirety to make for the proposed development.
- 11.11 Two mature lime trees appear to have been recently felled and would have interfered with the proposed development. These trees previously had a positive amenity value to the site and surrounding area. However, they were not protected by way of a TPO and therefore there was no mechanism to prevent their loss.
- 11.12 The submitted Arboricultural Report states that the trees to be lost are 'Category C' trees which are considered to be either / or - trees which are; low quality, limited merit, low landscape benefits, of limited life span, and / or young trees with a trunk less than 150mm. The submitted Arboricultural

Report asserts that as a result of the trees falling within 'Category C', the trees to be lost should not be considered a significant constraint on the proposed development.

- 11.13 The category of the trees are acknowledged, however, it should be noted that cumulatively they do provide the site with well landscaped character which form a positive feature in this immediate part of Reddington Drive. The Council's landscape advisor has previously recommended the trees are not worthy of Tree Preservation Orders.
- 11.14 New landscaping would include grassed amenity areas to the western side and part of the southern rear elevation. Fourteen new trees are proposed which include eight trees along the frontage and the remaining trees along the southern rear and eastern side boundaries. Hedging is also proposed along the boundaries of the site. Wildflower planting to the western side of site. The remaining areas would comprise block paving to the parking areas and delivery bay at the front of the site.
- 11.15 While there would be an increase in the number of trees planted within the site, the areas of soft landscaping and trees fronting the site would be reduced due to the introduction of the built form and hard landscaping areas. In having regard to Local Plan Policy EN3 (Landscaping), the proposed replacement landscaping scheme is comprehensive and would provide an appropriate screening affect when considering the established character of the surrounding area. The variety of tress, hedges, grass, planting, and block paving would soften the proposed development. In addition, as noted in ecology section below, the proposed landscaping provides opportunities for creating new wildlife habitats.
- 11.16 However, there are some conflicts with EN3 as the existing trees fronting the street are not incorporated into the scheme, which combined with the net loss in soft landscaping, results in loss of landscape value in the streetscene. This results in some conflict with Local Plan Policy EN3 which also extends to Local Plan Policy EN1(j) (relationship to mature trees). However, in having regard to the category of the trees that would be lost, the considerable replacements, and the comprehensive landscaping strategy, the proposal on balance is considered to comply with Plan Policy EN3
- 11.17 In regard to Local Plan Policy OSC8, the proposal would result in the partial loss of part of existing undeveloped green space to the western side of the residential curtilage. The proposed wildflower planting to the western side of the proposed development is not considered sufficient to retain or enhance the amenity value. As such the proposal is considered to conflict with elements of Local Plan Policy OSC8. While OSC8 is an up-to-date policy, it is not one of the more important policies in determining the application. This is because the area of green space is relatively small, and its visual amenity value is limited to within the vicinity of the site. Accordingly, limited weight is allocated to this policy.

11.18 In having full regard to character and appearance of the area and Local Plan Policy EN1 and Core Policy 8, it has been assessed above that the proposal is appropriate in its siting, scale, form and appearance. It is acknowledged the proposal would result in the loss of landscape and green space visual amenity value in the streetscene, however the built form would appropriately reflect the existing flats within streetscene and the local distinctiveness of the vernacular character of the area. Some landscaping and tree planting is introduced to appropriately screen and soften the proposed development. On balance the proposal is considered to be visually compatible with the character and appearance of the surrounding area and would comply with Local Plan Policy EN1 and Core Policy 8.

12.0 **Impact on amenity of neighbouring occupiers**

12.1 The National Planning Policy Framework 2021 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 closest residential properties are the existing flats on the opposite side of Reddington Drive. At its closest point to these neighbouring flats, the proposal would be sited approximately 16 metres from the front gardens, and approximately 23 metres from the balconies and 24.5 metres from the front windows serving habitable rooms in these neighbouring flats. It is acknowledged there would be some views towards these neighbouring properties from the proposed windows which serve habitable rooms and balconies. However, these separation distances would mean that the much of the existing privacy these neighbouring occupiers experience would be retained and there would be no unacceptable loss of privacy. In addition, due the separation distances, the proposal would not result in an unacceptable overbearing impact or loss of outlook, these neighbouring occupiers.

12.3 The application has been submitted with a Daylight and Sunlight Report which analyses the resulting daylight and sunlight to existing windows within the flats on the opposite site of the highway at 106 – 146 Reddington Drive. The report uses the guidance contained within the BRE Digest 209.

12.4 To assess loss of daylight to existing buildings, the submitted report calculates the vertical sky component (VSC) at the centre of the southern facing windows at ground floor at 106 – 146 Reddington Drive. The BRE sets out two guidelines for the vertical sky component:

1. If the VSC at the centre of the existing window exceeds 27% with the new development in place, then enough skylight should still be reaching the existing window.
2. If the VSC with the new development is both less than 27% and less than 0.8 times its former value, then the area lit by the window is likely

to appear more gloomy and electric lighting will be needed for more of the time.

- 12.5 For sunlight to internal areas, the BRE recommends that in existing dwellings, sunlight should be checked for all main living rooms, and conservatories, if they have a window facing within 90° of due south. If the centre of the window can receive more than one quarter of annual probable sunlight hours (APSH), including at least 5% of annual probable sunlight hours in the winter months between 21st September and 21st March, then the room should still receive enough sunlight. Any reduction in sunlight access below this level should be kept to a minimum. If the window already receives less than this and the sunlight is reduced to less than 0.8 times its current value, occupants will notice the loss of sunlight. If the overall annual loss is more than 4% of annual probable sunlight hours, the room would appear colder, less cheerful and less pleasant.
- 12.6 The report concludes while there would be some reduction in the existing values at ground floor, however such reductions would still fall within the BRE Guidelines and are therefore within acceptable tolerances. As the windows at ground floor represent worst case, officers are satisfied the windows in the upper floors would also comply with the BRE Guidelines.
- 12.7 The BRE Guidelines also provide guidance on the distribution of light within existing buildings. In this case it is not deemed necessary to carry out such an assessment given the clear compliance with the vertical sky component and the considerable separation distances.
- 12.8 An overshadowing study has also been undertaken in relation to the external amenity areas serving the neighbouring flats on the norther side of the highway at 106 – 146 Reddington Drive. In accordance with the BRE guidance, over 50% of these amenity areas continue to experience 2 hours of sunlight on March 21st. In addition, they retain 99.84% of their former sunlight value which exceeds the BRE Guideline recommendation of 80%.
- 12.9 Based on the above, the daylight and sunlight impacts to neighbouring property would be acceptable.
- 12.10 The proposal would result in an increase in comings and goings, however, for a scheme of 14 dwellings with 20 parking spaces it would not be to a degree that would raise concerns in terms of unacceptable noise and disturbance.
- 12.11 Based on the above, the proposal would result in an acceptable impact on neighbour amenity and would comply with Core Policy 8 of the Core Strategy Local Plan Policy EN1 and the National Planning Policy Framework 2021.
- 13.0 **Living conditions for future occupiers of the development**
- 13.1 The National Planning Policy Framework states that planning should create

places with a high standard of amenity for existing and future users.

- 13.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."
- 13.3 Local Plan Policy H14 seeks an appropriate level of external amenity space while having regard to:
- a) the type and size of dwelling and type of household likely to occupy dwelling;
 - b) quality of proposed amenity space in terms of area, depth, orientation, privacy, attractiveness, usefulness and accessibility;
 - c) character of surrounding area in terms of size and type of amenity space for existing dwellings;
 - d) proximity to existing public open space and play facilities; and
 - e) provision and size of balconies.
- 13.4 *Access:*
- Access into the building would be gained at the front via Reddington Drive. A secondary entrance is proposed within the undercroft to serve residents who have parked their vehicle. These entrance points provide access to a single communal stairwell and lift. Considering the number of residential units proposed, the access points would appropriately distribute residents and visitors past an appropriate number of residential units and therefore minimise likely disturbance for future occupiers.
- 13.5 *Internal space standards*
- The gross internal areas and bedrooms would comply with the Nationally Described Space Standards.
- 13.6 *Outlook, Daylight and Sunlight*
- The layouts of the flats are such that all principle habitable rooms would be served by windows that provide good outlook, and appropriate levels of daylight and sunlight given their orientation. It is noted the southern rear elevation would be sited approximately 13 metres from the neighbouring school hall which measures approximately 5.9 metres in height to the eaves and 9 metres to the top of the gable.
- 13.7 A daylight and sunlight report has been submitted which uses the guidance contained within the new BRE Guidelines. For daylight, Method 2 set out in BS EN 17037 (now contained in the BRE Guidelines 2022) is used. This requires the following lux levels to at least 50% of the assessment area for at least 50% of available daylight hour:

Room Type	Target Illuminance (lux)
Bedroom	100
Living Room	150
Kitchen	200

The daylight and sunlight report has confirmed the above targets would be fully met. As such the proposal is considered to be served by a suitable amount of daylight.

- 13.8 For sunlight, the BS EN 17037 method measures the amount of sunlight hours a window may receive on 21st March, and provides the following recommendations:

Level of recommendation for exposure to sunlight	Sunlight exposure (hours)
Minimum	1,5 h
Medium	3,0 h
High	4,0 h

The daylight and sunlight report has confirmed the windows serving flats 1,5,6,7 would receive at least 1.5h on 21st March. The minimum standard is therefore achieved and the flats would receive the minimum appropriate level of sunlight.

- 13.9 Based on the above, the internal areas would be provided appropriate levels of daylight and sunlight.

- 13.10 *Noise:*

The proposed development is located close to school grounds and the highway, and therefore there could be some significant noise impact for the future occupiers. If the proposal were to be acceptable a noise report could be secured by condition.

- 13.11 *External amenity space:*

No onsite communal amenity space is proposed. Given the close proximity of the public open space at Kedermister Park, this is considered to be acceptable due to the size of the development, mix of units, and subject to provision of appropriate private space which is assessed below.

- 13.12 Each of the proposed flats on the upper floors would be served by an appropriately sized balcony accessed via the main living areas. The two flats on the ground floor (1 x 3 bed and 1 x 2 bed) would each include a private garden area measuring 100sqm and 86sqm respectively which are considered large for flatted dwellings.

- 13.13 As noted above, the southern rear garden area serves the 3 bed flat and would be located close to the neighbouring school hall. The gable part of this school hall would breach a 25 degree horizontal line (taken from a point 2 metres above ground level). As such there would be some overshadowing cast on the rear garden area serving the three bedroom flat at ground floor. This may not provide at least two hours of sunlight on 21st March over at least half of the area (as required by the BRE Guidelines). However, the size of the area is very large for a flat dwelling and therefore on this basis is acceptable.
- 13.14 Based on the above, the proposals are considered to result in a high standard of amenity for all future users and would comply with Local Plan Policy H14, Core Policy 4 of the Core Strategy, and the requirements of the National Planning Policy Framework.
- 14.0 **Crime Prevention**
- 14.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour. Core Policy 12 of the Core Strategy requires development to be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime.
- 14.2 The National Planning Policy Framework requires developments to be safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
- 14.3 Access into the building would be gained at the front via Reddington Drive. A secondary entrance is proposed within the undercroft to serve residents who have parked their vehicle. This would provide an appropriate level of natural surveillance.
- 14.4 The side and rear of the building would be secured with 1.8 metre high fencing and a rapid action roller shutter door at the front of the undercroft. Entrance doors would be secure. Cycle storage would comprise an integral store at ground floor as would the store. Specific details of the secure doors (including the roller shutter) would be required by condition. Given the size of the development, an internal security strategy would not be required.
- 14.5 Bollard lighting is proposed to each side entrance path at Reddington Drive, within the delivery bay, and along the southern and western boundaries. Wall mounted lighting is proposed to each side of the undercroft entrance and above the main entrance and cycle store entrance in the front elevation. This is an appropriate level of lighting.
- 14.6 A third party objection has been received which comments the proposal would result in an increase in crime. The proposal would meet the planning requirements for reducing the potential for criminal activity. As such no

objections is made on these grounds.

14.7 Based on the above, and subject to conditions, the proposal would be in accordance with Local Plan Policy EN5 and the requirements of the National Planning Policy Framework. Neutral weight should be applied in the planning balance.

15.0 **Highways and Parking**

15.1 The National Planning Policy Framework 2021 requires development to give priority first to pedestrian and cycle movements. Development should be designed to create safe and suitable access and layouts which minimise conflicts between traffic and pedestrians. Paragraph 111 states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

15.2 Core Policy 7 requires development proposals to improve road safety and reinforce the principles of the transport strategy as set out in the council's Local Transport Plan.

15.3 Local Plan Policy T2 requires the level of on-site parking provision for the private car will be restricted to a maximum level in accordance with the principles of the Integrated Transport Strategy. The Integrated Transport Strategy (Local Transport Plan) requires the application of the Local Development Framework parking standards to limit parking at new developments. Part 3 of the Developer's Guide SPD sets out the parking standards to be applied throughout the Borough.

15.4 *Trip Generation*

15.5 The submitted Transport Statement has estimated the site would generate a total of 27 trips per 12 hour day. During the AM peak hour (08.00-09.00) 3 trips are estimated, and during the PM peak hour (17.00-18.00) 3 trips are estimated. The local highway authority does not consider this to be an accurate representation. It is acknowledged that during the school run, the traffic in the area considerably increases and can cause some congestion. However, the local highway authority has advised the increase in traffic resulting from the proposed development would be negligible and would not lead to severe impacts on the surrounding road network.

15.6 *Access*

The proposed vehicular access to the site would comprise a new junction into the surface level parking spaces and two smaller junctions to provide an in and out for the delivery bay at the front of the site. The Local Highway Authority consider these to be appropriate but require a Stage 1 Road Safety Audit as part of the Section 278 Agreement. However, prior to any permission

being granted the Road Safety Audit Brief will need to be agreed with Officers.

- 15.7 Vehicles stopping outside of the site would likely cause an unacceptable impact on highway safety. The Local Highway Authority have requested a section 106 contribution of £3,000. This is required towards a Traffic Regulation Order for additional restrictions on Reddington Drive and restrictions/signage for the proposed loading bay on Reddington Drive. The applicant has accepted this requested and it will form part of the Section 106.
- 15.8 *Car parking:*
- 15.9 The site is located within a predominantly residential area. In accordance with part 3 of the Developers Guide, 20.5 parking spaces (communal) would be required. The application proposes 20no.parking spaces meaning there would be a shortfall of 0.5 parking spaces.
- 15.10 It is acknowledged the surrounding roads are not currently subject to parking controls and experience high levels of on-street parking associated with the existing residential dwellings and Langley Grammar School. During the site visit, the planning officer witnessed a degree of parking stress; of particular note was pavement parking on the opposite Reddington Drive by the application site. however the proposed parking provision is broadly in line with the guidelines set out in the Developer's Guide. A shortfall of half a parking space is considered to be acceptable by the Local Highway Authority. The financial contribution for the Traffic Regulation Order to prevent unsafe parking outside the site is noted.
- 15.11 In accordance with The Low Emission Strategy 1 x charging point per dwelling (where parking is allocated) or 1 charging point per 10 spaces (where parking is unallocated) is required. 5 x EV charging bays are proposed which is an appropriate amount. It is noted the developer has agreed to 14 spaces which along with details of a passive provision for the remaining spaces can be secured by condition.
- 15.12 *Cycle parking:*
- 15.13 Cycle storage would comprise 15 spaces across two integral secure stores within the ground floor of the building. This includes six secure lockers. An additional Sheffield stand is located at the front for visitors. Details appropriately secure doors can be secured by condition. The proposed cycle parking would be acceptable.
- 15.14 *Refuse and recycling Collection:*
- Refuse and recycling storage would comprise an integral secure store within the ground floor of the building. No quantum of bin storage is proposed however planning officers are satisfied the quantum and internal access

required by the Developers Guide can be achieved. The bin drag distances comply with the required distances set out in the Developers Guide.

15.15 Summary:

Based on the above, the proposal would have an acceptable impact on the highway network and highway safety and would comply with Core Policy 7 of the Core Strategy, Local Plan Policy T2, and the requirements National Planning Policy Framework 2021.

16.0 **Surface water drainage**

16.1 Paragraph 167 of the National Planning Policy Framework requires local planning authorities when determining any planning applications to ensure that flood risk is not increased elsewhere. Paragraph 169 of the National Planning Policy Framework requires Major developments to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate. Advice from the lead local flood authority should be taken into account. Core Policy 8 of the Core Strategy and the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016 requires development to manage surface water arising from the site in a sustainable manner.

16.2 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development, (Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015).

16.3 The application has been submitted with an outline drainage strategy. Following a request for further information, the Lead Local Flood Authority has recommended drainage scheme is acceptable in principle and recommended conditions for a detailed design, maintenance, and verification reports. These can be secured by condition.

16.4 Based on the above, the proposal would comply with Core Policy 8 of the Core Strategy, the standards set out within the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016, the Government's Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015, and the requirements of the National Planning Policy Framework.

17.0 **Affordable Housing**

17.1 Core Policy 4 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing. As the proposal is for less than 15 dwellings, no affordable housing is required.

18.0 **Infrastructure:**

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

18.1 *Education:*

Part 2 of the Developer's Guide states that residential development of between 5 and 14 dwellings will attract a reduced contribution in the near future probably from 1st March 2009. No update has been provided in this regard and therefore no contributions would be sought towards education.

18.2 *Open Space / Recreation*

Part 2 of the Developer's Guide states that residential development under 2 hectares or under 70 dwellings the requirement will be dependent upon the location of the site, type of residential accommodation, proximity to and type of existing public open space/play areas and the Council's open space and recreation facility studies.

18.3 Having regard to the relatively small size of the development, its type and mix of housing and complaint onsite external amenity, financial contributions would be not required towards Open Space / Recreation.

18.4 *Healthcare provision:*

Core Policy 10 includes 'health' as part of its requirement for sufficient infrastructure provision. However, there is no further information in the Core Strategy or associated SPDs to identify any projects or tariffs.

18.5 The Council is currently working on its locality strategy for healthcare provisions and as such, is not currently able to identify any additional major projects which development could contribute towards. The strategy for the locality which will set out the provision for new GP/healthcare provisions will provide an evidence base to inform the wider emerging Local Plan process which will ensure that the planned growth in housing will be catered for by the provision of services.

18.6 There are healthcare facilities within the vicinity of the application site, notably Langley Health Centre and The Orchard Surgery. The provision of 14 new residential flats at the mix proposed are not anticipated to result in a significant demand for additional healthcare facilities which will be material in terms of the existing services.

18.7 *Transport:*

As noted within the highways section, The Local Highway Authority have requested a financial contribution of £3,000 towards a Traffic Regulation Order for additional parking restrictions on Reddington Drive and restrictions/signage for the proposed loading bay on Reddington Drive. This can be secured via a legal agreement.

18.8 Based on the above, the proposal would not require obligations in terms of education, open space / recreation, or health. The transport obligation can be secured by the legal agreement.

19.0 **Impact on biodiversity and ecology**

19.1 In accordance with the Natural Environment and Rural Communities Act 2006 Local Planning Authorities have a statutory duty to show regard for conserving biodiversity in the exercise of all public functions.

