

Date of issue: Wednesday, 21 September 2022

MEETING	PLANNING COMMITTEE (Councillors Carter (Chair), J. Davis, Akbar, Dar, Gahir, Mann, Mohammad, Muvvala and S. Parmar)
DATE AND TIME:	THURSDAY, 29TH SEPTEMBER, 2022 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.



GAVIN JONES
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.



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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3.	Minutes of the Last Meeting held on 26th July 2022	3 - 8	-
4.	Human Rights Act Statement - To Note	9 - 10	-

PLANNING APPLICATIONS

5.	P/19689/000 - Queensmere Shopping Centre, High Street, Slough, SL1 1LN	11 - 216	Central
6.	P/19954/000 - Units at Poyle Trading Estate, Colndale Road/Arkwright Road, Colnbrook, Slough, SL3 0HQ	217 - 252	Colnbrook with Poyle
7.	P/19642/000 - Grace House, Petersfield Avenue, Slough, SL2 5EA	253 - 300	Central

MATTERS FOR INFORMATION

8.	Planning Appeal Decisions	301 - 358	-
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10.	Date of Next Meeting - 25th October 2022		

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.

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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, 26th July, 2022.

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

Apologies for Absence:- Councillor J. Davis, Akbar and Muvvala

PART I

9. Declarations of Interest

Item 5 (minute 14 refers) – The Horlicks Factory: All members of the Committee present had received an email and brochure from the agent in support of the application.

Item 9 (minute 18 refers) – Rai Solicitors: All members of the Committee present had received an email from the agent in support of the application.

10. Guidance on Predetermination/Predisposition - To Note

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

11. Minutes of the Last Meeting held on 25th May 2022

Resolved – That the minutes of the meeting held on 25th May 2022 be approved as a correct record.

12. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

13. Planning Applications

The Amendment Sheet, which included details of alterations and amendments received since the agenda was circulated had been sent to Committee Members and published on the Council website. Members confirmed they had received and read it prior to the consideration of planning applications.

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

Planning Committee - 26.07.22

Application P/00094/068 – The Horlicks Factory – the applicant addressed the Committee.

Application P/04290/009 – Automotive House – a representative of the applicant addressed the Committee.

Application P/04557/012 - Rai Solicitors – the agent addressed the Committee.

Resolved – That the decisions taken in respect of the planning applications as set out in the minutes below, subject to the information, including conditions and informatives set out in the report of the Planning Manager and the Amendment Sheet circulated to Members prior to the meeting and subject to any further amendments and conditions agreed by the Committee.

14. P/00094/068 - The Horlicks Factory, Stoke Poges Lane, Slough, SL1 3NW

Application	Decision
Submission of Reserved Matters Application (Access, Layout, Scale, Design and Landscaping) for Blocks C,F,H,J and N of the Horlicks Factory site, comprising 701 residential units, commercial floorspace, associated landscaping and amenity spaces, parking, access routes and associated works.	Delegated to the Planning Manager:- A. For approval subject to: 1. Receipt of satisfactory revised floorplans (and elevations) detailing the additional necessary fire safety measures incorporated to address the comments of the Health and Safety Executive (Gateway One), which shall be addressed to the satisfaction of the Health and Safety Executive and the Local Planning Authority. 2. Finalising conditions; and any other minor changes. B. Refuse the application if the above have not been finalised by 26 th January 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

15. P/00463/018 - Cadent,Uxbridge Road Gas Works,Slough, SL2 5NA

Planning Committee - 26.07.22

Application	Decision
<p>Demolition of existing offices, workshop and store buildings. Construction of two storey office building and a single storey workshop / store building with mezzanine. Associated service yards, car parking, access, external storage, storage containers, boundary treatment and landscaping works.</p>	<p>Delegated to the Planning Manager:-</p> <p>A. For approval subject to:-</p> <ol style="list-style-type: none"> 1. An acceptable drainage strategy in consultation with the Lead Local Flood Authority. 2. Addressing any further consultation responses to the satisfaction of planning officers. 3. Finalising conditions; and any other minor changes. <p>B. To report back to the Planning Committee if there are any material changes to the development because of any changes required to the drainage strategy.</p> <p>C. Refuse the application if the above have not been finalised by 26th January 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.</p>