19.2 Paragraph 174 of the National Planning Policy Framework requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.

19.3 The application has been submitted with an Extended Phase 1 Habitat Survey, Initial Bat Survey and Preliminary Bat Roost Assessment. The dwelling on the site is vacant. No bats or evidence of bats were found during the survey. The external brickwork was found to be solid and intact, and no gaps were noted between the brickwork and the boxed eaves. A gap between roof tiles was noted close to the chimney stack. This was covered by dense cobwebs internally, indicating that bats have not been using the feature to access the loft space. Furthermore, the ecology report recommends the dwelling is not suitable for hibernation it is unlikely to maintain the constantly cool and humid conditions which are required by overwintering bats and would have a low potential to offer shelter to roosting bats.

19.4 The detached garage was found to be in fully intact with no gaps in its external fabric and is assessed as having negligible potential to offer shelter to roosting bats. The remaining features within the site have a negligible potential to host roosting bats and the ecology report recommends these buildings can be removed with minimal risk of harm to bats. No further bat surveys are recommended as they are not considered necessary, however careful work practices are recommended which can be secured by condition.

19.5 The Ecology Report has found that much of the habitats on the site are considered to be of limited ecological value by being common, widespread. While no nesting birds would be found on / within the structures, the trees and denser shrubs may be used by nesting birds during the breeding season. No evidence of other species was noted. The habitats on the site are not considered to be suitable for reptiles or dormice. Precautionary measures

during the construction phase are proposed.

- 19.6 It is noted the advice within received within this ecology report differs somewhat to the previous advice within the ecology report submitted with the previously refused application. For example, previously the ecology report recommends that further survey(s) are required to confirm if the dwelling hosts a bat roost. Within the curtilage the previous report advised there is some limited potential that these areas are used by reptiles and common species of amphibians (such as common toad).
- 19.7 The applicant's ecologist has submitted a letter to explain the differences in opinions. In relation to no longer requiring a follow up but survey the Ecologist confirmed 'the building had been heavily vandalised (internally) since the survey in January 2022 and the internal spaces are not considered to be suitable for bats, due to this damage'.
- 19.8 In relation to the potential habitats within curtilage survey the Ecologist clarified 'my professional opinion is that the habitat suitability is so low, that it is in fact negligible. The site is surrounded by unsuitable habitats for reptiles and amphibians, and there are no ponds located within a 500m radius of the site. There is no obvious habitat connectivity between the site and suitable habitats, and the gardens of the site were (until recently) maintained and thus, unlikely to have provided any habitat to reptiles and amphibians'. Notwithstanding this, it is noted the precautionary approach to the clearance of the site is completely in line with the recommendations within the previous report.
- 19.9 In terms of net gains, the applicant has used the DEFRA Biodiversity Metric. This has confirmed that there would be a 14.67% net gain in biodiversity. This has been achieved through the provision of hedgerow planting, tree planting, and a 250 sqm wildflower meadow adjacent to the site, within the school grounds. While this is not in the application site, it is sited in land which is in the same ownership as the application site (Langley Grammar School). Therefore, this can be secured as a Grampian condition. In addition, if advised by our legal team, this can also be secured within a legal agreement to ensure the area of wildflower meadow which is outside the application site redline is retained in the event of sale.
- 19.10 In terms of other enhancements, one bat box and at least two bird boxes are proposed which can be secured by condition.
- 19.11 The proposal falls outside the Burnham Beeches 5.6 km development impact zone of influence. As such no mitigation is required in this regard.
- 19.12 Based on the above, the proposal would therefore fail to comply with Core Policy 9 of the Core Strategy, and the requirements of the National Planning Policy Framework. The net gains in biodiversity result in a benefit amounting to limited positive weight being applied to the planning balance.

20.0 **Other Matters**

20.1 The design and access statement explains that Langley Grammar School intend to dispose of the site to raise additional funding needed to improve the school's facilities to provide an enhanced gymnasium primarily for additional PE and dance space.

20.2 This would provide some wider benefits arising from the proposal. However, these benefits would not be secured as part of any planning permission and therefore no positive weight is applied in the planning balance.

21.0 **Neighbour Representations**

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

21.2 The representation has objected on the basis something educational and for the community should be done instead and that no thought has been given to the local community.

21.3 The application is required to be assessed on the submitted scheme.

22.0 **Equalities Considerations**

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

22.2 Access from the public footway up to the building is considered safe or suitable for all users. Two of the 20 parking spaces would be wheelchair accessible served by EV charging points. Lifts are proposed within the building to the upper floors.

22.3 It is considered that there will be temporary (but limited) adverse impacts upon all individuals with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development eg: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects. This could be secured by condition should the scheme be acceptable.

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

23.0 **Presumption in favour of sustainable development:**

23.1 *Compliance with the local development plan:*

The report identifies that the proposal complies with all of the most up to date and important relevant saved policies in the Local Plan and Core Strategy. There is a conflict with Core Policies 1 and 4 due to the loss of a three bed house which could accommodate a family and the proposed accommodation not delivering on the preferred type of housing needed in the area. As the Local Planning Authority cannot demonstrate five year supply of deliverable housing sites, such requirements of Core Policy 1 and 4 are out of date and therefore attract limited weight.

23.2 The also report identifies the proposal would conflict with Local Plan Policy OSC8, due to the partial loss of part of existing undeveloped green space to the western side of the residential curtilage. While OSC8 is an up-to-date policy, it is not one of the more important policies in determining the application. This is because the area of green space is relatively small, and its visual amenity value is limited to within the vicinity of the site. It is noted that the development as a whole would have an acceptable impact on the character and appearance of the area. This policy attracts limited weight.

23.3 The proposal would comply with the remaining development plan policies, which are predominantly the most important policies for determining the application. On balance, the proposal would comply with the development plan as whole.

23.4 *Paragraph 11 d) of the National Planning Policy Framework:*

The application has been evaluated against the Development Plan, the NPPF and other relevant material planning considerations. The Authority has

assessed the application against the planning principles of the NPPF and whether the proposals deliver “sustainable development.” The Local Planning Authority cannot demonstrate a Five Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 d of the National Planning Policy Framework 2021 and refined in case law should be applied.

23.5 This means granting permission 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 and tilted in favour of the supply of housing:

23.6 Adverse impacts

The report identifies the proposal would not preserve or enhance part of existing undeveloped green space (unallocated) to the western side of the residential curtilage. However, on balance the proposal is considered to be visually compatible with the character and appearance of the surrounding area. As such this does not amount to an adverse impact.

The type and mix of the proposed housing and loss of a school family house would conflict with Core Policy 1 and 4. This is not considered to result in an adverse impact but does temper the benefits of the proposal.

Based on the above, there are no adverse impacts.

23.7 Benefits:

- The proposal for 14 residential flats at a mix of 8 x 1 bed; 5 x 2 bed flats; and 1 x 3 bed flats, would make a modest contribution to the supply of housing. Given that the tilted balance is engaged, and when regard is given to the loss of a school family house, this contribution amounts to a moderate benefit attracting moderate positive weight in the planning balance.
- The net gains in biodiversity amount to a limited benefit attracting limited positive weight in the planning balance.
- The economic benefits from the construction and occupation phases would attract limited positive weight in the planning balance.

Overall, the weight allocated to the benefits from proposal is considered to amount to **moderate positive weight**.

23.8 Subject to securing the legal agreement and agreeing conditions, there are no adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole and tilted in favour of the supply of housing.

23.9 Based on the proposal would result in sustainable development. It is recommended the application be delegated to the Planning Manager as set in the recommendation below.

23.10 In addition, the application has addressed the previous reasons for refusal set out in P/01223/045.

24.0 **PART C: RECOMMENDATION**

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

A) For approval subject to:-

1. the satisfactory completion of a legal agreement to secure
 - a) £3,000 financial contribution towards a Traffic Regulation Order for additional parking restrictions on Reddington Drive and restrictions/signage for the proposed loading bay on Reddington Drive;
 - b) An area of wildflower meadow for net gains in biodiversity to be retained in consultation with our legal team.
2. agreement of the pre-commencement conditions with the applicant/agent; finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the above has not been satisfactorily completed by 25th October 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

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

1. Commence within three years

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

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

2. Drawing Numbers

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

- a) Drawing No. 22-237-P001; Dated 18/10/2022; Rec'd 09/11/2022
- b) Drawing No. 22-237-P004; Dated 18/10/2022; Rec'd 09/11/2022
- c) Drawing No. 22-237-P005 Rev B; Dated 23/01/2023; Rec'd 27/01/2023
- d) Drawing No. 22-237-P006; Dated 18/10/2022; Rec'd 09/11/2022
- e) Drawing No. 22-237-P007; Dated 18/10/2022; Rec'd 09/11/2022
- f) Drawing No. 22-237-P011; Dated 18/10/2022; Rec'd 09/11/2022
- g) Drawing No. 22-237-P014; Dated 18/10/2022; Rec'd 09/11/2022
- h) Drawing No. 22-237-P015 Rev A, Dated 23/01/2023; Rec'd 27/01/2023

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. Approved plans for the access of development

Access to the development shall be carried out in accordance with the approved plans and shall be completed prior to first use of the development hereby approved,

REASON To ensure that the site is developed in accordance with the principles of the submitted application and to ensure that the proposed development does not prejudice the safety and function of the highway network in accordance with Core Policy 7 of the Core Strategy, and the requirements of the National Planning Policy Framework.

4. Surface Water Drainage

Before any above ground works commence a detailed design of surface water drainage scheme for the site pursuant to the submitted flood risk assessment and based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be 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.

The scheme shall include:

- i) Details (i.e., designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, and attenuation structures
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which will include a 10% allowance for urban creep.
- iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iv) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.
- v) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.

REASON: To reduce the risk of flooding both on and off site in accordance with Core Policy 8 of the Core Strategy Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, and the requirements of National Planning Policy Framework

5. Drainage maintenance

No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when

replacement assets may be required.

REASON: To reduce the risk of flooding both on and off site in accordance with Core Policy 8 of the Core Strategy Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, and the requirements of National Planning Policy Framework

6. Drainage Verification Report

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy, Ref P/00463/018(014) Flood Risk Assessment has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority

The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the surface water drainage system is free from defects, damage, and foreign objects
- f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place

REASON To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, and the requirements of National Planning Policy Framework

7. Ecology

The development hereby approved including the demolition and construction phase shall be carried out in accordance with the Recommendations set out in Section 6 of the Preliminary Ecological Appraisal by Windrush Ecology ; Dated 06/10/2022.

REASON: In the interests of the preservation of natural habitats and safeguarding protected species in accordance with Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of

8. Construction Traffic Management Plan

Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

1. A site set up plan displaying vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries, site office and wheel cleaning facilities during the construction period.
2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 0800 – 0900 and 1700 – 1800, and outside of 1430 – 1530 where the development is located in proximity to a school.
4. Extent of construction hoardings / fencing and details of security arrangements on site.
5. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
6. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
7. Details of dust control measures and wheel washing facilities to be provided on site.
8. Confirmation of whether any abnormal loads will be required for the construction or demolition. If so, the LHA must be notified of any abnormal loads at the following location:
<https://www.slough.gov.uk/licences-permits/abnormal-loads/1>.

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

REASON: In the interest of minimising danger and inconvenience to vehicular traffic and pedestrian highway users in accordance with policies 7 and 8 of the Core Strategy 2008 and the requirements of the National Planning Policy Framework

9. Working Method Statement

No demolition or development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of

construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (vi) construction working hours

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, with Policy 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework .

10. Submission of additional landscaping details

Prior to the commencement of the development hereby approved, the following landscaping details shall be submitted to and approved in writing by the Local Planning Authority. This shall be pursuant to Drawing No. 22-237-P015 Rev A, Dated 23/01/2023; Rec'd 27/01/2023 and shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- i. Root protection details:
 - a) tree pit design
 - b) underground modular systems
 - c) Construction in Root Protection Areas (RPAs) in accordance with good practice
- ii. The planting details for the wildflower meadow as proposed in red hatched area in ordinance survey plan at 1:500 scale, dated 12/03/2006, rec'd 27/02/2023.
- iii. Specifications for operations associated with plant establishment and maintenance that are compliant with best practice.

The submitted details shall be implemented in accordance with landscaping requirements set out in Condition 11.

The approved wildflower meadow details shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season

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

The wildflower meadow shall thereafter be permanently retained for the stated purposes of net gains in biodiversity.

REASON In the interests of the visual amenity of the area and to achieve net gains in biodiversity in accordance with Core Policy 8 and 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

11. Landscaping scheme.

The landscaping scheme / net gains in biodiversity as approved by to Drawing No. 22-237-P015 Rev A, Dated 23/01/2023; Rec'd 27/01/2023, and as required by further details set out in Condition 10 shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

The landscaping scheme shall thereafter be permanently retained for the stated purposes of net gains in biodiversity.

REASON In the interests of the visual amenity of the area and to provide net gains in biodiversity in accordance with Core Policy 8 and 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

12. Tree Protection

Prior to the commencement of any demolition or construction works hereby approved, tree protection measures during construction of the development for existing retained trees (as identified on the approved landscaping scheme) in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

- i. Specific issues to be dealt with in the TPP and AMS:
- ii. Location and installation of services/ utilities/ drainage.

- iii. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- iv. Details of any development within the RPA or that may impact on the retained trees, including details of the no-dig specification where necessary and other root mitigation. Details shall include relevant sections through them.
- v. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- vi. A specification for scaffolding and ground protection within tree protection zones.
- vii. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- viii. Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- ix. Methodology and detailed assessment of root pruning
- x. Arboricultural supervision and inspection by a suitably qualified tree specialist
- xi. Methods to improve the rooting environment for retained and proposed trees and landscaping.

The approved measures shall be implemented prior to works beginning on site and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained in the interest of visual amenity and to meet the objectives of Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework (2021).

13. Details of Materials

Prior to any development above the ground floor specification and appearance details the external materials on the building and hardscaping areas (in accordance with the approved plans and drainage strategy) shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter 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, with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development plan Document December 2008, and the requirements of the National Planning Policy Framework.

14. Detailing

Prior to any development above the ground floor slab, large scale drawings of the brickwork detailing in the elevations of the building pursuant to the approved plans shall be submitted and approved in writing by the Local Planning Authority. The details shall include:

- Stacked bond brickwork panels,
- Projecting brick header panels
- Chamfered reveals
- Stone header above windows, fascia and coping

The development shall thereafter 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, with Core Policy 8 of the Slough Local Development Framework Core Strategy (2006 – 2026) Development plan Document December 2008, and the requirements of the National Planning Policy Framework.

15. Ecology

Prior to any development above the ground floor slab, details of one bat box and one bird box in accordance with the Recommendations set out in Section 6 of the Preliminary Ecological Appraisal by Windrush Ecology ; Dated 06/10/2022 shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details approved, prior to first occupation of the development and shall be retained at all times in the future.

REASON: In the interests of the enhancement of natural habitats and safeguarding protected species in accordance with Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the National Planning Policy Framework 2021.

16. Photovoltaic panels / solar panels

Prior to first occupation, details any photovoltaic panels or solar panels, detailed plans and elevations of the panels on the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the details approved, with the panels fitted prior to first occupation of the building.

REASON To ensure the development would have acceptable impacts on the character and appearance of the area, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

17. Landscape management plan

No part development hereby approved shall be occupied until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas other than the privately owned domestic gardens, shown on the approved plans, and should include time scale for the implementation. The proposed development shall be carried out in accordance with the approved details and the management plan will be operational for the lifetime of the development.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework 2021.

18. Boundary treatment

Prior to the first occupation of the development hereby approved, details of the proposed boundary treatment including position, external appearance, height, materials, shall be submitted to and approved by the Local Planning Authority.

The approved boundary treatment shall be fully installed in accordance with the approved details prior to the first occupation of the development and retained at all times in the future.

REASON To prevent for the future occupiers of the approved development would have acceptable impacts on the character and appearance of the area, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework 2021.

19. Privacy screening

Prior to the first occupation of the development hereby approved, details

of the privacy screening to each side of the balconies at each end of the building measuring 1.8 metres in height from the floor level of the balconies shall be submitted and approved in writing by the Local Planning Authority.

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

REASON To prevent the sterilization of neighboring land and to have acceptable impacts on the character and appearance of the area, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework 2021.

20. Physical security

Prior to the first occupation of the development hereby approved, details of the secure doors entrance to the doors into the building at LPS 1175 Issue 8 2018 B3 or equivalent and doors to the cycle store, bin store, and roller shutter to the parking area at PAS 24:2016, or equivalent shall be submitted and approved in writing by the Local Planning Authority.

The approved details shall be installed prior to the first occupation of the development hereby approved and retained as such and in good working order at all times in the future.

REASON: To provide adequate physical security to in the interest of crime prevention, in accordance Local Plan Policy EN5.

21. Visibility

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

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access, in accordance Core Policy 7 of the Core Strategy.

22. External Site Lighting

No part of the development hereby permitted shall be occupied until a lighting spillage scheme has been submitted to and approved in writing by

the Local Planning Authority for the external site lighting as shown on the approved plans. The scheme shall include including details of the lighting units, shielding to prevent glare on the highway, hours of use, and vertical and horizontal illuminance levels including on neighbouring land in accordance with the Institute of Lighting Professionals Guidance Note 1 for the reduction of obtrusive light 2021.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of safeguarding the amenities of neighbouring properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework .

23. Removal of permitted development to create new dwellings

Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 2015 (as amended) (or any order revoking and re-enacting that Order), Schedule 2, Part 20, Classes ZA, A, AD, no extensions to the dwelling(s) to create extensions or new dwellinghouses shall take place without the express permission from Local Planning Authority through a full planning application.

REASON The height of the development is in scale with the neighbouring properties and an increase in height would need to be carefully considered to ensure it would be acceptable in terms of the character and appearance of the area in accordance with Policy EN1 of The Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the National Planning Policy Framework 2021

24. Electric Vehicle Charging

Prior to the commencement of any development hereby approved, details of the 14 active electric vehicle charging points (Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase), together with underground ducting and cable provision to provide a passive supply for the remaining car parking spaces shall be submitted to and approved in writing by the local planning authority.

The approved details shall be fully installed and the active charging points shall be fully operational prior to the first occupation of the development and be retained in good working order at all times in the future.

REASON: to provide mitigation towards the impacts on air quality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the Slough Low Emission Strategy 2018 – 2025 Technical Report, and the requirements of the National Planning Policy Framework 2021.

25. Car Parking

The parking spaces and maneuvering areas as shown on the approved Drawing No. 22-237-P011; Dated 18/10/2022; Rec'd 17/01/2023 shall be fully completed and made available for residents upon first occupation of the development, and retained for this purpose at all times in the future.

REASON: In order to ensure that safe and usable access into the site and parking spaces in accordance with Core Policy 7 of the Local Development Framework Core Strategy, Policy T2 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

26. Bin Storage

No part of the development shall be occupied until bin storage has been provided in accordance with the approved plans and standards set out in the Slough Developers Guide and retained at all times in the future.

REASON: To ensure that adequate refuse storage is provided to serve the development in accordance with Core Policy 7 of the Core Strategy.

27. Cycle parking

A total of 7 x secure lockers and 5 x Sheffield stands shall be included within cycle parking spaces as shown on the approved plans.

The cycle parking and storage shall be fully installed and be fully operational prior to the first occupation of the development and be retained in good working order at all times in the future.

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 Core Policy 7 of the Core Strategy.

28. Gates

No vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems, other than those shown on the approved plans which shall be maintained and retained in perpetuity; shall be

installed without first obtaining permission in writing from the Local Planning Authority.

REASON: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the development, in accordance Core Policy 7 of the Core Strategy.

Process:

1. It is the view of the Local Planning Authority that the proposed development does not 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.

In the exercise of its judgement in determining the appropriate balance of considerations, the Local Planning Authority has acted positively and proactively in determining this application proposal, taking into account all material considerations. Material considerations include planning policies and any representations that may have been received preceding the determination to grant planning permission in accordance with the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2021 and refined in case law. The Local Planning Authority is satisfied that its processes and practices are compatible with the Human Rights Act and the decisions of the European Court of Human Rights.

In dealing with this application, the Local Planning Authority has decided that there are no small amendments that would make the proposed development acceptable and therefore none were requested.

2. Thames Water:

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Management of surface water from new developments should follow

guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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.

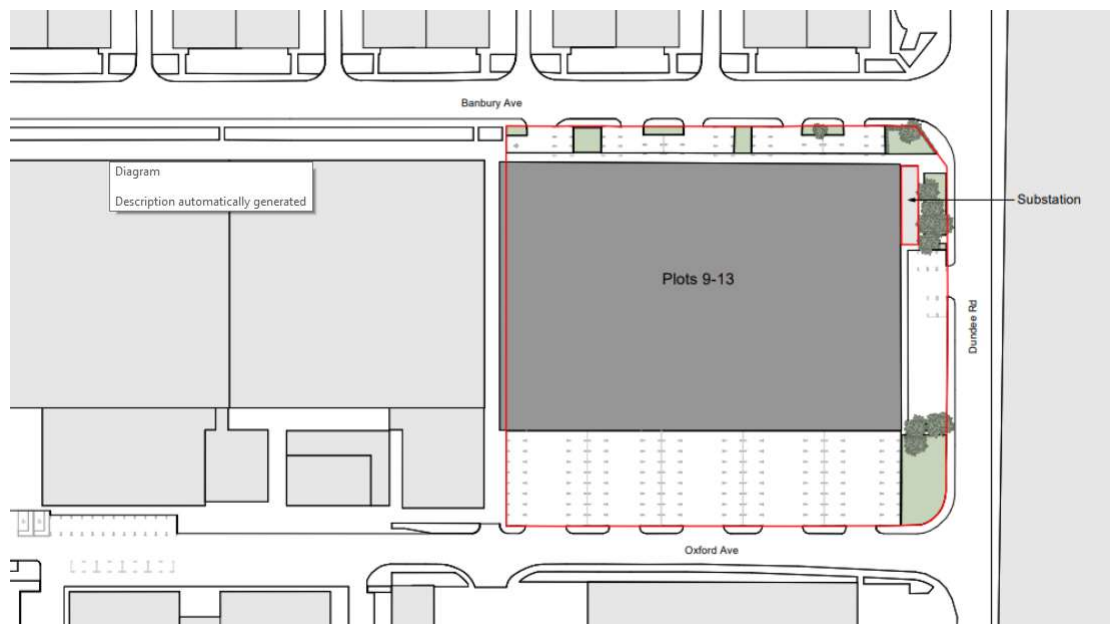
The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to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

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the

point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Registration Date:	19-Dec-2022	Application No:	P/20054/001
Officer:	Christian Morrone	Ward:	Farnham
Applicant:	Hayley Godlieb, Equinix, Inc	Application Type:	Major
		13 Week Date:	20 March 2023
Agent:	Robert Purton, David Lock Associates 50 North Thirteenth Street, Milton Keynes, MK9 3BP		
Location:	Bay 9-13 (building 1) Banbury Avenue, Slough Trading Estate, Slough, SL1 4LH		
Proposal:	Construction of a Data Centre with ancillary office space together with hard and soft landscaping, associated plant, infrastructure and utilities, car parking, associated site clearance, demolition, engineering works, ground works, and site access via Dundee Road and Oxford Avenue.		

Recommendation: Delegate to Planning manager for Approval



P/20054/001: Bays 9-13 (building 1) Banbury Avenue, Slough Trading Estate, Slough, SL1 4LH

1.0 SUMMARY OF RECOMMENDATION

1.1 This application has been referred to the Planning Committee for consideration as the application is for a major development.

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

A) For approval subject to:

1. The satisfactory completion of a Section 106 Agreement to secure:

- i. Financial contribution of £126,540 towards Local Employment Training and Business Promotion.
- ii. Skills development programme for the construction phase.
- iii. Travel Plan.
- iv. Financial contribution of £3,000 Travel Plan Monitoring Fee.
- v. Appropriate construction vehicle emission standards.
- vi. Future connection to a district heating network.
- vii. Car Park Management Plan including details of the use of car parking for the development that is provided off-site in consultation with our legal team.

2. A satisfactory updated Travel Plan and TRICS Survey

3. Agreement of the pre-commencement conditions with the applicant/agent; finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the above has not been satisfactorily completed by 24th November 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

PART A: BACKGROUND

2.0 Proposal

2.1 This is a full planning application for:

- Demolition of the existing buildings.
- Construction of a five storey Data Centre building with additional height to accommodate plant on the roof level measuring 40.2 metre in height (max).

The gross internal floor area would measure circa 15,089 square metres (GIA), containing data halls, offices, support facilities and plant rooms.

- Plant on roof.
- External areas to comprise:
 - 13 x diesel backup generators within fenced enclosure
 - New substation within roofed enclosure
 - Water treatment plant within roofed enclosure
 - Water storage silos and Electrical plant
 - Retention of existing substation
 - Service yard, loading bay, 39 car parking spaces, 32 cycle parking spaces
 - Staff welfare / amenity area
 - Vehicular access from Oxford Avenue and Dundee Road
 - Pedestrian access from Banbury Avenue and Dundee Road
 - Soft landscaping

3.0 **Application Site**

- 3.1 The proposed development site is approximately 0.98 hectares of previously developed land formerly used for industrial purposes within the Slough Trading Estate. The site is bounded by Banbury Avenue to the north, Dundee Road to the east and Oxford Avenue to the south and a redevelopment site to the west to provide a data centre. The site currently comprises five low rise industrial units in small terrace fronting Banbury Avenue to the north, with loading bays to the south via Oxford Avenue.
- 3.2 To the east, the side of the building faces Dundee Road where there is some soft landscaping / tree planting to the northern and southern ends, and more centrally is a single vehicular access to car parking areas. To the north the buildings front Banbury Avenue with their pedestrian entrance / receptions / offices, and a number of vehicular accesses to car parking.
- 3.3 The adjoining site to the west is currently undergoing redevelopment to provide a three storey (plus parapet with plant on roof) data centre which was permitted under the Special Planning Zone measuring 22.9 metres in height. To the south on the opposite side of Oxford Road is an industrial / warehouse unit at three storeys in height occupied by John Crane Ltd. To the east, on the opposite side of Dundee Road is the Mars Factory building which covers a large footprint with a building height similar to the John Crane building. To the north on the opposite side of Banbury Avenue are a number of small detached / semi detached single storey business units with gently sloping pitched roofs.
- 3.4 The site is located within a defined business area (Slough Trading Estate) where buildings vary in their scale and appearance. Buildings are mostly finished in metal cladding. However, it is noted the existing buildings on the site and the small business units to the north on the opposite side of Banbury Avenue contain brick in the elevations. The Slough Trading Estate comprises a Simplified Planning Zone (SPZ).

The SPZ is a specialised planning permission that applies across most of Slough Trading Estate. It sets out a range of conditions that have to be met in order that some types of development, mostly datacentres, warehouses and research and development centres, can be built without the need to apply for an individual planning permission. The Trading Estate is home to 400 businesses employing 17,000 people, including international brands and smaller specialised enterprises that have been long term residents on the Estate. It is also a priority area for regeneration and investment by the Council to ensure local residents continue to have access to a wide range of job opportunities.

4.0 **Site History**

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

P/ /20054/000 Environmental Impact Assessment (EIA) Screening Opinion request for erection of Use Class B8 data centre with ancillary Use Class E office space together with hard and soft landscaping, utilities, car parking and associated site clearance, demolition, engineering, ground works, infrastructure and site access via Dundee Road and Oxford Avenue
EIA Not Required; 14-Oct-2022

P/04742/001 Redevelopment of existing industrial units to provide industrial units with ancillary office & toilet accommodation
Approved with Conditions; Informatives; 10/04/1985

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) and following revised plans a number of site notices were displayed around the site on 19/01/2023. The application was advertised as a major application in the 13/01/2023 edition of The Slough Express.

5.2 No neighbour representations have been received at the time of writing this report.

6.0 **Consultation**

6.1 Local Highway Authority:

No objection subject to further information.

Vehicle Access:

Vehicle access to the site is provided from Dundee Road. The entry gate will be setback 10m to allow long vehicles to queue without obstructing the highway. The access width is 8m to allow access by large vehicles. A visibility splay of 2.4m x 43m can be provided from the proposed site access on Dundee Road as demonstrated

on ARUP Drawing No. LD140-ARP-ZZ-ZZ-DR-C-PRKG-1100 titled: 'Vehicle Access Visibility Splays'. Collision data does not indicate any recorded collisions during the most recent 5-year period in close proximity to the existing site access.

SBC Highways and Transport have no objection to the proposed access junctions for the development.

Car Parking:

SBC Highways and Transport request that a Car Parking Management Plan is secured by planning condition / obligation. 39 car parking spaces are proposed which comprises 26 car parking spaces for staff and visitors, 4 spaces for blue badge/disabled drivers and 2 car parking spaces for car sharers.

There is currently no Slough Car Parking standard for data centres.

Paragraph 6.4.7 of the Transport Statement outlines that car parking demand may exceed on-site provision and that employees and visitors maybe forced to park at other nearby Equinix sites on the SEGRO Trading Estate.

The Transport Statement also outlines that up to 117 building users could be present on site; with 39 parking spaces representing 1 car parking space per 3 people. There are no transport surveys which demonstrate such a low level of car use is viable (and such a high level of sustainable travel use) at data centres in this location.

A car parking survey completed of a similar Mixed Data Centre indicates that parking demand could exceed the 39 parking spaces proposed. The survey did not capture journeys by sustainable modes.

Based on the data from the Equinix LD10 Survey we can forecast a maximum of 71 – 81 vehicles at LD14 and a shortfall of 32 – 42 car parking spaces. It is accepted there is capacity in the neighbouring data centre sites to accommodate this short fall. A car park management plan is required by condition and/or planning obligation.

Trip Generation, Car Parking and Travel Plan Monitoring:

The proposal would not result in an increase in vehicle trips to a degree whereby there would be a significant impact on the highway network. A TRICS compliant survey has been requested which is being carried out by the applicant in April. This will provide a detailed baseline for the Travel Plan and will include interviews of staff which will confirm expected car parking demand and likely travel by sustainable travel modes.

Travel Plan:

A Travel Plan for the site has been submitted which aims to reduce car dependency by 5% over a 5-year period. However, no modal split for employees has been provided; only total car journeys. Targeting a 5% reduction in raw number of car

journeys would not be an acceptable approach as the raw no. of staff on site will fluctuate and indicate a reduction in car use. This could obscure an increased percentage of staff using cars.

SBC require the applicant to amend the Travel Plan to include targets for all travel modes after the TRICS survey has been completed. The travel plan should also include relevant measures to encourage sustainable travel amongst employees at the site.

SBC require the applicant to make a Section 106 contribution of £3,000 towards Travel Plan Monitoring.

Site Layout:

The applicant has submitted swept paths which demonstrate that a 16.5m long articulated lorry, a 12m long rigid, a 10.5m rigid fuel delivery vehicle and a fire tender can ingress/egress the proposed development site.

Electric Vehicle Parking:

The National Planning Policy Framework Paragraph 112 requires applications for development to: 'Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations'.

The Slough Low Emissions Strategy (2018 – 2025) requires the provision of EV Charging Points for 10% of car parking spaces for commercial/employment developments.

SBC Highways and Transport have no objection to the 8 Electric Vehicle Charging Points (EVCP) proposed on site for the development. Electric vehicle charging for 8 parking spaces exceeds the number required by the Slough Low Emissions Strategy.

Cycle Parking:

Cycle parking and showers are proposed in accordance with the BREEAM assessment criteria. 24 cycle parking spaces are proposed (long stay) and Sheffield stands providing short-stay spaces for visitors. SBC Highways and Transport are satisfied with the number of cycle parking spaces proposed.

Deliveries, Servicing and Refuse Collection:

The Transport Assessment includes swept path analysis which demonstrates that a 16.5m long articulated vehicle can ingress/egress the proposed development in a forward gear.

2-3 deliveries by HGV are expected each day with 2 loading bays for 16.5m articulated vehicles proposed on site. One loading bay will have a 1.2m high loading dock and the other will be at grade with a scissor dock leveller.

Construction Management Plan:

A Construction Management Plan (CMP) has been submitted in support of the application. SBC require an amended version is submitted which includes a site set up plan displaying contractor parking on site. The CMP states upto 250 employees maybe on the site at the peak and therefore as many parking spaces as possible should be provided on site. The CMP should also confirm all vehicles and plant will comply with the Euro VI emissions standard.

Summary and Conclusions:

Subject to the applicant providing the requested information, I can confirm that I have no objection to the proposed development on highways and transport grounds. I would recommend that planning permission is subject to the following conditions:

- Access
- Redundant Access
- Visibility
- Car Parking
- Car Parking Management Plan
- Travel Plan
- Cycle Parking
- Electric Vehicle Parking

6.2 Environmental Quality

No objection.

Air Quality:

The submitted assessment is extensive and thorough, considering a variety of different generator testing scenarios including emergency operations. The assessment methodology has been completed as agreed during the scoping stage and is limited to construction dust and generator emission assessment only. The results indicate that overall, the impact of the generator testing regime and

emergency operation scenario are not significant when considering the likelihood and duration of testing.

Regarding dust impacts, it is expected that this can be mitigated to become negligible via the implementation of the CMP and Dust Management Plan. These conclusions are accepted. Application conditions are discussed below:

- The submission of a Dust Management Plan (DMP) is required, which includes mitigation listed in Section 8.1 of the Air Quality Assessment (AQA) and monitoring details.
- The submission of details relating to electric vehicle charging infrastructure specifications (locations of chargers is already specified in drawings so this is not required).
- A CEMP has been submitted and I am satisfied that it includes everything that we would typically request. There are some specific areas relating to noise that request 'agreement with the Council' which I have discussed in the noise summary below.

Environmental Noise:

As with the AQA, the noise assessment follows the methodology agreed at the scoping stage. During daytime normal operations and short term generator testing, noise levels meet the background levels at residential receptors, and are below ambient noise levels at commercial receptors. Noise levels are exceeded only when testing all generators at once (1.5hrs per year) and during emergency operations. Since this situation would occur very infrequently, I agree with the conclusion that the impact is not significant.

Regarding conditions, it is necessary to set plant level limits by condition.

Construction Management Plan:

A Construction Management Plan (CMP) has been submitted as part of the application. The CMP is thorough and detailed and includes all items that we would typically request and therefore should be secured by condition.

Regarding noise controls, the CMP states: "agreed trigger action levels for noise will be agreed with the Council". In response to this, I would advise that the ABC method is used to determine threshold values. Using an ambient noise level of 55dB LAeq (rounded to nearest 5dB), in line with the ABC method, noise levels should not exceed 65dB at the nearest noise sensitive receptors and would be a suitable trigger value.

In regards to construction traffic routing, I would advise that junction 7 is prioritised as an access and exit route over junction 6, as this would avoid vehicles travelling through the Tuns Lane AQMA (AQMA 3).

6.3 Environmental Health:

No objection:

I've looked at the Construction Management Plan and they seem to have covered all the relevant items that we would look to raise:

- construction hours/noise
- delivery timings
- dust control
- waste management i.e. no burning waste on site/ storage

The plan is comprehensive, and I have no further recommendations to raise with them.

6.4 Contaminated Land Officer:

I have reviewed the Ground Contamination Desk Study and Preliminary Risk Assessment (Ref. no. LD140-ARP-XX-XX-RP-G-XXXX-0009), dated 18th November 2022 and prepared by Ove Arup & Partners Limited.

The preliminary risk assessment carried out as part of the report identified that there is a potential contaminant linkage during the construction phase between site workers, visitors and neighbours and potentially contaminated soils. Thus, a ground investigation and quantitative risk assessment is required to identify potential risks and advise on the need for remediation and additional mitigation measures.

I concur with the recommendations of the report which supports further site intrusive investigation and assessment, and the proposed scope for geoenvironmental ground investigation.

Based on the above, the report is considered suitable and I recommend the following conditions are placed on the Decision Notice:

Phase 2 Intrusive Investigation Method Statement
Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy
Phase 4 Remediation Validation

6.5 Lead Local Flood Authority (Hampshire):

No objection:

Having reviewed the applicant's submitted details we would advise that there is sufficient information available to comment on the acceptability of the proposed principles of the surface water drainage scheme for the proposed development.

Planning conditions will need to be included to secure the detail design, maintenance, and verification of the system.

6.6 Environment Agency:

No objection:

We regret that the Thames Area Sustainable Places team is unable to provide a detailed response to this application at this time. We are currently only providing bespoke responses to the highest risk cases. The advice below constitutes our substantive response to the consultation under the terms of the Development Management Procedure Order 2015 (as amended).

We have checked the environmental constraints for the location and have the following guidance:

The proposal includes development on land on which previous use/s may have caused some land contamination and the environmental risks in this area relate to:

- Groundwater Protection – the site is located within a Source Protection Zone and upon a Secondary A aquifer.

Groundwater Protection:

If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. We consider any infiltration SuDS greater than 3m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base of the infiltration point and the peak seasonal groundwater levels. All need to meet the criteria set out in our [Groundwater Protection publication](#). In addition, they must not be constructed in ground affected by contamination.

Other Consents:

As you are aware we also have a regulatory role in issuing legally required consents, permits or licences for various activities. We have not assessed whether consent will be required under our regulatory role and therefore this letter does not indicate that permission will be given by the Environment Agency as a regulatory body.

The applicant should contact 03708 506 506 or consult our website to establish if consent will be required for the works they are proposing. Please see <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

6.7 Heritage Advisor:

No objection:

The application site lies within the well-established Slough Trading Estate, which lies to the west of Slough town centre, close to Burnham Railway station. The site is industrial in nature and contains buildings of varying scale. The Slough Heat and

Power facility, which comprises two cooling towers and a flue of approximately 60m and 90m in height respectively, lie within the Slough Trading Estate and the towers / flue are prominent structures in views of the Estate.