16. P/00106/013 - Lady Haig Club, 70, Stoke Road, Slough, SL2 5AP

Application	Decision
<p>Demolition of existing buildings and change use from class D2 (assembly and leisure), sui generis class A2 (financial and professional services) and limited class C3 residential to all class C3 (residential) to provide for 57 dwellings distributed over 2 blocks (part 4, part 5, part 6 storey building).</p>	<p>Delegated to the Planning Manager for:</p> <p>A. Approval subject to:</p> <ol style="list-style-type: none"> 1. The satisfactory completion of a Section 106 Agreement to secure affordable housing, Burnham Beeches SAC Mitigation and infrastructure contributions along with a viability review mechanism; And 2. Finalising conditions and any other minor changes;

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	<p>OR</p> <p>B. Refuse the application if the completion of the above has not been satisfactorily completed by 31st January 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.</p>
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17. P/04290/009 - Automotive House, Grays Place, Slough SL2 5AF

Application	Decision
Demolition of existing building and construction of 51 residential apartments, laying out of landscaping, car and cycle parking and ancillary development.	<p>Refusal.</p> <p>Refusal reason 4 to include an informative that the reason for refusal could be overcome if suitable details were submitted.</p> <p>Refusal reason 5 to be excluded.</p>

18. P/04557/012 - Rai Solicitors, 19, Stoke Road, Slough, SL2 5AH

Application	Decision
Outline planning permission for the demolition of existing commercial buildings and erection of a 7-storey residential building at the corner of Stoke Road and Stoke Gardens to provide up to 24 new dwellings with associated cycle and car parking. Access, layout, appearance and scale to be determined with landscaping reserved for future consideration.	<p>Delegate to the Planning Manager for Refusal.</p>

19. P/19947/000 - 12, Moreton Way, Slough, SL1 5LT

The Chair declared that this type of planning application would normally be determined under powers of officer delegation, however as the applicant is a

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serving Councillor the application is required to be determined by the Planning Committee.

Application	Decision
Demolition of existing attached single storey garage and replace with a single storey side/rear extension and internal alterations.	Approved, subject to conditions.

20. Members Attendance Record

That the Members attendance record be noted.

21. Date of Next Meeting - 27th September 2022

The date of the next meeting was to be reviewed due to several Members being unavailable on 27th September 2022.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.50 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