The proposed data centre will be taller than development within its immediate surroundings, it will be 5 'commercial' storeys with a parapet height of c34 metres and a taller central cooling tower / roof plant of c 40 metres - it also has a substantial footprint, giving the building a substantial massing.

A Heritage Statement has been submitted along with a Townscape and Visual Impact Appraisal.

These documents assess the impact of views of the site from sensitive positions, including, views from Windsor Castle and any impact upon significance of selected designated heritage assets.

Viewpoint 12 within the TVIA demonstrates that the new development would be visible above the roof of Eton College Chapel (a key feature in views in this direction from the north terrace of Windsor Castle), but it would not break the wooded skyline beyond. The taller Slough Heat and Power facility will remain the visual focal point within longer distance views in this direction due to its greater scale.

It is noted that the planted southern facade would reduce the visual impact of the development, it should be ensured that the development is broken up (in visual terms) through careful use of materials and that any highly glazed elements / elements that could draw the eye are omitted or carefully considered on the elevations forming the backdrop to Eton College Chapel.

The TVIA concludes that the development would have a very low level of adverse impact due to the increase in industrial building within this particular view (from the North Terrace of Windsor Castle).

The Heritage Statement states that the view does not contribute to the significance of the heritage asset (Windsor Castle), and the impact is low-negligible, it concludes there would be no harm to the significance of Windsor Castle. BEAMS agrees that the setting of Windsor Castle is not adversely impacted.

NPPF Paragraph 199 requires the planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, 'this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

BEAMS takes the view that if the south elevation of the new development, which forms part of the backdrop to Eton College Chapel, is sensitively detailed with a green wall (as is proposed) it will help the development blend into the surroundings and any resulting impact upon the setting (and significance) of Eton College Chapel will be neutral.

6.8 Health & Safety Executive:

No objection.

6.9 Aircraft Safeguarding:

No objection.

6.10 Thames Water:

No objection subject to conditions.

6.11 Cadent:

No objection:

After receiving the details of your planning application at 9 -13 Banbury Avenue, Slough SL1 as we have completed our assessment. We have no objection to your proposal from a planning perspective.

6.12 Natural England

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

6.13 Berkshire Archaeology

No objection:

There are potential archaeological implications with this proposed development as demonstrated by Berkshire Archaeology's Historic Environment Record. Artefacts dating from the Neolithic to Iron Age have been found within the Industrial Estate area including, close to the proposed development area c.160m to the north-west, a complete Iron Age (600 – 100 BC) ceramic jar, and a hoard of Bronze Age palstaves found c.270m south-west of proposal site. Palaeolithic, Iron Age and Roman activity are all evidenced in the wider area, whilst a 13th century Medieval mill to the south-west and Postmedieval north-west show continued human activity may be possible. Despite previous development, which began over open farmland during the 1920s, the above finds evidence the potential for archaeology to remain in areas where levelling and truncation have been minimal. Investigation of groundworks for attenuation tanks, foundations and utilities for the proposed development will establish if this potential remains and evidence where further mitigation may be necessary.

As shown, the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. It is therefore recommended that a Written Scheme of Investigation

(WSI) condition is applied, should permission be granted, in order to mitigate the impacts of development. This is in accordance with Paragraph 205 of the NPPF (2021) 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.

6.14 Historic England

No objection:

On the basis of the information available to date, in our view you do not need to notify us of this application under the relevant statutory provisions.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 The following policies are considered most relevant to the assessment of this application:

The National Planning Policy Framework (NPPF) 2021

The relevant chapter within the National Planning Policy Framework are:

- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 6: Building a strong, competitive economy
- 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:

- approving development proposals that accord with an up-to-date development plan without delay; or
- 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:
 - 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 7); or

- 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 7 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 180) 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 67); and areas at risk of flooding or coastal change.

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

Core Policy 1 – Spatial Strategy

Core Policy 5 – Employment

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

Core Policy 12 – Community Safety

The Local Plan for Slough, Adopted March 2004

EN1 – Standard of Design

EN3 – Landscaping Requirements

EN5 – Design and Crime Prevention

EN6 - Interference with Telecommunication Signals

EN22 - Protection of Sites with Nature Conservation Interest

EN34 - Utility Infrastructure

EMP2 - Criteria for Business Developments

EMP7 - Slough Trading Estate

T2 – Parking Restraint

T8 – Cycle Network and Facilities

Slough Local Development Plan and the NPPF

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

The revised version of the National Planning Policy Framework was published on 20 July 2021.

The relevant Local Development Plan Policies in relation to determining this application are largely considered to be in compliance with the National Planning

Policy Framework 2021. Any non-compliance parts are addressed in the planning assessment.

Other relevant documents

- Slough Local Development Framework Proposals Map 2010
- Slough Borough Council Developer's Guide Parts 1-4
- Emerging Local Plan for Slough 2016-2036:
- Review of the Local Plan for Slough Issues and Options Consultation Document 16 January-27 February 2017(Dated 16/01/2017)
- Emerging Preferred Spatial Strategy for the Local Plan for Slough 2013-2036 (Dated 01/11/2017)
- Update on Emerging Preferred Spatial Strategy for the Local Plan for Slough 2013-2036 (Dated 21/02/2018)
- Local Plan Spatial Strategy Overall Approach (Dated 29th July 2020)
- Slough Low Emission Strategy 2018 – 2025
- DEFRA Technical Guidance TG (16). (Air quality).
- Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems (March 2015)

7.2 The main planning issues relevant to the assessment of this application are considered to be as follows:

- Land use
- Impact on the character and appearance of the area
- Impact on Heritage Assets
- Impact on amenity of neighbouring occupiers / uses
- Parking and impact on the highway network
- Air Quality
- Impact on biodiversity and ecology
- Crime Prevention
- Contaminated Land
- Health and safety
- Flood Risk and surface water drainage
- Economic Impact
- Sustainable design and construction
- Interference with Telecommunication Signals
- Equalities Considerations
- Section 106 Requirements
- Presumption in Favour of Sustainable Development

8.0 Land use

8.1 Paragraph 81 of the National Planning Policy Framework states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider

opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

- 8.2 Paragraph 83 of the National Planning Policy Framework states that planning decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries.
- 8.3 Core Policy 5 of the Core Strategy requires no loss of the defined Existing Business Areas to non-employment generating uses, especially where this would reduce the range of jobs available.
- 8.4 Policy EMP7 of the Local Plan is specific in stating that B1 business, B2 general industrial and B8 warehousing uses will be permitted within the Slough Trading Estate. However, Policy EMP7 does not contain specific restrictions for data centres within the Slough Trading Estate.
- 8.5 The proposed development would replace 6,000sqm of industrial floor space with a new five storey Data Centre measuring 15,089sqm GIA including ancillary office space with maximum height of 40.2 metres. Although data centres provide relatively low employment numbers per square metre, it is still an employment generating use and therefore the proposed land use would not conflict with the above development plan policies. The economic impact and potential mitigation are discussed further within this opinion.
- 8.6 It is acknowledged that the site could be redeveloped for a smaller Data Centre under the current Slough Trading Estate Simplified Planning Zone Scheme 2014-2024.
- 8.7 Subject to satisfying the remaining planning considerations set out below, a data centre would be an acceptable use of the land and broadly complies with the thrust of the policies in the Local Plan which promote employment uses within existing business areas as well as the guidance in the NPPF which seeks to make provision for clusters or networks of knowledge or data driven industries.

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

- 9.1 Policies EN1 and EMP2 of the Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy require development to be of a high standard of design which respects, is compatible with and/or improves and the character and appearance of the surrounding area. Chapter 12 of the National Planning Policy Framework states “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”.
- 9.2 Paragraph 134 of the National Planning Policy Framework requires development that is not well designed to be refused, especially where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to development which reflects local design policies and government guidance on design and / or outstanding or innovative designs which promote high

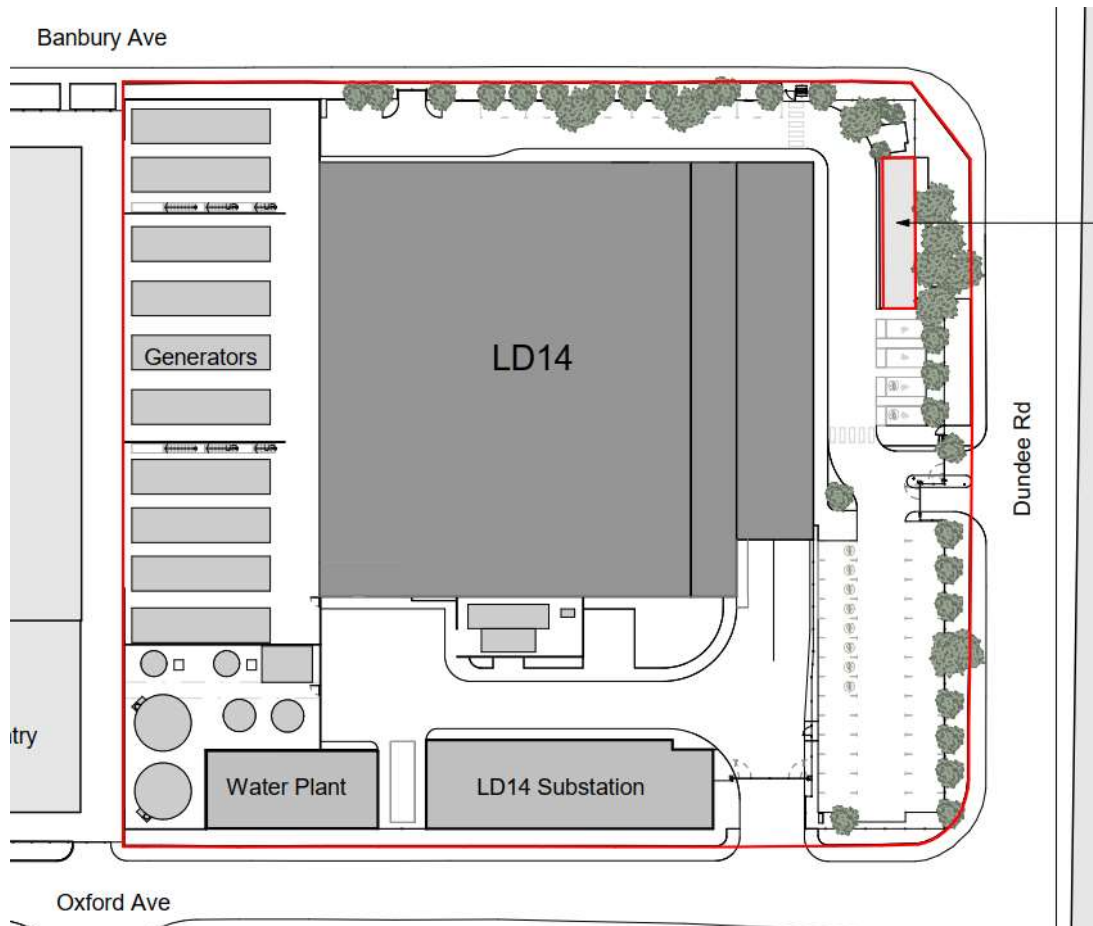
levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

9.3 *Brief description:*

The proposed data centre would be positioned towards the northern at a maximum height of total of 40.2 metres. Distance from the site boundaries are as follows:

North: 9.8m
East: 19.3m
South: 30.7m
West: 24.0m

To the north of the proposed data centre an internal access road is proposed with landscaping and trees by the boundary. To the east of the data centre is an internal access road, a staff welfare facility (northeast corner), retention of the existing substation, car parking, and landscaping and trees by the boundary. To the south, there would be a yard area, and one enclosure containing water plant and another containing a substation are located by the southern boundary which contains a strip of low level planting. Silo water storage tanks are sited to the southwest corner. Diesel backup generators are proposed to the western side of the data centre building within a fenced enclosure. The site boundaries would be enclosed by 3 metre high weldmesh fencing and fronted by soft landscaping adjacent to the public footways. The image below provides a general layout of the proposal.



Above: Image above showing the site proposed site layout.

- 9.4 The proposed building in its height would measure a total of 40.2 metres (including plant on the roof) which is comparable to a 13 storey residential building. The building would be set down at the east to provide a four storey element containing storage / lobby areas at ground floor, and ancillary offices in the floors above. The building would be finished in a mix of materials, including grey steel cladding projecting decorative fins to a large proportion of the elevations. These are broken up by vertical elements of extruded aluminium louvres. The southern elevation also includes two vertical strips of a green wall system using stainless steel rope / mesh and a darker area of metal cladding. The set down element would comprise curtain wall glazing with grey coloured vertical Brise Soleil to the most part along with a red feature canopy that would extend vertically on the northern elevation. The parapets above the elevations and on the roof would be finished in grey coloured vertical Brise Soleil. The western elevation faces towards the neighbouring site and would include the generator flues which are encased in grey louvers projecting in front of the grey metal clad elevations. Below are non-verified images of the proposal:



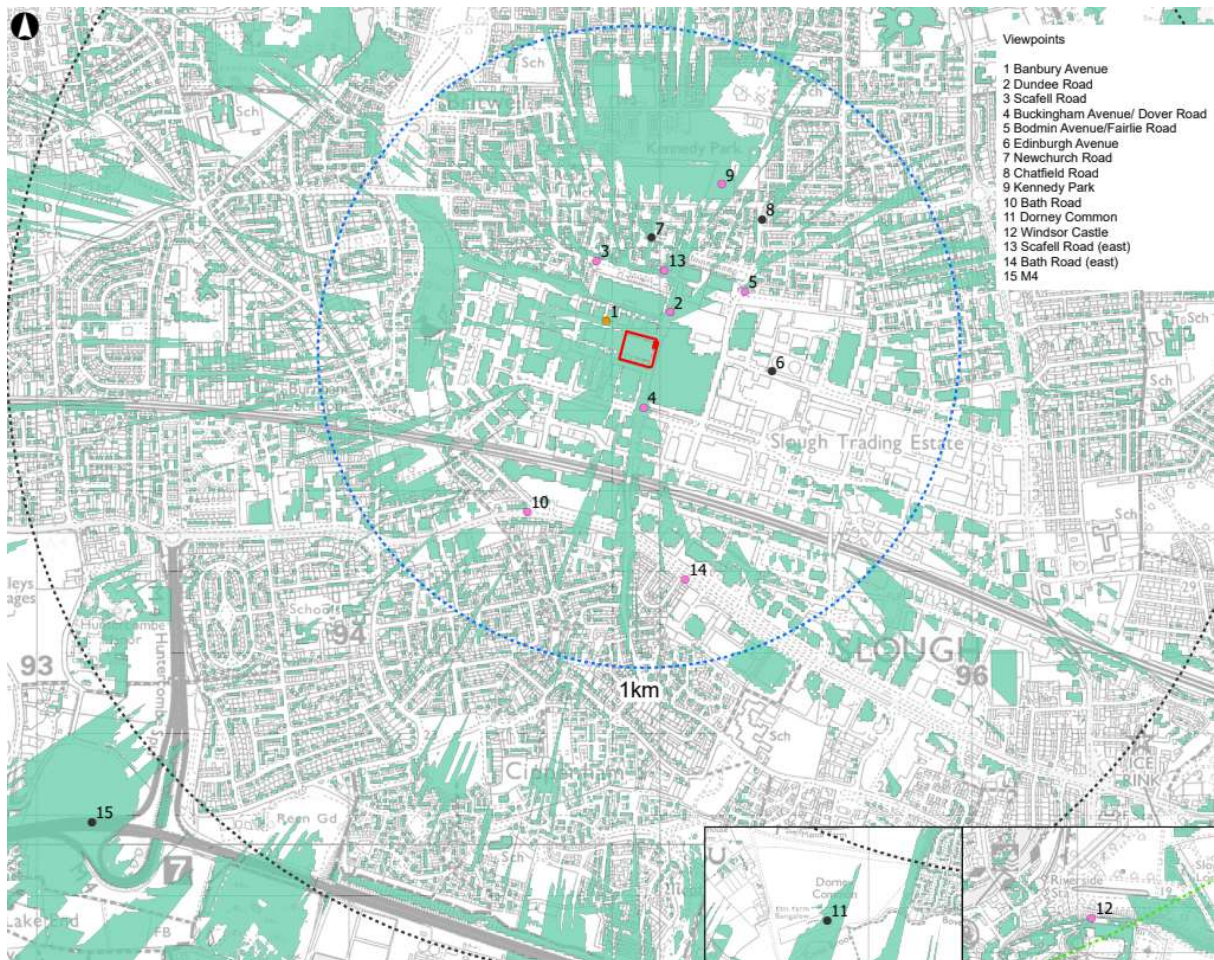
Above: visual image of the proposal from the southeast.



Above: visual image of the proposal from the northeast.

9.5 The proposed height would result in a building that would be significantly higher than the existing building on the site and those in the immediate vicinity. The application has been submitted with a Townscape and Visual Impact Appraisal (TVIA) which contain ten visualisations (type 4) of the proposed development taken from ten different locations. A further five locations have been included, however the development would not be visible from four of these locations.

9.6 The visualisation locations are illustrated in the image below. In addition, a number of three dimensional images have been submitted with the application which will also assist in the planning assessment of the proposal.



Above: Image showing viewpoints of the visualisations of the proposed development. Black dots are locations which requested; however, the development would not be visible from these locations.

9.7 The images below provide a visual representation of the proposed development from the west in Banbury Avenue (1), from the northeast in Dundee Road (2), and the southeast in Dundee Road (4).



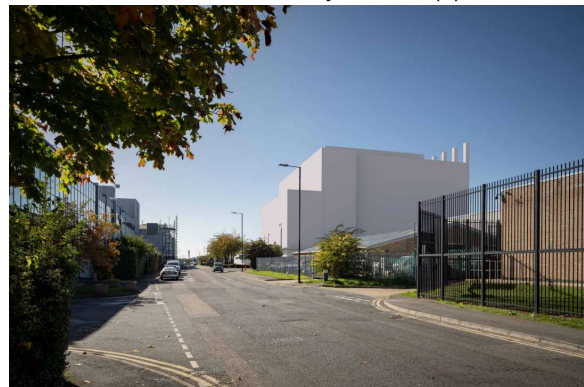
Above: existing image of the application site from the west in Banbury Avenue (1).



Above: proposed image of the application site from the west in Banbury Avenue (1).



Above: existing image of the application site from the northeast in Dundee Road (2).



Above: proposed image of the application site from the northeast in Dundee Road (2).



Above: existing image of the application site from the southeast in Dundee Road (4).



Above: proposed image of the application site from the southeast in Dundee Road (4).

9.8 The existing buildings within the site are low rise, brick fabric, active elevations to the north, and a good degree of soft landscaping to the north and west. This results in some positive qualities in the appearance of the existing site. However, given the flat roofed form, and somewhat incoherent mix of metal cladding to accompany the brick

elevations, and HGV bays and yard areas, overall, there is considered to be limited positive qualities in the appearance of the existing site.

- 9.9 When viewed from the west in Banbury Avenue, the proposed building would be viewed in the context of the low rise buildings on the opposite side of Banbury Avenue and the larger Mars factory building on the opposite side of Dundee Road. The scale and height of the proposal would be viewed as considerably larger than these buildings particularly the low rise buildings on the opposite side of Banbury Avenue.
- 9.10 When viewed from within Dundee Road, this relationship would be less notable, with views of the building be taken more in the context of the neighbouring data centre to the west (22.9m height), the industrial / warehouse unit to the south (9.6m height), and the Mars Factory building to the east (16m height). The scale and height of the proposal would be viewed as larger than these buildings.
- 9.11 In terms of appearance, the facades are characterised by their solid expanses which contain limited fenestration detailing. However, the four storey office element would contain larger areas of curtain wall glazing and a prominent entrance point. A vertical window in the north elevation would serve a stairwell. This is considered to provide a meaningful proportion of relief and active elevations to the north and east. The southern elevation would contain curtain wall glazing in the four storey office element, and no windows to the larger five storey element. However, two vertical strips of a green wall system are proposed which appropriately liven this part of the building and this provides additional visual interest to the facade. The west elevation would not contain any windows which is appropriate considering it opposes the neighbouring site to the side. The proposed building by virtue of its form and mixed pallet of materials (as noted above) would result in a building with modern and sleek appearance which relates in terms of its appearance to the recently approved data centre buildings on the neighbour sites to the west.
- 9.12 Landscaping is proposed in the form a 2 metre buffer from Oxford Avenue (south) and Banbury Avenue (north) and a min. 3 metre buffer from Dundee Road (east). Tree planting would be included to the northern and eastern site edges, and low level vegetation to the south with a green wall boundary treatment. This would be visually pleasing for the immediate setting of the development.
- 9.13 It is noted the backup generators would be sited close to the northern boundary, and the silo storage, water plant, and substation would be sited close to the southern boundary. However, they would be offset from the footway by the two metre strip of soft landscaping. The backup generators would be enclosed in aluminium louvres. The water plant and substation would be screened from the highway using blue engineering bricks fronted by a green wall system with biodiverse roofs. The silo storage would be contained within a fenced enclosure. When having regard to the separation from the footway and treatment to site edges, and their location in a large site within a defined business area, they would not appear overly dominant or out of context.

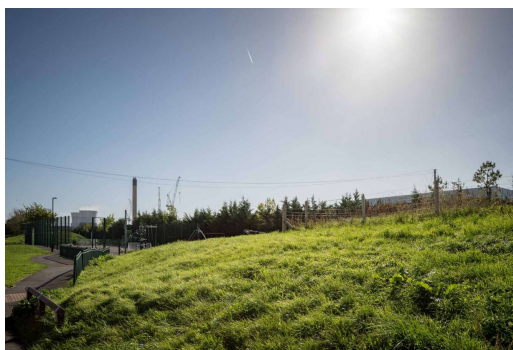
9.14 Overall, the proposed development, when viewed from the above locations would result in a notable change in the established scale and height from the existing buildings on the site and the neighbouring low rise building on the northern side of Banbury Avenue. However, the quality of the design and appearance of the development which is accompanied by very high quality comprehensive landscaping scheme result in some visual improvements. Planning Officers agree with the submitted TVIA which concludes there would be a moderate beneficial effect from the above views.

9.15 From wider views the submitted TVIA has assessed the proposal would have a moderate adverse impacts for the following viewpoints:

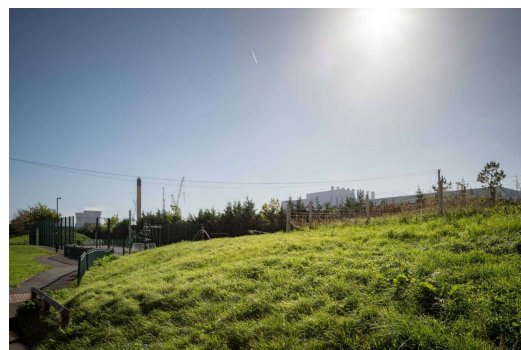
- Scafell Road, (viewpoints 3 & 13):
- Newchurch Road, (viewpoint 7)
- Kennedy Park, (viewpoint 9)
- Windsor Castle, (viewpoint 12)

9.16 *Scafell Road:*

Scafell Road is located approximately 200 metres (min.) to the north of the application site. The road contains a footway on the northern side where the edge of the residential areas being conspiring three storey flats and two storey houses. On the southern side Scafell Road is a strip of green public open space before the defined business area begins to the south. The area along Scafell Road is considered to provide a receptor of medium sensitivity. The proposed development as a result of its scale and height would result in a noticeable change, which the TVIA concludes would result in a moderate adverse in views and visual amenity. A Planning Officer assessment on the impacts is carried out further below. The following images provide a visual representation of the proposed development from the northwest in Scafell Road (3), and from the north in Scafell Road (13).



Above: existing image of the application site from the north in Kennedy Park, (viewpoint 3).



Above: proposed image of the application site from the north in Kennedy Park, (viewpoint 3).



Above: existing image of the application site from the north in Scafell Road, (viewpoint 13).



Above: proposed image of the application site from the north in Scafell Road, (viewpoint 13).

9.17 *Kennedy Park:*

Kennedy Park is a recreation largely comprising public open space which begins approximately 450 metres to the north of the application site. The park provides an area green and tranquil open space which due it is raised elevation provides some relatively wide range of vistas across Slough Trading Estate and the intervening residential area including the application site. As such Kennedy Park is considered to be a high sensitivity receptor. A Planning Officer assessment on the impacts is carried out further below. The following images provide a visual representation of the proposed development from the north in Kennedy Park (9).



Above: existing image of the application site from the north in Kennedy Park, (viewpoint 9).



Above: proposed image of the application site from the north in Kennedy Park, (viewpoint 9).

9.18 *Windsor Castle:*

Windsor Castle is a high value heritage asset located approximately 5km to the southeast. The viewpoint is located on the north terrace at Windsor Castle, looking northwest. The terrace is popular destination point and provides widespread views across the immediate landscape and longer views extending to Slough and beyond. As such Windsor Castle is considered to be a high sensitivity receptor.



Above: existing image of the application site from the southwest at Windsor Castle, (viewpoint 12).



Above: proposed image of the application site from the southwest at Windsor Castle, (viewpoint 12).

9.19 *Assessment from Scafell Road, Kennedy Park, and Windsor Castle:*

The submitted TVIA notes the proposed development, due to its scale and height would result in a noticeable change when viewed from Scafell Road, Kennedy Park, and less so from Windsor Castle. The TVIA concludes there would a moderate adverse in views and visual amenity from these areas. Planning Officers acknowledge there would be a notable change in terms of scale and height. However, this would take place at some considerable distance and within an already built up industrial setting which is subject to regular change to meet the needs of existing and new business. The proposed building is well-designed from top to bottom, including a refined roof profile that would effectively screen the plant on the roof the building. On this basis, Planning Officers consider the proposal would be visually compatible with character and appearance of Scafell Road, Kennedy Park, and Windsor Castle. The heritage impacts in relation to Windsor Castle are assessed with the impact on heritage assets section of this report.

9.20 *Newchurch Road:*

Newchurch Road is a residential street beginning approximately 230 metres to the north northwest of the application site. The street forms part of a wider suburban residential area to the north comprising two and three storey houses and flats. Viewpoint 7 indicates the proposed development would become visible from above the roofscapes when looking in a southerly direction. As a result, the submitted TVIA concludes there would a moderate adverse impact in views and visual amenity.



Above: existing image of the application site from the north in Newchurch Road, (viewpoint 7).



Above: proposed image of the application site from the north in Newchurch Road, (viewpoint 7).

- 9.21 Existing southernly views from the residential area to the north would largely comprise of the residential housing / flats and sky above, with limited views of the wider trading estate. Therefore, the proposed building rising above the existing roofscapes would not be read in the context of the wider trading estate. While there would be some visual conflict with this character area, the top part of the proposed building which would be exposed above the roofscapes would be read somewhat in the distance. The proposed building is well-designed including a refined roof profile that would effectively screen the plant on the roof the building. On balance planning officers consider this would result in limited adverse impact when viewed from this area.
- 9.22 The submitted TVIA has assessed the proposal would have a minor adverse impacts at Bodmin Avenue (viewpoint 5); Chatfield Road (viewpoint 8); Dorney Common (viewpoint 11). The proposal would be visible from the above viewpoints by of marginally extending above the existing roof heights in Bodmin Avenue and Chatfield Road. From Dorney common the proposal would marginally extend above the existing line of trees at some distance to the north. The existing flue serving the Slough Heat and Power facility which is visible Dorney Common extends far above the proposal. When having regard to the very limited views and significant distances (Bodmin Avenue 300m; Chatfield Road 500m; Dorney Common 3.5km), the proposal would be visually compatible with character and appearance of these areas.
- 9.23 From the remaining viewpoints set out in the TVIA and from the remaining wider area the proposal would either not be visible or have limited visibility. In the limited visibility scenarios, the proposal would be seen at distance and seen within the context of the existing trading estate. It is not envisaged this would result in an adverse visual impact.
- 9.24 Based on the above, the proposal when viewed in Banbury Avenue and Dundee Road would result in an attractive and distinctive form of development which improves the character and appearance of the area. When viewed from the residential area to the north in Newchurch Road, the top part of the building would extend above the residential roofscapes resulting in a limited adverse impact. From the remaining areas, the proposal would have a neutral impact. The beneficial impact from within the vicinity of the site and complementary impacts from the wider area views are considered to outweigh the limited adverse impact when viewed from the north. On balance the proposal is considered to be of a high standard of design which respects and is compatible with the character and appearance of the surrounding area. The proposal therefore complies with Local Plan Policies EN1 & EMP2, Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework

10.0 **Impact on Heritage Assets**

- 10.1 Sections 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seeks special regard to the desirability of preserving a listed building

or its setting and to preserve or enhance the character or appearance of a conservation area.

- 10.2 Paragraph 194 of the National Planning Policy Framework requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 10.3 Paragraph 195 of the National Planning Policy Framework requires local planning authorities to 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.
- 10.4 Chapter 16 of the National Planning Policy Framework intends to preserve and enhance the historic environment; paragraph 199 requires local planning authorities to afford great weight to the asset's conservation, irrespective of whether the potential harm is substantial harm, total loss or less than substantial harm.
- 10.5 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.6 Core Policy 9 of the Core Strategy, (2006 – 2026) Development Plan Document December 2008 states that development will not be permitted unless it:
- Enhances and protects the historic environment;
 - Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;
- 10.7 In accordance with Paragraph 194 of the National Planning Policy Framework, the application has been Heritage Impact Assessment. The study area extends 1km to the north, east and west, and up 5km due to the more open topography which allows views, in particular from the elevated viewpoint at Windsor Castle. Given the nature of the built up area to the north, east, and west, and the significant distance to the south, this considered and appropriate study area.
- 10.8 The site is not located within a conservation area. No conservation areas within Slough are located within the study area. There are several conservation areas within Buckinghamshire and Windsor & Maidenhead which fall within the study area. There are also number of Listed Buildings and Registered Parks and Gardens within the study area, most notably the Grade I Listed Windsor Castle.

10.9 The visibility from the heritage assets within the study area has been considered. While in several cases the proposed building is likely to be somewhat visible, the long distance views from the heritage assets do not contribute to their significance. It is therefore concluded that there is, in all cases a negligible to low impact leading to no harm on these heritage assets. The Council's Heritage advisor has agreed with these conclusions. As such, the proposal is considered to preserve the surrounding conservation area heritage assets.

10.10 *Conclusion:*

The Local Planning Authority have consulted Historic England who provided a response stating a consulted on this application was not required.

10.11 The Council's Heritage Advisor has reviewed the proposal and agreed with the content and findings of the Heritage Impact Assessment. Officers acknowledge that there may be some views of the proposal from the heritage assets, including the Grade I listed Windsor Castle. These views as a result have some negligible impact in terms of views from these heritage assets. However due to intervening topography and separation distances, the proposal is considered result in no level of harm on the identified heritage assets or their setting.

10.12 Based on the above, and having regard to the heritage advice received, the proposal would preserve the surrounding heritage assets and officers consider that the proposals would not lead to any level of harm as defined by the National Planning Policy Framework and would also comply with Core Policy 9 of the Core Strategy.

11.0 **Impact on amenity of neighbouring occupiers / uses**

11.1 Paragraph 130f of the National Planning Policy Framework requires planning decisions to ensure developments create places with a high standard of amenity for existing and future users. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EMP2

11.2 The closest residential properties are located approximately 200m (min.) to the north with the trading estate and small buffer of public open space intervening. This separation distance is sufficient to prevent any adverse impact in terms of privacy, natural light, overbearing or overdominance impact.

11.3 *Noise:*

The main concern in relation to noise comes from the proposed 14 diesel generators, the plant and chillers associated with the data centre cooling, and the substation.

11.4 The diesel generators would be positioned to western side of the main building and adjacent to the western neighbouring boundary which is being developed for a Data Centre. The generators are only required in emergency in the event of a power outage. However, they will require regular testing. The application includes a Noise

Impact Assessment which has modelled the noise impacts at the nearest commercial and residential receptor sites.

- 11.5 The result show that in a scenario where all generators tested simultaneously for 1.5 hours once per year, the existing background noise level would be exceeded at two residential receptor points and one commercial receptor point. The largest exceedance being 5 dB(A) above the background noise level at Sandown Road to the northwest.
- 11.6 An emergency scenario is assessed by assuming all generators running at full capacity 30 minutes per year. This is based on evidence collated by the applicant in relation to an existing Equinix data centre in the Trading Estate. This has concluded that there have been four power outages between 2007 (when it started operating) and 2016, all of which lasted 1 hour or less. No power outages have occurred since. Based on this, the anticipated average frequency of occurrence an emergency scenario is 30 minutes per year.
- 11.7 In an emergency scenario the existing background noise level would be exceeded at three residential receptor points. The largest exceedance being 5 dB(A) above the background noise level at Sandown Road to the northwest.
- 11.8 The Noise Impact Assessment concludes the noise criteria will be exceeded at a small number of receptors during infrequent testing (1.5 hours per year) and full emergency operation, but adverse effects are not anticipated. The Council's Environmental Quality agree to this conclusion. A condition should be included to ensure the noise level of the generators is in accordance with that stated in the submitted Noise Impact assessment.
- 11.9 Based on the above, and subject to conditions, the proposal is considered to comply with the relevant requirements of Core Policy 8 of The Core Strategy, Policies EN1 and EMP2 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework.

12.0 **Parking and impact on the highway network**

- 12.1 The National Planning Policy Framework requires development to give priority first to pedestrian and cycle movements, and second - so far as possible – to facilitating access to high quality public transport. Development should be designed to create safe and suitable access and layouts which minimise conflicts between traffic and pedestrians. Plans should also address the needs of people with disabilities, allow for the efficient delivery of goods and access by emergency vehicles, and provide facilities for electric vehicle charging. Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be cost effectively mitigated to an acceptable degree. This is reflected in Core Policy 7. Paragraph 111 of the National Planning Policy Framework 2021 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'.

12.2 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. The Parking Standards have been updated within Part 3 of the Slough Developer's Guide.

12.3 *Trip Generation:*

When compared to the existing use, the local highway authority is satisfied the proposal would not result in an increase in vehicle trips to a degree whereby there would be a significant impact on the highway network. A TRICS compliant survey has been requested which is being carried out by the applicant. This will provide a detailed baseline for the Travel Plan and will allow a forecast of trips made by sustainable travel modes. The Travel Plan will be secured by a Section 106 Agreement.

12.4 *Access:*

The proposal includes two vehicular access points. Access to the car parking spaces would be via Dundee Road, and access for HGVs via Oxford Avenue. All existing access points would be redundant with the developer required to reinstate the kerb edge and footway. The Local Highway Authority has commented that these provide safe and appropriate access to the site, with appropriate visibility splays demonstrated on the submitted plans. Swept path analysis has demonstrated that a 16.5m articulated lorry would be able to enter/exit the proposed development, with suitable turning space provided on site. The applicant would need to complete detailed design as part of the highways agreement post planning.

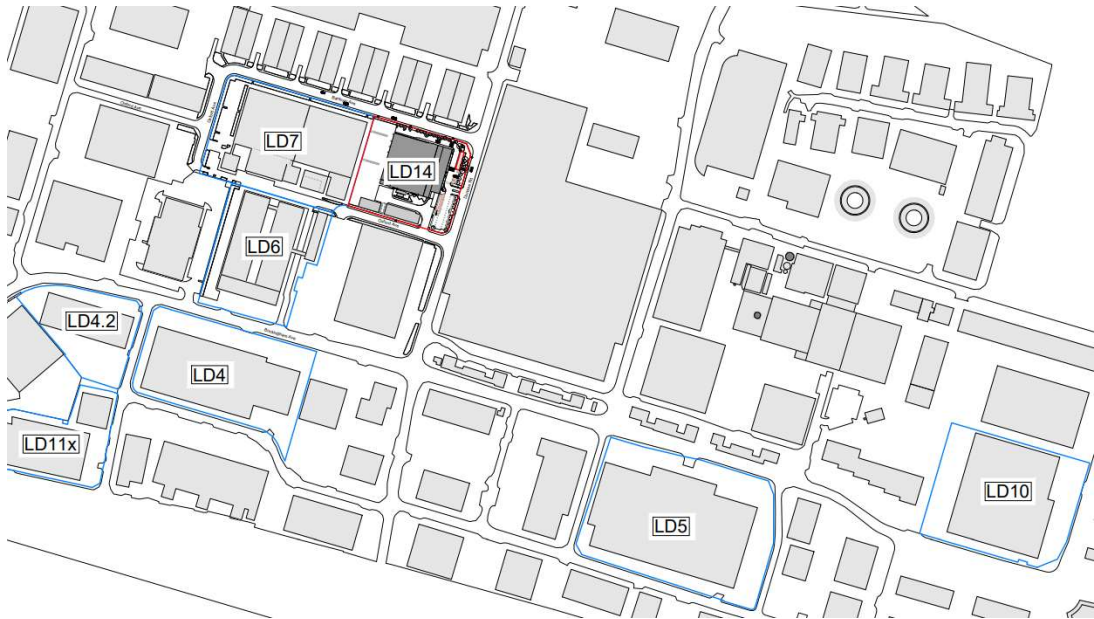
12.5 Pedestrian access is provided by the Dundee Road access and a stand-alone access in Banbury Avenue. The access points provide safe and appropriate pedestrian and wheelchair accessible access point up to the entrance of the building.

12.6 *Car parking:*

Local Plan Policies T2, EMP7 and Core Policy 7 seek no increase in the total number of car parking spaces on-site within commercial redevelopment schemes. Additional on-site car parking provision will only be required where this is needed to overcome road safety problems, protect the amenities and operational requirements of adjoining users, and ensure that access can be obtained for deliveries and emergency vehicles. The Parking Standards as updated within Part 3 of the Slough Developer's Guide does not include any specific guidance in relation to the quantum of parking provision for data centres.