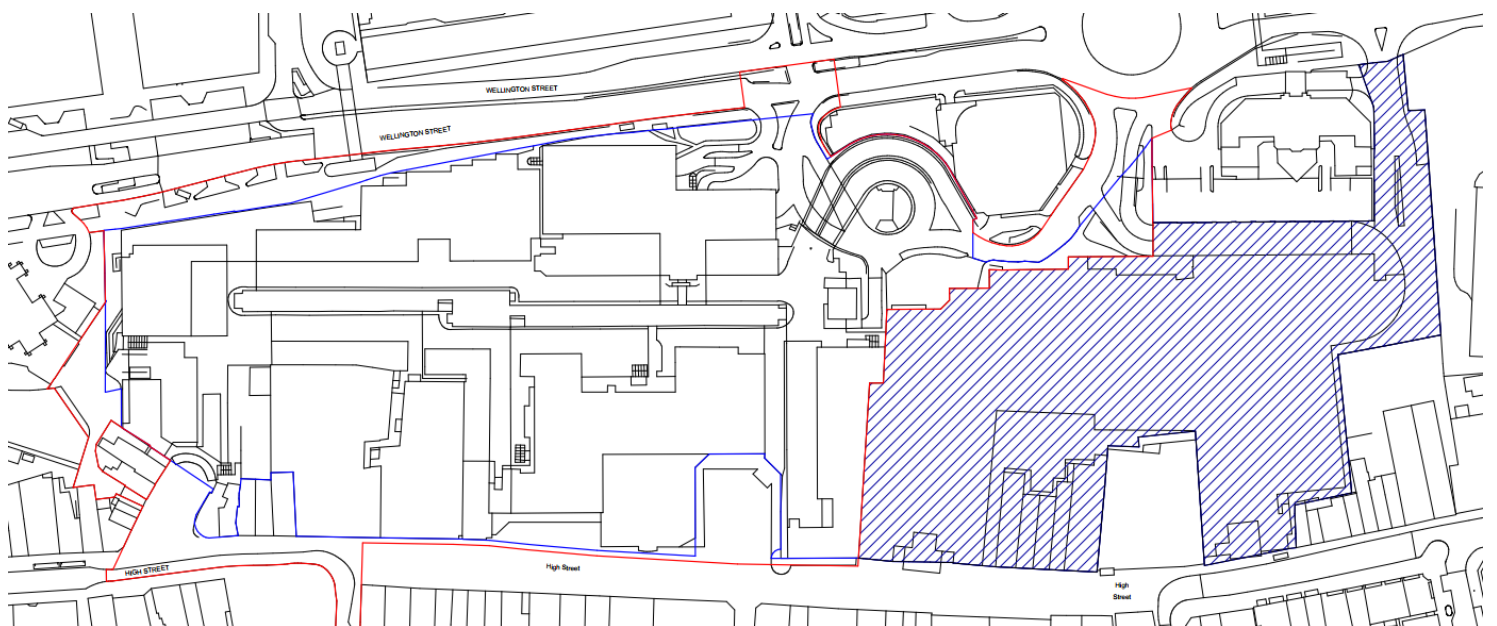
	OLD USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest 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:	01-Nov-2021	Application No:	P/19689/000
Officer:	Neil Button	Ward:	Central
Applicant:	GREEN MONARCH B1 2016 LIMITED	Application Type:	Major
		13 Week Date:	31 January 2022
Agent:	Julie Chowings, Gerald Eve LLP 72, Welbeck Street, London, W1G 0AY		
Location:	Queensmere Shopping Centre, High Street, Slough, SL1 1LN		
Proposal:	<p>Outline application (with all matters reserved) for the demolition of buildings and the phased redevelopment of the Site to provide a mixed-use scheme comprising residential floorspace (C3 use and provision for C2 use); flexible town centre uses floor space (Use Class E and Use Class F), provision for office floorspace (Use Class E (g) (i)), supporting Sui Generis town centre uses (including a range of the following uses: pubs, wine bars, hot food takeaway), Sui Generis leisure uses (provision for a cinema or live music venue); provision for the creation of basements, car and cycle parking (including provision for a Multi-Storey Car Park); site wide landscaping, new public realm including provision of a new town square and public spaces and associated servicing, associated infrastructure, energy generation requirements and highways works [Revised Parameter Plans, Reports, Documents and Environmental Statement Amendments submitted 15th June 2022](Revised Plans and Documents have been submitted).</p>		

Recommendation: Delegate to the Planning Manager for approval.



PART A - SUMMARY OF RECOMMENDATION

- 1.1 Having considered the relevant policies of the Development Plan along with all other material considerations set out below, and the representations received from consultees and the community, in the case of Recommendation Parts A and B it is recommended the application be delegated to the Planning Manager and Chair of the Planning Committee for:

Recommendation A: Approval subject to:

- (i) the satisfactory completion of a Section 106 Agreement to secure affordable housing with review mechanisms, financial contributions towards education improvements (including the potential construction of a nursery in Development Zone DZ6A), sustainable transport and air quality improvements, Burnham Beeches SAC mitigation (within SBC), Travel Plans, Employment and Training Initiatives, and non-financial contributions towards essential mitigation measures such as a Meanwhile Use Strategy, Town Centre Open Space Operations Management Plan, Local Employment, Skills and Training Plan, Town Centre Leisure Use Marketing Requirements, a Scheme for Public Art, off-site highways works, Car Park Management Plan, Commitment for a further Design Review to secure a Detailed Site-Wide Design Code and provision of all necessary off-site s278 highways works to mitigate the impact of the development on the local highways network, and other confirmatory deeds as necessary;
- (ii) The approval of the details of any/all appropriate and necessary planning obligations and/or s278 highways works.
- (iii) The satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act.
- (iv) Receipt of any written responses received from The Gardens Trust (in connection with the potential impact on the Grade 1 Registered Park at Windsor Great Park as a result of the proposals) and being satisfied that any matters raised in the response can be satisfactorily addressed.
- (v) finalising conditions [and any other minor changes].