12.7 The existing site contains 130 car parking spaces. The proposal includes 39 car parking spaces. The information submitted with the application asserts the proposed development would provide direct employment for 35 employees. In addition, up to 82 customers could visit the site resulting in a maximum of 117 people could be using the building at any one time.

- 12.8 In order to understand the parking accumulation for the proposal, the Local Highway Authority has used the trip data provided for a nearby similar form of Data Centre. Using this information on a pro rata basis a maximum of 71 – 81 vehicles requiring a parking space at any one time is forecast. As such, there would be a shortfall of 32 – 42 car parking spaces within the application site.
- 12.9 To address the additional parking demand, the applicant has proposed to make use of vacant parking spaces within existing Data Centres operated by the applicant. These are shown in the plans below outlined in blue:



- 12.10 Following surveys of these existing Data Centre sites, between 31 - 42 spaces are available at the adjoining site (LD7). This is considered to provide an appropriate offsite provision to accommodate the shortfall in on-site parking which is located in the immediate vicinity of the application site. Furthermore, this makes effective use of existing parking spaces within the trading estate. The Local Highway Authority has raised no objection to this approach subject to requiring a detailed car park management plan. This can be secured by planning obligation.

12.11 *Cycle parking:*

32no cycle parking spaces (16 covered and secure; 16 covered) are proposed which is a sufficient amount given number of employees, customers, and nature of use.

12.12 *Travel Plan:*

The application has been submitted with a Travel Plan. This has been reviewed by the Local Highway Authority who have commented the trips relate to car journeys only and does not include a TRICS compliant survey. The TRICS survey will involve interviewing employees and visitors at a nearby data centre to establish their mode of travel. This will establish how many staff travel by walking, cycling, rail and bus and

will allow Travel Plan targets to be set for future travel. The applicant is addressing these issues and update will be provided on the Amendment Sheet to Committee.

12.13 Once an acceptable travel plan is produced, it should form part of the section 106 agreement along with a financial contribution of £3,000 towards Travel Plan Monitoring.

12.14 *Construction Management Plan:*

The Local Highway Authority has requested the submitted Construction Management Plan be updated to provide some onsite parking for construction vehicles/workforce vehicles. The applicant confirms this will unlikely be achievable and discussions will take place with SEGRO regarding offsite provision. It is therefore recommended that a condition is included to submit a car park management plan for the construction phase by condition or planning obligation.

12.15 The Local Highway Authority has also requested all vehicles and plant will comply with the Euro VI emissions standard. The submitted Construction Management Plan proposes suitable emission standards for plant. Euro standards for vehicles will need to form part of the Section 106 negotiations.

12.16 *Servicing and deliveries:*

Two to three deliveries by HGV are expected each day. Two HGV loading bays are proposed on site along with sufficient turning space. The Local Highway Authority has commented this would be acceptable.

12.17 *Summary:*

12.18 Subject to conditions and planning obligations and addressing the issues raised regarding the Travel Plan and Car Parking Management Plan, the proposal would accord with the in Core Policy 7 of the Core Strategy Local Plan Policies T2 and T8, and the requirements of the National Planning Policy Framework.

13.0 **Air Quality**

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

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

material planning consideration but it does not form part of the current local development plan.

13.3 The main concern in relation to air quality comes from the proposed 13 diesel generators to the western side of the building. The generators are only required in an emergency in the event of a power outage. However, they will require regular testing. The submitted Air Quality Assessment sets out the following generator testing regime:

- **Scenario A:** no test load, monthly 5-minute runs with all generators to be tested one at a time.
- **Scenario B:** monthly 100% load test with monthly 30-minute runs 8 times a year with all generators to be tested one at a time.
- **Scenario C:** quarterly 100% load test with 1 hour runs 3 times per year with all generators to be tested one at a time.
- **Scenario D:** annual 100% load test of 2 hour run with all generators to be tested one at a time.
- **Scenario E:** annual 100% load test of 1.5 hours with all generators running at the same time.
- **Scenario F:** emergency run with all generators running at once at 100% load for 30 hours.

13.4 The Air Quality Assessment has modelled generator emissions by assuming the generators are operating continuously throughout the year to model how the emissions react with different meteorological conditions, and then the worst case scenario is extracted from this data. For all of the above scenarios, this has been modelled at 33 human receptor points within 2km of the application site, including dwellings, schools, nurseries, and care homes.

13.5 For scenario E the largest predicted contribution in NO₂ hourly mean is 281µg/m³ to the southwest (receptor by 1 Burnham Lane), which is in exceedance of the air quality standard of 200µg/m³. The resulting NO₂ hourly mean when including the existing ambient air quality is predicted to be 324µg/m³ which further exceeds the standard. In the event of an emergency scenario, this is considered to be a potentially significant impact. The Air Quality Assessment concludes that due to the limited proposed run time per year (1.5 hours), this scenario is considered to be insignificant.

13.6 Scenario F (emergency scenario) is tested by assuming that in the event of a power outage, 12 of the generators would running at full capacity for 30 hours. The remaining generator would be kept as secondary back-up (redundancy) in case other generators fail. In this scenario, 8 of the 33 human receptor points would result in an exceedance of the NO₂ hourly mean air quality standard (200µg/m³). The largest predicted contribution in NO₂ hourly mean is 298µg/m³ to the north (receptor by 42 Newchurch Road), which is in exceedance of the air quality standard of 200µg/m³. The resulting NO₂ hourly mean when including the existing ambient air quality is predicted to be 342µg/m³ which further exceeds the standard. The Air Quality Assessment notes that in the event of an emergency scenario these are a potentially significant impact.

- 13.7 However, it is important to note that the assessment is based off an absolute worst case scenario influenced by conditions which give rise to the highest possible concentrations, therefore the probability of these conditions occurring at the same time as an emergency event was tested as part of the assessment. The Air Quality Assessment concludes the probability in exceeding the air quality standard of $200\mu\text{g}/\text{m}^3$ at any of the receptors is less than 0.01% and therefore highly unlikely.
- 13.8 In addition, the submitted Noise Assessment asserts 'the frequency of an emergency scenario' is anticipated to be very low. For example, an existing Data Centre operated by Equinix in Buckingham Avenue experienced four power outages between 2007 (when it started operating) and 2016, all of which lasted 1 hour or less. Based on this, the anticipated average frequency of occurrence of emergency operation mode at the application site is around 30 minutes per year. No outages have occurred since 2016.
- 13.9 *Cumulative Impact:*
- The Applicant (Equinix) currently operate existing Data Centres within the Trading Estate which are subject to an Environmental Permit via the Environment Agency. This proposed site would also be subject to an Environmental Permit. As part of the existing Environmental Permit, Equinix operate a fleet of air quality monitoring stations in the Slough Trading Estate which monitor the NO_2 hourly standard at multiple locations throughout Slough Trading Estate. To date, the NO_2 air quality standard has been exceeded on only a small number of occasions, none of which were associated with Equinix engine testing.
- 13.10 *Summary:*
- The Council's Air Quality Officer has reviewed the submitted Air Quality Assessment and agreed that that any exceedances would be highly unlikely. In the event of an exceedance, the impact would be for a relatively limited period of time and would have an overall low impact. As such, the impact from the proposal and also having regard to the cumulative assessment carried by the applicant, the proposal is considered to have acceptable impacts in terms of air quality. A condition is recommended to ensure the use of the generators is carried out in accordance with the scenarios A – F as set out in the Air Quality Assessment.
- 13.11 Dust during the construction phase has been adequately addressed and should be secured by condition.
- 13.12 Air quality in relation to ecological receptors is assessed within the 'impact on biodiversity and ecology' section of this report.
- 13.13 Based on the above, and subject to conditions, the proposal would accord with the in Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework.

14.0 **Impact on biodiversity and ecology**

14.1 Paragraph 174 of the National Planning Policy Framework requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. It is expected A 10% biodiversity net gain for developments will be required as part of the Environment Act (2021) via secondary legislation, expected in 2023. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.

14.2 *Offsite Impacts:*

The application has been submitted with a Preliminary Ecological Appraisal. This has identified the following statutory designated sites are within proximity of the application site:

- Haymill Valley. Local Nature Reserve. 1.3km NNW.
- Cocksherd Wood. Local Nature Reserve. 0.67km NW & W.
- Burnham Beeches. Special Area of Conservation. 2.8km N.

14.3 In addition, within 2 km of the application site, there are seven non-statutory designated sites of the site and 11 priority habitat sites. As would be expected, a number of protected species are recorded within 2km of the application site.

14.4 The submitted Air Quality Assessment has carried out an assessment on ecological receptors in accordance with the relevant air quality standards. A total of 14 ecological receptors have been reviewed within 10km of the site in accordance with Environment Agency guidance. In addition to the above statutory listed designated sites, the following are included within the Air Quality Assessment:

- Thames Basin Heaths. Special Protection Area, 10Km. SSW
- Southwest London Waterbodies. Special Area of Conservation / Site of Special Scientific Interest. 9.5Km. Southeast.
- Windsor Forest & Great Park. Special Area of Conservation / Site of Special Scientific Interest, 6.3Km. South.
- In addition is identified at Ancient Woodland at 2km to the Northeast.

14.5 The result show there would be an insignificant impact on ecological receptors as a result of generator testing. However, during a power outage when the emergency scenario would take place, all of the 14 ecological receptors would result in an exceedance of the NO_x daily mean air quality standard (75µg/m³). The largest predicted contribution in NO_x daily mean would be at the Southwest London Waterbodies at 286µg/m³. The resulting NO_x daily mean when including the existing NO_x daily mean is predicted to be 320µg/m³. The Air Quality Assessment notes these are a potentially significant impacts, however the chances of this scenario occurring are considered to be highly unlikely, based on the reliability of the electrical distribution network.

14.6 The submitted Noise Assessment asserts:

'the frequency of an emergency scenario is anticipated to be very low. For example, the existing Data Centre operated by Equinix in Buckingham Avenue experienced four power outages between 2007 (when it started operating) and 2016, all of which lasted 1 hour or less. Based on this, the anticipated average frequency of occurrence of emergency operation mode at the application site is around 30 minutes per year'.

14.7 No outages have occurred since 2016. Officers agree that based on the evidence to hand, an emergency scenario, if encountered unlikely to occur on a regular basis. If an emergency scenario were to occur, it would likely be for a short period of time.

14.8 The submitted ecology report concludes that it is unlikely the designated sites within the wider surrounding area will pose any constraints to the proposed development given their distance from the site, the urban context of the site and the nature and scale of the works proposed.

14.9 Based in the above, no objections are raised in relation to off-site ecological impacts.

14.10 *Onsite Impacts*

An onsite survey to all internal and external areas was carried out on 16th September 2022. The survey recorded onsite habitats in the form of:

- Grassland
- Trees
- Hedgerows
- Developed land, buildings, carpark, scattered scrub.

14.11 No evidence of protected species using the site was found during the survey. As a result, no follow up surveys are recommended. The Ecology Report notes that onsite vegetation and the existing building have potential to support breeding birds and appropriate mitigation for site clearance is recommended. In addition, best practice measures are recommended during the clearance / construction phase to protect common mammals. These can be secured by condition.

14.12 Berkshire Archaeology have commented that artefacts dating from the Neolithic to Iron Age have been found close to the proposed development area c.160m to the north-west. As such the site holds potential to contain underground archaeological heritage assets. A condition has been included to secure a written scheme of investigation.

14.13 *Biodiversity Net Gains:*

A net gain report has been undertaken using the Natural England Biodiversity Metric 3.1. This has considered the existing habitat classifications on the site and compared

to the proposed habitat classifications as set out on the submitted landscaping plan. This results in a 176.58% net gain in biodiversity for area-based habitats and 121.41% net gain in biodiversity for hedgerows. Such quantum of net gains would exceed the expected 10% as part of the Environment Act.

14.14 Based on the above, the proposal would comply with Core Policy 9 of the Core Strategy and the requirements of the National Planning Policy Framework.

15.0 **Crime Prevention and anti-social behaviour**

15.1 Policy EN5 of the adopted Local Plan and Core Policy 12 require all development schemes to be designed so as to reduce the potential for criminal activity and anti-social behaviour. Paragraph 92 National Planning Policy Framework seeks development to be inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

15.2 Data Centres require a high level of security. The proposed site would be completely fenced and gated off with 3m high weldmesh fencing. The ancillary office space is served by windows which provides an appropriate amount of natural surveillance on the public realm. Access into the site would be controlled and monitored. The proposed development is considered to be designed in such a way that the potential for criminal activity and anti-social behaviour is minimised.

15.3 Based on the above, the proposal would accord with Core Policy 12 of the Core Strategy Local Plan Policy EN5, and the requirements of the National Planning Policy Framework.

16.0 **Contaminated Land**

16.1 Paragraphs 183 and 184 of the National Planning Policy Framework require a site to be suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This is reflected in Core Policy 8 of the Core Strategy.

16.2 The submitted desktop study identifies the site contains potentially contaminated soils. Further ground investigation and quantitative risk assessment is proposed required to identify potential risks and the need for remediation and additional mitigation measures. These can be secured by condition.

16.3 The Environment Agency has raised no objections subject to informatives.

16.4 Based on the above, subject to conditions the proposal is anticipated to accord with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework.

17.0 **Health and Safety**

- 17.1 The application site is located next to a Cadent Gas Line Service Strip. Cadent have been consulted and raised no objections. The Health and Safety executive have also raised no objections.
- 17.2 The application includes 14 diesel generators which would include associated fuel tanks and would require filling as required. No objections have been raised from the Health and Safety Executive and no comments have been received from the Environment Agency. With regard to previous applications for diesel storage it has been advised that the employer will be subject to the requirements of the Health and Safety at Work etc Act 1974 (HSWA) and associated legislation. Under sections 2 and 3 of the HSWA, an operator must conduct the undertaking in such a way as to ensure that, so far as is reasonably practicable, employees and other persons, including people living nearby, are not thereby exposed to risks to their health or safety. This can be included as an informative.
- 17.3 A substation is proposed to the southern boundary of the site. An electromagnetic fields assessment report can be secured by condition to ensure the substation would fall within the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines.
- 17.4 In relation to aircraft safeguarding, the Aerodrome Safeguarding Specialist from Heathrow Airport has raised no objections.
- 17.5 Based on the above, and subject to conditions there is no evidence to suggest proposal is considered to have unacceptable impacts in terms of the health and safety.

18.0 **Flood Risk and Drainage**

18.1 *Flooding:*

Paragraph 167 of the National Planning Policy Framework requires local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 161 of the National Planning Policy Framework requires all plans to apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk. Paragraph 033 of the NPPG clarifies that any development proposal should take into account the likelihood of flooding from other sources, as well as from rivers and the sea. The sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding.

- 18.2 The site is located in Flood Zone 1 (less than 0.1% annual probability of river or sea flooding). The proposed above ground water storage does present a potential flood risk in the event of any failure of the tanks. In this instance a sequential and exception test approach is not considered appropriate as the tanks are required onsite to serve the proposed development. Furthermore, in accordance with paragraph 035 of the NPPG and the corresponding Table 3 of the NPPG, the exception test does not need to be applied in this instance as the site is not located within a flood zone 2 or 3.

- 18.3 The application proposes above ground water storage comprising:
- Water storage tank No. 1 – volume 550m³
 - Water storage tank No. 2 – volume 550m³
 - Firefighting storage tank No. 1 – maximum volume of 150m³
 - Firefighting storage tank No. 2 - maximum volume of 150m³
 - Bulk Salt saturator tank – water treatment minimal storage
 - Chemical storage tank – water treatment minimal storage
 - Process water discharge tank - volume 54m³
- 18.4 A site specific Flood-risk Assessment has been submitted which has assessed the risk of flooding from the onsite water storage. This includes a scenario whereby failure for the largest tank volume (550m³) was undertaken. If this were to be contained within the free area in the vicinity of the tanks, this would result in a water 2 metre high water level. In the event of all the tanks failing, this would clearly a much higher water level. However, it is acknowledged that increasing the area or height of containment would either be impractical due to expanding into the yard area or result in a perimeter water tight boundary that would have an unacceptable impact on visual amenity.
- 18.5 The flood risk assessment sets out that the water storage tanks would be constructed of stainless steel be double skinned with a WRAS (Water Regulations Advisory Scheme) approved rubber liner. The Flood Risk Assessment asserts that a catastrophic tank failure is of low probability.
- 18.6 Given the low probability of failure, a flood resistant wall to a height of 2.15 metres around the water storage building to contain the failure of the largest water tank of (550m³) is considered an appropriate provision to address the residual risk of flooding. Flood waters from the tank would be contained within the existing area designated for water storage and away from more vulnerable areas and access / egress from the site. This considered to provide an appropriate amount of mitigation to ensure flood risk is not increased elsewhere.
- 18.7 *Surface water drainage:*
- A full Drainage Strategy has been submitted which proposes a Sustainable Urban Drainage System. This is an outline strategy which includes includes an optional approach depending on further site investigation, including infiltration testing for the suitability of soakaway and / or underground attenuation tanks. The Lead Local Flood Authority has assessed the submitted Drainage Strategy and confirmed sufficient information has been provided at this stage and a full detailed design can be secured by condition.
- 18.8 Based on the above, the proposal would comply with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework.

19.0 **Economic Impact**

19.1 The site is located within a defined Business Area (Slough Trading Estate) as identified on the Proposals Map (2010). Core Strategy policy 5 (employment) requires there to be no loss of existing business areas to non-employment uses. One of the main aims of the Core Strategy is to ensure that Slough continues to fulfil its regional role in maintaining a competitive, sustainable and buoyant economy, whilst at the same time providing a diverse range of jobs for local people. Paragraph 7.80 of the Core strategy states that the loss of traditional manufacturing and the emergence of knowledge-based industries have meant that there is a skills gap amongst some of the resident work force. In order to reduce this gap, the Economic Development Strategy (Doc.17) identifies the need for better education and training in order to equip the resident work force with the skills necessary to gain access to the new knowledge-based jobs that will be created in Slough.

19.2 Paragraph 81 of the National Planning Policy Framework seeks planning decisions to help create the conditions in which businesses can invest, expand and adapt. Paragraph 83 of the National Planning Policy Framework seeks planning decisions to recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries.

The existing site provided approximately 6000 square metres of industrial floor space for employment purposes. The applicant the site is largely vacant and does currently provide any direct employees. According to the Communities Agency's Employment Densities Guide 2015, a mixed use (B Class) floor space is capable of providing 1 employee per 47 square metres. For the existing site this translates as 127 employees. The applicant has confirmed the proposal would accommodate 35 direct employees.

19.3 The proposal would result in the loss of land used for traditional manufacturing for employment based on more knowledge based industry. Paragraph 7.80 of the Core strategy identifies this has resulted in a skills gap amongst some of the resident work force. To mitigate this and the reduction in employment numbers, the applicant has offered a financial contribution of £126.540 towards Local Employment Training and Business Promotion. This amount is prorated based on the Local Employment Training and Business Promotion contribution received via the planning permission for the Data Centre development on the former AkzoNobel site (ref. P/00072/096).