OR

Recommendation B: Refuse the application if the Section 106 Agreement is not completed by 31st July 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee;

- 1.2 The application is being brought to Committee for decision as it comprises a major development.

PART B - PLANNING ASSESSMENT

2.0 Site Description

2.1 The Site

2.2 The outline application site (The Site) is located within Slough Town Centre, and totals approximately 4.82 hectares in size. Located within the red-line boundary are the following buildings:

- The Queensmere Shopping Centre (with associated multi-storey car park),
- Wellington House, Duke House and Empire Cinema,
- 141 High Street,
- 143 High Street,
- 145 High Street,
- 165 High Street,
- Existing areas of public realm on High Street ((including the existing town square and western entrance space), Wellington Street, Queensmere Road and Church Street and others.

The mix of buildings currently located within the Site provide a range of retail units, leisure (including the Empire Cinema) and office facilities with 23 x existing residential flats at the upper floors to the High Street properties. A number of the retail units within the Shopping Centre and High Street, alongside the offices at Wellington and Dukes House are vacant and unoccupied. The Shopping Centre is served by a substantial multi storey car park accessed from Queensmere Road which is adjacent to Wellington Street (the A4).

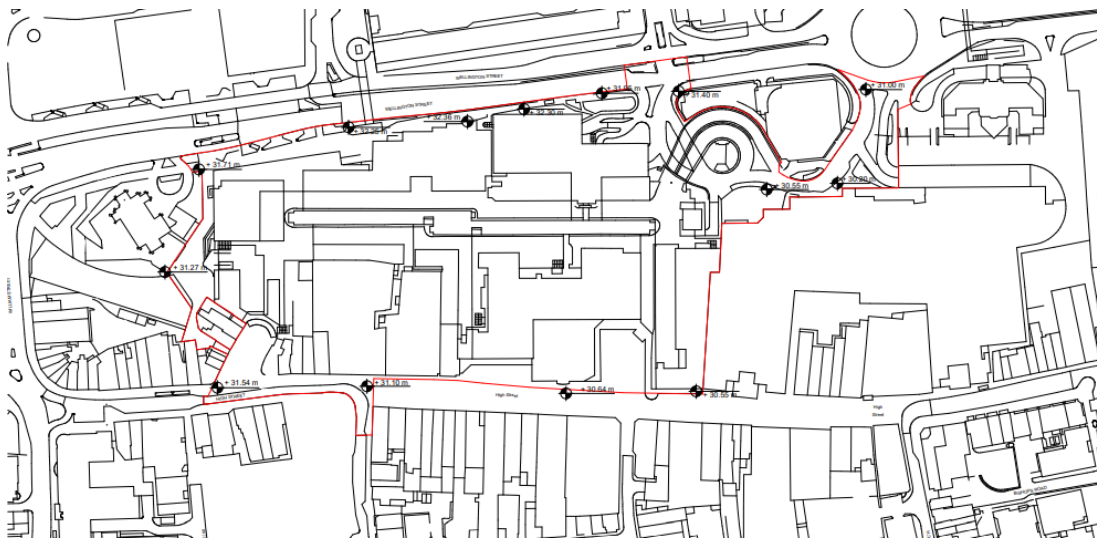


Fig 1: Site Location Plan

2.3 The site is split into a number of different ownerships with the Applicant owning the Queensmere Shopping Centre. Slough Borough Council have freehold interests in parts of the site specified in the Schedule.