19.4 Furthermore, to promote employment opportunities for local residents, it is recommended that a skills development programme for the construction phase is an obligation within the Section 106 Agreement.

19.5 Based on the above, the proposal would comply with Core Policy 5 of the Core Strategy, Local Plan Policy EMP12, and the requirements of the National Planning Policy Framework.

20.0 **Sustainable design and construction**

- 20.1 Core Policy 8 of the Core Strategy seeks to minimise the consumption and unnecessary use of energy; generate energy from renewable resources; and incorporate sustainable design and construction techniques. Paragraph 7.159 states proposals for non-residential development should achieve a BREEAM rating of “very good” or “excellent”.
- 20.2 The Developers Guide Part 2 expects commercial development of 10,000 sqm or more to achieve a BREEAM rating of excellent along with low or zero carbon energy generation equivalent to approximately 10% of the developments carbon emissions.
- 20.3 As the proposal would amount more than 10,000 sqm a BREEAM score of ‘Excellent’ is required. A BREEAM pre assessment has been carried where an ‘Excellent’ rating is predicted which is acceptable. This can be secured by condition.
- 20.4 The extreme cooling requirements for the servers within the proposed Data Centre result in a disproportionately high consumption of energy and waste heat compared with other office or hi-tech light industrial buildings. Officers consider that for this reason, it may be appropriate to apply the standards more flexibility. A Sustainability Strategy has been submitted with the application which includes a technical feasibility study to identify appropriate low and zero carbon technologies for this proposal and how the designs maximise their use within the development. Due the particular high energy demands of the building which is typical for a data centre and the limited space (such as roof being dominated by plant), the only appropriate technology is considered to be an Air Source Heat Pump. This would provide a net saving of 4% of regulated energy which the applicant has confirmed would not meet the required 10% (approx.) of the developments carbon emissions. Notwithstanding the resulting saving from low carbon technologies falling below the Council’s adopted Standard, the applicant as demonstrated that they have maximised the efficiency of the building services as part of the design at this stage. This, in combination with the Air Source Heat Pump, has proposed a saving well over and above the carbon emission rate compared to a Building Regulation compliant data centre building. Conditions would be included which requires the applicant to demonstrate the development has been carried out in accordance with the proposed better than building regulation Target Emission Rate.
- 20.5 In order to capture waste heat from the cooling process, the applicant has agreed in principle to provide a future connection to a future district heating network. No or limited physical works will be carried out during the construction phase. However, as part of the Section 106 negotiations, the applicant will demonstrate how such a connection will be achieved in principle. A clause(s) in the section 106 agreement will then provide the obligation to provide the connection when requested if reasonable and practical.
- 20.6 Based on the above, it has been demonstrated that the proposals minimise the consumption and unnecessary use of energy; maximise the generation of energy from renewable resources (noting the particular constraints and cooling requirements

for a data centre use); and incorporates sustainable design and construction techniques which would comply with the intentions of Core Policy 8 of the Core Strategy.

21.0 **Interference with Telecommunication Signals**

21.1 Paragraph 116 b) of the National Planning Policy Framework requires Local Planning Authorities to consider the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services

21.2 Local Plan Policy EN6 states:

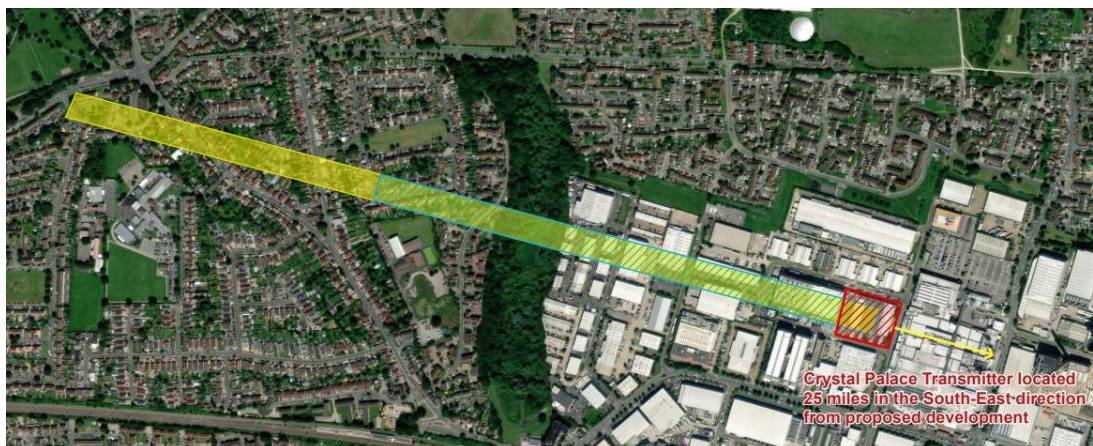
All large buildings or structures will only be permitted if they are designed in such a way so as to reduce the potential for interference with telecommunications signals. Where it is anticipated that disruption to television services and other telecommunications services will be a problem either because of:

- a) the proposed development's height or mass, or
- b) the materials selected,

Planning permission will only be granted subject to a condition requiring the applicant to take appropriate measures to restore any loss of quality of reception.

21.3 A Telecommunications Impact Assessment has been submitted alongside the application. This has concluded the proposed development is likely to have no impact on the transmission of satellite TV services; broadcast radio services; and mobile phone services. However,

21.4 Due to the height and positioning of the building, an impact has been identified in relation to terrestrial television services to the northwest of the site. The area likely to be affected is illustrated blue hatched in the image below which is taken from the Telecommunications Impact Assessment:



21.5 Telecommunications Impact Assessment quantifies the potential impact on residents by using Census data (2011) and the Ofcom Technology Tracker (2022). This indicates that approximately 35% of households within UK have digital terrestrial TV

as their primary source of TV. Accordingly, it is anticipated 3 households could be affected. Planning Officers advise that this may not be a precise method for assessing the extent of impact. However, the plan above does provide a good indication of the area that may be affected and it is agreed it is likely not all properties within the hatched area will be affected. The assessment considers the proposals would result in a limited adverse impact on telecommunications signal within the area. In light of this conclusion, the application has not demonstrated that the proposal has been designed in such a way so as to reduce the potential for interference with telecommunications signals. It is anticipated that there would be a limited disruption to television services because of the proposed development's height and mass. This is not considered to comply with the first part of Local Plan Policy EN6.

21.6 The second part of EN6 seeks to require a condition requiring the applicant to take appropriate measures to restore any loss of quality of reception. The Telecommunications Assessment advises that in most cases, an affected signal can be resolved at the affected property by repositioning or improving the receiving antenna, or installing an amplifier. In some cases, this mitigation may not be effective, and in such cases alternative sources such as digital cable TV or satellite TV (such as FreeSat) can be used. The applicant considers identifying an affected signal (as a result of the development) and carrying the mitigation on third party land would be onerous and not in proportion with the limited adverse impact.

21.7 Planning Officers consider the above mitigation package has not been secured by condition given the applicant has not agreed to the wording or principle of the condition or a planning obligation as the land affected is outside the application on private land, not in control by applicant or the Council. As such there is a chance the applicant would not be able to comply with the condition or obligation. It appears there are no other appropriate measures to restore any loss of quality of reception by way of condition (as required by EN6).

21.8 Based on the above, due to the condition not being secured the proposal would conflict with Local Plan Policy EN6. While Policy EN6 is a saved policy, it is not one of the more important policies in determining the application. Furthermore, the conflict with this policy results in a limited adverse impact. Accordingly, limited weight is allocated to the conflict with this policy and Paragraph 116 b) of the National Planning Policy Framework.

22.0 **Equalities Considerations**

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

22.2 The proposal would provide new employment space. Access from the public footway up to the building is considered safe or suitable for all users. Four of the 39 parking spaces would be wheelchair accessible, two of which served by EV charging points. Lifts are proposed within the building to the upper floors.

22.3 It is considered that there will be temporary (but limited) adverse impacts upon all individuals with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development eg: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects. This could be secured by condition should the scheme be acceptable.

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

23.0 **Section 106 Requirements**

23.1 It is noted within the report, that in order to make the development acceptable in planning terms, the following obligation are required:

- viii. Financial contribution of £126,540 towards Local Employment Training and Business Promotion.
- ix. Skills development programme for the construction phase.
- x. Travel Plan.
- xi. Financial contribution of £3,000 Travel Plan Monitoring Fee.
- xii. Appropriate construction vehicle emission standards
- xiii. Possible future connection to a district heating network.
- xiv. Car Park Management Plan

23.2 The above obligations would comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that the obligations are considered to be:

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

24.0 **Presumption in Favour of Sustainable Development**

24.1 For the purposes of this application, the development plan is up to date. The report identifies that the proposal complies with all of the most up to date and important relevant saved policies in the development plan and most of the paragraphs in the NPPF. There is a conflict with Local Plan Policy EN6 and Paragraph 116 b) of the NPPF (Interference with broadcast signals) which is not one of the more important policies in determining the application. It is assumed 3 households with digital terrestrial TV could be affected by signal interference and cannot be mitigated by condition or obligation. Accordingly, this policy and its conflict attracts limited weight.

24.2 The proposal would result in the redevelopment of an existing employment site to provide a new employment facility comprising a high quality building resulting in an overall improvement to the character and appearance of the area. Additional landscaping is proposed which provides substantial net gains in biodiversity. The proposal would comply with the remaining development plan policies, which are predominantly the most important policies for determining the application. While the limited conflict with the development plan and NPPF is noted, on balance the proposal overwhelmingly complies with the development plan and NPPF as whole. As such, the proposal is considered to be sustainable development and should be approved.

PART C: RECOMMENDATION

25.0 **Recommendation**

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

A) For approval subject to:

1. The satisfactory completion of a Section 106 to secure:
 - i. Financial contribution of £126,540 towards Local Employment Training and Business Promotion.
 - ii. Skills development programme for the construction phase.
 - iii. Travel Plan.
 - iv. Financial contribution of £3,000 Travel Plan Monitoring Fee.
 - v. Appropriate construction vehicle emission standards.
 - vi. Possible future connection to a district heating network.
 - vii. Car Park Management Plan including details of the use of car parking for the development that is provided off-site in consultation with our legal team.
2. A satisfactory updated Travel Plan and TRICS Survey
3. agreement of the pre-commencement conditions with the applicant/agent; finalising conditions; and any other minor changes.

Refuse the application if the completion of the above has not been satisfactorily completed by 24th November 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee

26.0 **PART D: CONDITIONS**

1. Commence within three years

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

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

2. Approved Plans

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

- a) Drawing No LD140-ARP-ZZ-ZZ-DR-C-TOPO-1210 Rev P01; Dated 14/11/2022; Rec'd 19/12/2022.
- b) Drawing No LD140-ARP-ZZ-ZZ-DR-C-TOPO-1211 Rev P01; Dated 14/11/2022; Rec'd 19/12/2022.
- c) Drawing No LD140-ARP-ZZ-ZZ-DR-C-TOPO-1300 Rev P01; Dated 14/11/2022; Rec'd 19/12/2022.
- d) Drawing No LD140-RBA-00-ZZ-DR-A-SITE-1001 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- e) Drawing No LD140-RBA-00-ZZ-DR-A-SITE-1002 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- f) Drawing No LD140-RBA-00-ZZ-DR-A-SITE-1003 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- g) Drawing No LD140-ARP-ZZ-ZZ-DR-C-SITE-1100 Rev P02; Dated 30/11/2022; Rec'd 19/12/2022.
- h) Drawing No LD140-ARP-ZZ-ZZ-DR-C-SITE-1200 Rev P02; Dated 30/11/2022; Rec'd 19/12/2022.
- i) Drawing No LD140-EXA-LS-0G-DR-L-PLAN-1000 Rev P01; Dated 18/11/2022; Rec'd 19/12/2022.
- j) Drawing No LD140-EXA-LS-RF-DR-L-PLAN-1001 Rev P01; Dated 18/11/2022; Rec'd 19/12/2022.
- k) Drawing No LD140-RBA-00-0G-DR-A-SITE-1004 Rev P04; Dated 18/11/2022; Rec'd 19/12/2022.
- l) Drawing No LD140-RBA-00-ZZ-DR-A-ZZZZ-2000 Rev P04; Dated 18/11/2022; Rec'd 19/12/2022.

- m) Drawing No LD140-RBA-RF-05-DR-A-ROOF-1025 Rev P03; Dated 18/11/2022; Rec'd 19/12/2022.
- n) Drawing No LD140-RBA-RF-06-DR-A-ROOF-1026 Rev P03; Dated 18/11/2022; Rec'd 19/12/2022.
- o) Drawing No LD140-RBA-00-0G-DR-A-PLAN-1020 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- p) Drawing No LD140-RBA-00-01-DR-A-PLAN-1021 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- q) Drawing No LD140-RBA-00-02-DR-A-PLAN-1022 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- r) Drawing No LD140-RBA-00-03-DR-A-PLAN-1023 Rev P03; Dated 18/11/2022; Rec'd 19/12/2022.
- s) Drawing No LD140-RBA-00-04-DR-A-PLAN-1024 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- t) Drawing No LD140-RBA-ZZ-ZZ-DR-A-PLAN-1027 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- u) Drawing No LD140-EXA-LS-ZZ-DR-L-PLAN-1100 Rev P01; Dated 18/11/2022; Rec'd 19/12/2022.
- v) Drawing No LD140-RBA-ZZ-ZZ-DR-A-ZZZZ-3000 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- w) Drawing No LD140-RBA-ZZ-ZZ-DR-A-ZZZZ-3001 Rev P02; Dated 18/11/2022; Rec'd 19/12/2022.
- x) Drawing No LD140-RBA-ZZ-ZZ-DR-A-SITE-3005 Rev P01; Dated 18/11/2022; Rec'd 19/12/2022.

REASON: To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

3. Phase 2 Intrusive Investigation Method Statement

Based on the findings of the Ground Contamination Desk Study and Preliminary Risk Assessment (Ref. no. LD140-ARP-XX-XX-RP-G-XXXX-0009), dated 18th November 2022 and prepared by Ove Arup & Partners Limited., development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA C665 & C552 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal and in accordance with Policy 8 of the Core Strategy 2008.

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

Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Land Contamination: Risk Management (LCRM) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

5. Phase 4 Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full final Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Phase 3 condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation that all such measures have been implemented by a competent installer and then verified by a qualified independent third party/Building Control Regulator.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008

6. Archaeological Written Scheme of Investigation

B: No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing. The WSI shall include an assessment of significance and research questions; and:

- i. The programme and methodology of site investigation and recording.
- ii. The programme for post investigation assessment.
- iii. Provision to be made for analysis of the site investigation and recording.
- iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- v. Provision to be made for archive deposition of the analysis and records of the site investigation.
- vi. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

B) The Development shall take place in accordance with the WSI approved under condition (A).

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework.

7. Thames Water Foul Water:

The development hereby approved shall not be occupied until confirmation has been provided that either:-

1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or-
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development in order to avoid sewage flooding and/or potential pollution incidents.

8. Thames Water supply

The development hereby approved shall not be occupied until confirmation has been provided that either:-

- a. all water network upgrades required to accommodate the additional demand to serve the development have been completed; or –
- b. a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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

9. Tree Protection

The demolition and construction works hereby approved shall be carried out in accordance with the Arboricultural impact assessment Rev P01, (Ref. 2022 22181-AA2-DC); Dated 18th November at all times.

REASON To ensure the satisfactory retention of trees to be maintained in the interest of visual amenity and to meet the objectives of Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework.

10. Ecology

The development hereby approved including the demolition and construction phase shall be carried out in accordance with the mitigation set out in Section 4.3 of the Preliminary Ecological Appraisal Rev P02 by Arup, (ref.: LD014-ARP-XX-XX-RP-G-XXXX-0002); Dated 18/11/2022.

REASON: In the interests of the preservation of natural habitats and safeguarding protected species in accordance with Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the National Planning Policy Framework 2021

11. Construction phase car parking management plan

No part of the development hereby permitted shall be occupied until a Car Parking Management Plan for the construction has been submitted and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved car park management plan at all times.

REASON: To ensure parking overspill does not cause highway capacity or highway safety problems in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework

12. Surface Water Drainage

Before any above ground works commence a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be 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.

The scheme shall include:

- i) Details (i.e., designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, and attenuation structures
- ii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iii) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.
- iv) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.
- v) If infiltration drainage is proposed, then it must be demonstrated that it will not pose a risk to groundwater quality and meet the criteria set out in the Environment Agency's Groundwater Protection publication

REASON: To reduce the risk of flooding both on and off site in accordance with Core Policy 8 of the Core Strategy Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, and the requirements of National Planning Policy Framework

13. Drainage maintenance

No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed

on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required.

REASON: To reduce the risk of flooding both on and off site in accordance with Core Policy 8 of the Core Strategy Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, and the requirements of National Planning Policy Framework

14. Drainage Verification Report

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy, Ref P/00463/018(014) Flood Risk Assessment has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority

The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the surface water drainage system is free from defects, damage, and foreign objects
- f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place

REASON To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in accordance with Core Policy 8 of the Slough Local Development Framework Core

Strategy 2006-2026 Development Plan Document policies, and the requirements of National Planning Policy Framework

15. Electric Vehicle Charging

Prior to the commencement of any development hereby approved, details of the 10 active electric vehicle charging points (Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase), together with underground ducting and cable provision to provide a passive supply for the remaining car parking spaces shall be submitted to and approved in writing by the local planning authority.

The approved details shall be fully installed and the active charging points shall be fully operational prior to the first occupation of the development and be retained in good working order at all times in the future.

REASON: to provide mitigation towards the impacts on air quality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the Slough Low Emission Strategy 2018 – 2025 Technical Report, and the requirements of the National Planning Policy Framework 2021.

16. Flood resistant wall to water storage tanks

Prior to the installation of any above ground water storage tanks, details of a flood resistant wall and opening(s) to a height of 2.15 metres around the water storage compound shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be installed before the water tanks are filled with water and shall be retained in good structural condition at all times in the future.

REASON To minimise flood risk in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the National Planning Policy Framework.

17. Construction Management Plan

The construction phase for the development hereby approved, shall be carried out in accordance with the Construction Management Plan Rev 002 (Ref LD140-ARP-XX-XX-RP-G-XXXX-0016); Dated 15/11/2022 at all times.

REASON To minimise the amenity and highway impact in the surrounding area, in accordance with Core Policies 7 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the National Planning Policy Framework..

18. Car Parking Management Plan

No part of the development hereby permitted shall be occupied until a Car Parking Management Plan has been submitted and approved in writing by the Local Planning Authority. The management plan shall include the following:

- Management of parking spaces when demand exceeds capacity during occasional events of heightened activity;
- Results of TRICS Travel Survey;
- Booking system for visitor/contractor parking on site;
- Allocation of parking spaces to permanent staff;
- Review process of parking space utilisation;

The development shall be carried out in accordance with the approved car park management plan at all times.

REASON: To ensure parking overspill does not cause highway capacity or highway safety problems in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework

19. Sustainable Development Design Stage Certificate

Prior to the first use of the development hereby approved a Design Stage Certificate shall be submitted to and approved by the Local Planning Authority confirming that the development has been designed to achieve a standard of BREEAM Excellent (or equivalent standard).

REASON In the interest of sustainable development in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EMP2 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

20. Sustainable Development Post-Construction Review Certificate

Within 6 months of the development hereby approved being brought into first use a Post-Construction Review Certificate confirming the development hereby approved has been constructed so as to achieve a standard of BREEAM Excellent (or equivalent standard) shall be submitted to and approved the Local Planning Authority.

REASON In the interest of sustainable development in accordance with policy 8 of the Core Strategy of the Core Strategy 2008, and the requirements of the National Planning Policy Framework.

21. Redundant Access

No part of the development shall be occupied until the redundant means of accesses have been removed and the footway re-instated and laid out in accordance with the approval plans.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development, in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EMP2 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

22. Visibility

No other part of the development shall be occupied until the visibility splays shown on Drawing No. LD140-ARP-ZZ-ZZ-DR-C-PVMT-1702; Rev P01; Dated 10/22 have been provided on both sides of the access points and the area contained within the splays shall be kept free of any obstruction exceeding 600mm in height above the nearside channel level of the carriageway.

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access, in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EMP2 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

23. Materials

The external fabric to the building and external enclosures / structures hereby approved shall be carried out in accordance with the details approved the materials set out on Pages 43 & 44 of the Design and Access Statement; Rev P01; Dated 18/11/2022.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality and to ensure any reflective material would have acceptable impacts on highway safety and neighbour amenity in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and EMP2 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework 2021.

24. Hardstanding materials

The external hardstanding areas hereby approved shall be carried out in accordance with the details approved the materials set out on Pages 32 & 33 of the Landscape Statement; Rev P01; Dated 18/11/2022.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and EMP2 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

25. Landscape Management Plan

The development hereby approved shall be carried out in accordance with the approved Landscape Management Plan; Rev P01; Dated 18/11/2022 for the lifetime of the development.

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

26. Landscaping scheme

The development hereby approved shall be carried out in accordance with the approved landscaping scheme / net gains in biodiversity:

- a) Landscape Statement; Rev P01; Dated 18/11/2022.
- b) Drawing No. LD140-EXA-LS-0G-DR-L-PLNT-1200 Rev P01; Dated 18/11/2022
- c) Drawing No. LD140-EXA-LS-0G-DR-L-PLNT-1201 Rev P01; Dated 18/11/2022
- d) Drawing No. LD140-EXA-LS-ZZ-DR-L-PLNT-5200 Rev P01; Dated 18/11/2022
- e) Drawing No. LD140-EXA-LS-ZZ-DR-L-PLNT-5204 Rev P01; Dated 18/11/2022
- f) Drawing No. LD140-EXA-LS-ZZ-DR-L-PLNT-7000 Rev P01; Dated 18/11/2022
- g) Drawing No. LD140-EXA-LS-ZZ-DR-L-PLNT-7001 Rev P01; Dated 18/11/2022
- h) Drawing No. LD140-EXA-LS-ZZ-DR-L-PLNT-7002 Rev P01; Dated 18/11/2022
- i) Drawing No. LD140-EXA-LS-ZZ-DR-L-PLNT-7003 Rev P01; Dated 18/11/2022
- j) Drawing No. LD140-EXA-LS-ZZ-DR-L-PLNT-7004 Rev P01; Dated 18/11/2022

No development shall commence on site until a detailed landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be

retained and/or removed and the type, density, position and planting heights of new trees and shrubs.

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

The landscaping scheme shall thereafter be permanently retained for the stated purposes of net gains in biodiversity.

REASON In the interests of the visual amenity of the area and to provide net gains in biodiversity in accordance with Core Policy 8 and 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

27. Plant attenuation

Prior to the installation of any plant, diesel generators, and substation, full specification details including any attenuation demonstrating compliance with the assumptions set out in Appendix D of the Noise Impact Report Rev P02; Ref. LD140-ARP-XX-XX-RP-G-XXXX-0012; Dated 18 November 2022 shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be fully installed prior to first occupation of the development hereby approved and be retained in good working order at all times in the future. No other plant shall be installed.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance. In accordance with Policy EN1 and EMP2 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the National Planning Policy Framework.

28. Electromagnetic fields assessment report

Prior to the installation of the substation hereby approved, an electromagnetic fields assessment report demonstrating the substation would fall within the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details prior to first use be retained in good working order at all times in the future. No other plant shall be installed.

REASON: in the interest of human health in accordance with the National Planning Policy Framework.

29. Diesel generator restrictions

The diesel generators hereby approved shall only be used in the event of a power supply outage, and in accordance with the following diesel generator testing regime:

- A: 5 minutes per unit per month, tested one at a time at no load.
- B: 30 minutes per unit, 8 times per year, tested one at a time at 100% load
- C: 1 hour per unit, 3 times per year, tested one a time at 100% load
- D: 2 hours, once per year, tested simultaneously at 100% load
- E: 1.5 hours, once per year, tested simultaneously at 100% load
- The testing shall only be carried out during the daytime (07:00-23:00).

The diesel generators shall only be used in accordance with the above details.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance. In accordance with Policy EN1 and EMP2 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the National Planning Policy Framework.

30. Above ground water storage tanks

The above ground water storage tanks would be constructed of stainless steel be double skinned with WRAS (Water Regulations Advisory Scheme) approved rubber liners.

REASON To minimise flood risk in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the National Planning Policy Framework.

31. Car parking

The car parking spaces, roadways, and manoeuvring areas as shown on the approved plans shall be provided prior to first occupation of that building hereby approved and be retained at all times in the future for such purposes. The car parking spaces shall not be used for any separate business, commercial or residential use.

REASON: To ensure that adequate on-site parking provision, access, and manoeuvring space is available to serve the development in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Slough 2004 and the National Planning Policy Framework.

32. Cycle Storage

The 32no cycle parking spaces (16 covered and secure; 16 covered) shall be provided prior to first occupation of the development hereby approved in accordance with Drawing No. LD140-RBA-00-0G-DR-A-SITE-1004 Rev P04; Dated 18/11/2022; and the details with the submitted Design and Access Statement; Rev P01; Dated 18/11/2022. The cycle parking shall then be retained at all times in the future for such purposes.

REASON: To ensure that adequate refuse storage is provided to serve the development in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the National Planning Policy Framework.

33. Refuse Storage

The Refuse storage area as shown on the approved plans shall be provided prior to first occupation of the development hereby approved and be retained at all times in the future for such purposes.

REASON: To ensure that adequate refuse storage is provided to serve the development in accordance with Core Policy 7 of the Core Strategy.

34. Access

Access to the development shall be carried out in accordance with the approved plans and shall be completed prior to first use of the development hereby approved.

REASON: To ensure that adequate access is available to serve the development to ensure that the proposed development does not prejudice the safety and function of the highway network in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the National Planning Policy Framework

35. Vehicle access gates

No vehicle access gates, roller shutters doors or other vehicle entry barriers other than those hereby approved shall be installed without first obtaining permission in writing from the Local Planning Authority.

REASON In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the requirements of the National Planning Policy Framework

36. Shower facilities

The shower facilities shown on the approved plans shall be made available for staff, and shall be retained at all times in the future for this purpose prior to the first occupation of that building hereby approved.

REASON To encourage cycling to work in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy T8 of The Adopted Local Plan for Slough 2004, the Slough Developer's Guide Part 3 and the requirements of the National Planning Policy Framework.

37. Boundary treatment

The boundary treatment shall be carried out in accordance with the weld mesh fencing as set out in the Landscape Statement; Rev P01; Dated 18/11/2022 and shall not include any serrated topping or razor wire.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Core Strategy 2008 and the requirements of the National Planning Policy Framework

38. Ancillary offices

The office areas hereby permitted shall be used ancillary to the main use only and shall at no time be used as independent offices falling within and B1a of the Town and Country Planning (Use Classes) Order 1987 (and in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that order) and for no other purpose.

REASON In order protect the amenities of the area and to ensure an appropriate use within a defined business area comply with Core Policies 5 and 8 of The Core Strategy 2008, and the requirements of the National Planning Policy Framework.

39. Energy Strategy

The development hereby approved shall be carried out in accordance with the energy efficiency measures and Low Zero Carbon technology comprising an Air Source Heat Pump as set out in the Section 4 (Energy Strategy) of the Sustainability Strategy (Ref: LD140-ARP-XX-XX-RP-Y-XXXX-0001); Rev P01; Dated 18/11/22. The annual regulated energy consumption of the building

therefore after shall be a minimum of 45% better than a 2021 UK Building Regulation Notional Building.

REASON In the interest of sustainable development in accordance with policy 8 of the Core Strategy of the Core Strategy 2008, and the requirements of the National Planning Policy Framework

Informatives

1. A Section 106 Agreement forms part of this planning permission.
2. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through providing pre application advice, requesting revisions and further information. 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.

3. Thames Water

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

The developer can request information to support the discharge of Thames Water condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

4. Environment Agency

Groundwater Protection

If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. We consider any infiltration SuDS greater than 3m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base of the infiltration point and the peak seasonal groundwater levels. All need to meet the criteria set out in our [Groundwater Protection publication](#). In addition, they must not be constructed in ground affected by contamination.

Other Consents

As you are aware we also have a regulatory role in issuing legally required consents, permits or licences for various activities. We have not assessed whether consent will be required under our regulatory role and therefore this letter does not indicate that permission will be given by the Environment Agency as a regulatory body.

The applicant should contact 03708 506 506 or consult our website to establish if consent will be required for the works they are proposing. Please see <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

5. Highways:

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

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

The 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.

The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.

Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.

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

6. HSE's website provides advice on a wide range of topics, including the fire and explosion risks associated with flammable substances – see About dangerous substances - Fire and explosion (hse.gov.uk) and Storage of flammable liquids in tanks HSG176 (hse.gov.uk).

The employer will be subject to the requirements of the Health and Safety at Work etc Act 1974 (HSWA) and associated legislation, including The Dangerous

Substances and Explosives Atmospheres Regulations 2002 – see The Dangerous Substances and Explosive Atmospheres Regulations 2002 - Fire and explosion (hse.gov.uk).

Under sections 2 and 3 of the HSWA, an operator must conduct the undertaking in such a way as to ensure that, so far as is reasonably practicable, employees and other persons, including people

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: April 2023

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

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

WARD(S)**ALL**

Ref	Appeal	Decision
P/06439/003	<p>44b, Wexham Road, Slough, SL1 1RN</p> <p>Conversion of the loft space into habitable accommodation for a first floor maisonette as a result of the addition of an L shaped dormer, with 2 no. front rooflights, a rear window (re-submission P/06439/002)</p> <p>Officers refused the application due to concerns with the prominence of the proposed dormer from Wellington Street (A4). Planning permission was required because No.44B is a first floor flat and doesn't benefit from PD rights. Secondary concerns were raised with the accuracy of the plans and the potential impact on No.46 Wexham Road as no Daylight/Sunlight Assessment was submitted with the application.</p> <p>The Inspector considered that the provision and visibility of dormers on other houses in Wexham Road and Aldin Avenue North meant that the dormer would not look out of keeping with the surrounding area. The Inspector considered it a proportionate addition that does not dominate the existing dwelling.</p> <p>The Inspector considered the impact on No.46 Wexham Road to be negligible.</p>	<p>Appeal Granted</p> <p>28th February 2023</p>
P/17073/006	<p>8 Litchum Spur, Slough, Berkshire, SL1 3HU</p> <p>Construction of a part single, part double storey rear extension</p> <p>Officers refused the application due to concerns with the proposed rear extension at first floor level would be an over-dominant and bulky feature, given that it would be more than 50% of the width of the original property, conflicting with DP3 of the RESPD, failing to address the reasons for refusal from the P/17073/004 application.</p> <p>The Inspector considered that although the scheme would not appear entirely subordinate to the original building, and it would not fully comply with the advice in the SPD, in this location to the rear, it would not harm the streetscene, and would not harm the character and appearance of the host or</p>	<p>Appeal Granted</p> <p>20th March 2023</p>

	the area. This view was given considering that the inspector also considered that there were diverse rear faces within the nearby buildings.	
P/13536/006	63, Wiltshire Avenue, Slough, SL2 1BB Retrospective application for single storey rear extension and additional alterations.	Appeal Dismissed 27 th March 2023
P/01175/014	397, Bath Road, Slough, Berkshire, SL1 5QA Installation of two illuminated 48-sheet D-Poster (Digital) displays.	Appeal Dismissed 13 th April 2023



Appeal Decision

Site visit made on 7 February 2023

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal Ref: APP/J0350/W/22/3309991

44B Wexham Road, Slough SL1 1RN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Vanessa Mascall against the decision of Slough Borough Council.
 - The application Ref P/06439/003, dated 26 June 2022, was refused by notice dated 5 October 2022.
 - The development proposed is the conversion of the loft space into habitable accommodation for a first floor non self-contained maisonette as a result of the addition of an L shaped dormer, with 2 no. front rooflights, and rear window.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the loft space into habitable accommodation for a first floor non self-contained maisonette as a result of the addition of an L shaped dormer, with 2 no. front rooflights, and rear window at 44B Wexham Road, Slough SL1 1RN in accordance with the terms of the application, Ref P/06439/003, dated 26 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 20-03-003, OS Block Plan and OS Site Plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the terms and provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no windows, other than hereby approved, shall be formed in the flank elevations of the development without the prior written approval of the Local Planning Authority.

Preliminary Matters

2. The red line boundary of the site shown on plans ref: 20-03-003 and 20-03-003, is different to that shown on the site plan and block plan. However, I am content that this discrepancy does not prevent me from making my decision.

<https://www.gov.uk/planning-inspectorate>

Main Issues

3. The effect of the proposed development on the character and appearance of the area, and on the living conditions of the occupiers of No. 46 Wexham Road, with particular regard to outlook and sunlight.

Reasons

Character and appearance

4. The appeal site is located in a predominantly residential area, close to the town centre of Slough. It is largely characterised by two storey semi-detached properties, a number of which have loft conversions. Rear dormers and rooflights are therefore common features in the area.
5. The proposed development would provide an L shaped dormer as part of a loft conversion. There are already several examples of similar loft conversions and associated dormers in the vicinity, including at No's 60 and 64 Wexham Road, both of which are visible from Diamond Road. The Council has provided evidence to demonstrate that those works were carried out using permitted development rights and were therefore not the subject of a planning application. Those works also involved a smaller percentage increase in floorspace given that No's. 60 and 64 are both single dwelling houses rather than a maisonette like 44B. However, these factors do not change the fact that those L shaped dormers exist and now form part of the character of the area.
6. There are also several other examples of loft conversions and dormers nearby, including the properties immediately opposite the appeal site at No's. 20A and 20B Aldin Avenue North. They are a different design to the proposed development, given that they are separate 'box style' dormers rather than L shaped, and are set very slightly lower below the ridge height of the roofs and in from the flank elevations. However, the overall visual effect is not dissimilar to what is being proposed given that they are sizeable and very noticeable protrusions from the rear roof space.
7. No. 44B is in a prominent location and the rear of the property is clearly visible when viewed from Wellington Street. However, the rear dormers on Aldin Avenue North are also highly visible from the same location. Given this, and the presence of other comparable developments nearby, the proposal would not look incongruous or out of keeping with the surrounding area.
8. The proposal is not in conformity with the requirements of Policy EX34 of the Slough Residential Extensions Guidelines Supplementary Planning Document 2010 (the SPD), which requires dormers to be set below the ridge height of the roof and inset from the flanks. However, in this case, the proposed dormer would not extend beyond the ridge of the existing principal roof, or out as far as the existing eastern elevation. It would also not be significantly higher than the ridge of the roof that extends outwards to the rear of the property. It would therefore be proportionate in size and would not dominate the existing dwelling or appear bulky. In similar fashion to the examples at No's. 60 and 64 Wexham Road, the design and style of the dormer would not detract from the appearance of the existing dwelling. As such, the conflict with Policy 34 of the SPD is limited in nature. Two roof lights would also be introduced to the front of the property. Again, this would not be at odds with the appearance of other dwellings nearby, given that a number have a similar rooflights.

9. As a result, the proposed development would not harm the character and appearance of the area. It is therefore in conformity with Policy CP8 of the Slough Local Development Framework Core Strategy 2006-2026 (CS), Policies H15, EN1 and EN2 of the Adopted Local Plan for Slough 2004 (LP), and the overall thrust of the guidance contained in the SPD. Taken together, they seek to ensure that new development is of a good design and respects the character and appearance of both the existing dwelling and surrounding area.
10. I note that the Council have referenced LP Policy H13 in the decision notice. However, I do not consider this policy to be relevant to the proposal given that it concerns backland or infill development.

Living conditions

11. The proposed dormer to the rear of the property would clearly be very visible to the occupiers of No. 46 next door, particularly when viewed from the rear garden. However, the size of the proposed dormer is fairly limited when compared to the size of the existing building as a whole. It would appear as a proportionate extension to the property rather than an over-development, particularly as the height of the dormer would not extend beyond the ridge of the principal roof or project out as far as the eastern elevation of the property. As a result, it would not be visually obtrusive and there would be no feeling of dominance or enclosure experienced by the occupiers of No. 46. Furthermore, given that the dormer would only increase the overall mass of the building by a limited amount, any additional over-shadowing or reduction in sunlight would be negligible.
12. I conclude that the proposed development would not cause harm to the living conditions of the occupiers of No. 46 in conformity with LP Policies EN1 and EN2, as well as principles DP6 and DP7 of the SPD. Taken together, they seek to ensure that the design of development respects neighbouring properties and that living conditions of neighbouring occupiers are preserved, including in respect of outlook and sunlight.

Conditions

13. In the interests of certainty and clarity, I have imposed the standard time condition and identified the relevant plans. I have also imposed the standard condition on materials to ensure that the proposed development conforms with the existing character of the building.
14. I have also imposed a condition to prevent new windows being provided on the flank elevations without prior written approval from the Council. I'm satisfied that this condition is necessary to protect the privacy of neighbouring occupiers.

Conclusion

15. For the reasons given I conclude that the appeal should be allowed.

C Butcher

INSPECTOR

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MEMBERS' ATTENDANCE RECORD 2022/23
PLANNING COMMITTEE

COUNCILLOR	25/05	29/06 Cancelled	26/07	29/09	25/10	30/11	21/12	24/01	21/02	29/03 Cancelled	25/04
Carter	P		P	P	P	P	P	P	P		
J Davis	Ab		Ap	P*	P	Ap	Ab	P	P		
Akbar	P		Ap	P	P	P	P	P	P		
Dar	P		P	P	P	P	P	P	P		
Gahir	P		P	P	P	P	P	P	P		
Mann	P		P	P	P	P	P	P	P		
Mohammad	P		P	P	P	P	Ap	P	P		
Muvvala	P		Ap	P	P	P	P	Ap	Ap		
S Parmar	P		P	P	P	Ap	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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