2.4 Site Surroundings

To the north, the application site is demarcated by the A4 Road (Wellington Street), and to the south by High Street. The west of the site adjoins the Grade II Listed Church

of Our Lady Immaculate and St Ethelbert and the St Ethelbert's Presbytery. The Curve Library is also located to the west of the site, adjacent south to St Ethelberts Church. The Church and The Curve is accessible through Mackenzie Street which runs off to Wellington Street A4 road (northwest) to High Street (southwest). To the east of the site, the application site is adjoined to Observatory House Shopping Centre. Further east are a range of town centre buildings and retail uses along the eastern ends of High Street. Parts of the application site is located within Flood Zone 1 within the Environment Agency Flood Risk Map for Planning, meaning that the area has a low probability of flooding.

The site is not located within a Conservation Area, and no Locally Listed or Statutory Listed Buildings are located within the site area. However, it is noted that the development is located within the setting of two listed buildings. The site is immediately adjacent to the Church of Our Lady Immaculate and St Ethelbert (Grade II Listed) and St Ethelbert's Presbytery (Grade II Listed) to the west.

The Site also appears in key views from heritage assets further afield, including Windsor Great Park and Stoke Park

2.5 Policy Designations

The application site is identified within the following Planning Policy Designations within the Slough Borough Council Local Plan Policies Map (2010) and Site Allocations DPD (adopted November 2010):

- Town Centre Area,
- Shopping Centre,
- Site Allocation SSA14 (Queensmere/Observatory Shopping Centre)

With regard to the Town Centre, Paragraph 4.4 of Chapter 4 of the Site Allocations DPD (adopted November 2010) states that:

The site allocations process has provided the opportunity to define exactly where in the centre this intensive development will be allowed by redrawing the town centre boundary which will be shown on the Proposals Map. This is based upon the Local Plan "Commercial Core Area" which has been expanded westwards along the Bath Road and northwards to include land around the railway station.

Paragraph 4.5 continues to state:

It is recognised that the town centre has the most capacity for absorbing major change which is why there are four Site Specific Allocations within it: the Heart of Slough (SSA13), Queensmere/ Observatory Shopping Centre (SSA14), Town Hall (SSA11) and Post Office Sorting Office (SSA16) which together make up a significant proportion of the centre

Within the Site Allocations DPD (2010), Site Allocation Policy 1 outlines proposals on the sites. With Respect to Site Allocation SSA14, the proposed use for the site is for Mixed Use: Retail, Leisure, Residential.

3.0 Planning History

3.1 Relevant Site History of Shopping Centre:

The application site is comprised of a number of town centre buildings. As such, it has been subject to a range of planning applications over the years. A large proportion of these applications are primarily minor applications relating to shop front improvements, advertisement consent or changes of use and are largely not considered relevant to this planning application.

With reference to relevant planning applications, the following applications below are of significance:

P/06684/015 Partial demolition and internal alterations/extensions to existing shopping centre as part of a part new build/part refurbished mixed used scheme for 11, 533 sq m of A1 retail, class A3 - A5 food and drink and class D2 assembly and leisure floor space and 675 residential units. The residential element comprising 346 no. 1 bedroom and 329 no. 2 bedroom being contained within 4 no. towers of between 15 and 23 storeys plus infilling development on top of the existing shopping centre and a stand-alone tower of 15 storeys with a viewing galley on top. Reconfiguration of existing access and frontages onto Wellington Street and works including, alterations and improvements to the entrances to the shopping centre; provision of amenity space and landscaping; vehicle and cycle parking; refuse and recycling storage; provision of new and/or upgrading existing infrastructure; groundwork's and re-profiling of site levels; ancillary engineering and other operations and plant and machinery.

Withdrawn (Treated As)

06-Nov-2019

The above application was resolved within Slough Borough Council's Planning Committee meeting in 2015 to grant planning permission, subject to the satisfactory completion of a Section 106 Agreement. The Section 106 Agreement was not signed, and therefore the application was never formally consented as a result.

P/06684/013 Demolition of part of the Queensmere Shopping Centre and redevelopment to provide 3,019 sq metres of class A1 retail floorspace together with associated alterations to pedestrian access arrangements to the shopping centre. Demolition and redevelopment of existing service road with construction of a roof above.

Approved with conditions

19-Nov-2008

The development subject to this planning application was implemented.

P/06684/008 Refurbishment and extension to existing shopping centre comprising:

- (1) Infilling of the ground floor area between the cinema complex and existing retail units adjoining town square together with change of use of part of existing property for retail (a1) and/or restaurant (a3) purposes;
- (2) Erection of single storey shop unit adjoining cinema and other ground floor extensions;

- (3) Alterations to external appearance and entrances;
- (4) Repaving town square, Mackenzie street and parts of the high street
- (5) Removal of planters in town square and certain planters of the high street;
- (6) Removal of fountain and pumps in Mackenzie street

Approved with conditions 31-July-1997

The development subject to this planning application was implemented

3.2 Environmental Impact Assessment (EIA) Scoping

P/19264/001 Environmental Impact Assessment (EIA) request for a Scoping Opinion pursuant to Regulation 15 of the Town and Country Planning (EIA) Regulations 2017 for the comprehensive redevelopment of the Queensmere Shopping Centres to comprise the construction of a phased residential-led, mixed use development including residential, commercial, business and retail floorspace, car parking, access arrangements and associated landscaping

EIA Scoping Opinion Issues 22-Sep-2021

3.3 Planning History of Nearby Sites with relevant Planning Permissions/Applications

3.4 A number of major planning applications have been consented within proximity to the application site. These, alongside major applications currently under consideration are listed below.

Slough Central Library, 85, High Street, Slough, SL1 1EA

P/17238/000 Construction of mixed use development (part ten, part nine, part six and part four storey) to provide two hotels totalling 244 guestrooms, two ground floor commercial (A1/A2/A3/A4) units totalling 379 sqm, and 64 self-contained residential units with a residential mix of 12 x studios, 28 x 1 bedroom units and 24 x 2 bedroom dwellings together with associated car and cycle parking, refuse storage and the installation of plant and equipment.

Approved with conditions 29-Nov-2018

My Council, Landmark Place, High Street, Slough, SL1 1JL

F/10913/019 Prior approval for change of use from Class B1 (a) offices to Class C3 to create 89 residential units, ranging from studios, 1 bed and 2 bed units

Prior Approval
Granted with conditions 13-May-2021

Buckingham Gateway, 132-144, High Street, Slough,

P/04303/048 EIA screening opinion for Circa 291 units, Circa 3,000 sqm GIA Commercial Space (inclusive of associated basement car park) & Circa 820sqm GEA Private Residential Courtyard Space.

EIA Screening Opinion 08-Jan-2021

P/04303/051 Redevelopment of the existing cleared site for a mixed use development comprising flexible Class E (commercial) floorspace on the ground floor fronting the High Street, up to 254 residential units on the upper floors, within four connecting buildings in heights ranging between part basement, ground plus part four/part six, six, seven and fourteen storeys. Shared amenity space on the ground floor, disabled parking and ancillary waste and recycling, cycle storage and landscaping.

Under consideration

150-152, High Street, Slough, SL1 1JP

P/01601/023 Construction of a four storey building to provide Class E commercial use at ground floor and 8 residential flats on upper floors.

Approved with conditions 08-Oct-2021

186-188, High Street, Slough, SL1 1JS

P/01914/027 Construction of two storey roof extension at third and fourth floor level, a four storey infill extension to front side, and 5 storey extension the rear and side to provide 14 x residential flats (13 x 2 bed; 1 x 1 bed) with an internal courtyard with balconies; external alterations to existing elevations alter the building's appearance and provide additional windows and doors. Integral cycle store and bin store to the ground floor rear.

Approved with conditions 01-Oct-2018

190-192, High Street, Slough, SL1 1JS

P/03079/017 Redevelopment of the site to provide a part six, part eight storey building to form 63 residential units (Use Class C3); re-provision of 2 commercial units (Use Class E); associated cycle parking, refuse storage; roof garden; new residential access to the front (north) elevation; and upgrades to the high street façade.

Resolution to grant at May 2021 Committee. No decision notice issued to date.

204-206, High Street, Slough, SL1 1JS (Former BHS Site)

P/02683/013 Demolition and Redevelopment of the existing site for a mixed use development comprising replacement flexible retail space

(Class A1,A2,A3 uses) at ground floor level, flexible commercial floorspace at first floor fronting the High Street for either B1 (offices) or Class D2 (gym) uses and 78 residential dwellings within 3 buildings at podium level across the site with heights of 5, 11 and 4 storeys. Shared amenity space provided at first floor podium level, with cycle, waste and recycling storage facilities at ground floor level, and provision of two accessible car parking spaces (for the residential uses), loading and drop-off facilities and servicing area within ground floor level with access from Herschel Street (Revised Description of Development and Revised Plans submitted 03/09/2019).

Approved with conditions

04-Mar-2020

P/02683/015

An application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 2 (Approved Drawing Numbers), Condition 5 (Approved Uses), Condition 6 (Hours of Operation) and Condition 36 (Fire Safety) of planning permission P/02683/013 for the Demolition and Redevelopment of the existing site for a mixed use development (granted 4th March 2020) namely for various material amendments including addition of 2 'floors' to the top of Block B to create an 11th and 12th floor and an additional 8 x 1 bed flats; use of the first floor of Block A for 3 x 2 bed residential units; flexible Class E space throughout the ground floor commercial unit; amendment to the commercial High St side entrance to form a residential entrance; increasing the number or cycle parking spaces and waste provision; and removal of the flexible office/gym space at first floor of Block A

Approved with conditions

22-Feb-2022

234-236, High Street, Slough, Berkshire, SL1 1JU

P/02418/038

Conversion of existing first floor ancillary retail storage to residential flats (C3 Use Class) and upward extension over ground floor and first floor to create 14 flats (4 x studio flats; 8 x 1 bed flats; 2 x 2 bed). Rear extension for secure cycle store and bin store. Photovoltaic panels on flat roof. Balconies at rear, terrace at front.

Approved with conditions

02-Jun-2021

277-279, High Street, Slough, Berkshire, SL1 1BN

P/01276/003

Outline Planning Permission (with Matters of Scale) for the demolition of the existing buildings on 277-279 High Street and redevelopment consisting three buildings, one of a single storey link building for cycle store and reception area, one part four/five storey, one six storey and a single storey link building to provide up to 57no. residential flats with ground floor retail/commercial units, cycle storage facility and car parking. (Layout, Appearance and Landscaping to be dealt with by reserved matters).

	Approved with conditions	13-Jan-2020
P/01276/004	Outline planning permission (with matters of access, layout and scale) for the demolition of the existing buildings on 277-279 High Street and redevelopment consisting three buildings, one of a single storey link building for cycle store and reception area, one ground plus six storey building to the front, one ground plus 12 storey building to the rear, providing 99no. residential flats and 2no. retail/commercial units with 39 parking spaces and bin storage.	
	Withdrawn (Treated As)	05-Apr-2022
The Pied Horse, 300, High Street, Slough, SL1 1NB		
P/08145/007	Creation of an additional 3 storeys on top of existing ground floor, to create 11 new units. Alterations to 3 existing units. Ground Floor change of use from Public house (class A4 use) to Retail (class A1 use) facing High Street and Offices (Class B1a use) facing Hatfield Road. New residential units will have associated cycle storage in the basement and bin storage on the ground floor.	
	Refused	17-Nov-2020
Thames Central, Hatfield Road, Slough, SL1 1QE		
F/02411/021	Prior approval for change of use from offices (B1a) to form 153 apartments.	
	Prior approval granted	16-Oct-2019
P/02411/022	Construction of a side and roof extension to existing building to provide 52 apartments, involving the formation of a fourteen storey building.	
	Under consideration	
The Switch, 1-7, The Grove, Slough, SL1 1QP		
F/01043/042	Prior Notification for a change of use from Offices (B1) to Dwellinghouses (C3) (Change of use of the building at 4th -10th floors with ground floor entrance and ancillary accommodation from Class B1a offices to 69no. flats 61 x one bedroom and 8 two bedroom)	
F/01043/043	Under consideration Prior Notification for a change of use from Offices (B1) to Dwellinghouses (C3) Change of use of the building at ground to 3rd floors from Class B1a offices to 71no. flats (65 x one bedroom and 6 x two bedroom)	
	Refused	06-Dec-2021

Buildings 1 & 3, The Future Works, Wellington Street, Slough, SL1 1FQ

P/02272/030 Construction of two office buildings, at 12 storeys in height and 11 storeys in height (plus basements) and a single storey pavilion building, to include flexible uses at ground floor (uses at ground floor and mezzanine level within 3 The Future Works) to comprise a mix of office, parking, shop, financial and professional services, gym, café/restaurant, pub or drinking establishment, health centre dentist/and or community floorspace, and associated landscaping, access, car parking and public realm works

Resolution to grant March 2021 (Committee) No Decision Notice issued at time of writing. Awaiting signing of S106.

Former Octagon, Brunel Way, Slough, SL1 1QY

P/04888/022 Redevelopment of temporary car park comprising the erection of a 7 storey building to provide 19,608 sqm including B1 office floorspace, ground floor retail uses (Use Class A1/A3), and car parking, alongside associated landscaping, access and servicing area

Approved with conditions 26-Mar-2021

Heart of Slough Redevelopment, Corner of, Wellington & William St., Windsor Rd., Brunel Way, High Street, Slough, Berkshire.

P/14405/000 Redevelopment / reconfiguration of the existing roundabout at the junction of Wellington Street with William Street to create a crossroad layout at this road junction. Plus the removal of the existing pedestrian subway (underneath Wellington Street), and alterations to the footways of Wellington Street, William Street and High Street West associated with works to enhance the public realm/landscaping on these streets (full). In addition, the redevelopment of the four quadrant sites adjacent to the roundabout (Thames Valley University; Brunel Bus Station, Slough Public Library; and Slough Day Centre and the Church of Our Lady Immaculate and St Ethelbert) involving demolition of all existing buildings except for the church of our lady immaculate and st ethelbert to provide: 1,598 new dwellings; 48,708sqm of (class B1 use) office space; a 120 bed hotel; a new bus station; 6,085sqm of community floor space (class D1 use) including provision of a new library, class A1 retail use and class A3 café / restaurant, class A4 use (pubs/bars), class D2 use (leisure) and associated public realm and parking (outline).

Approved with conditions 22-Dec-2009

141, High Street, Slough, SL1 1DN

P/00662/022 Construction of new additional floors comprising of 6no self contained units with refuse and cycle storage at ground floor level and amended access stairs to basement level.

Appeal submitted on grounds of non-determination

127, High Street, Slough, SL1 1DH

F/03748/013 Prior approval for the change of use from offices to residential (class C3)

Prior approval refused 15-Mar-2021

210-216, High Street, Slough, SL1 1JS

F/01190/029 Prior approval notification for additional floors to provide self-contained residential units.

Prior approval refused 21-Jan-2022

The Rose And Crown, 312, High Street, Slough, SL1 1NB

P/04730/014 Listed building consent for the conversion of existing first floor into a self contained two bedroom flat and retention of ground floor area as a Pub with minor layout alterations. Creation of a new dedicated access point from Hatfield Road to the new first floor flat. Creation of a passage above the existing rear extension to include the erection of a new external staircase. New door and high-level window at first floor in rear elevation to service the new residential unit.

Approved with conditions 31-Jan-2022

331-333, High Street, Slough, SL1 1TX

P/01991/011 Change of use from first and second floor drugs rehabilitation centre (Class D1(a)) to a 4x residential flats (Class C3) & ground floor from E(a) use to E(g)(i) office use (Retrospective)

Under consideration

324-372, Bath Road, Slough, SL1 6JA

P/19639/000 Demolition of all existing structures and a phased development of a series of different height blocks (potentially up to c. 11 storeys) for residential dwellings with associated parking, infrastructure and landscaping.

EIA not required 12-Oct-2021

4.0 **Consultation Comments**

4.1 Neighbour Notification

4.2 In accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), a number of site notices were displayed around the site on 11/11/2021.

4.3 Further revised plans and documents were submitted in connection with the application received by SBC on 20/06/2022. The revised documentation included amendments to the development proposals, and to the plans submitted (for consideration/approval) although the description of development remains unaltered. As such, in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the EIA Regulations (2017) under Regulation 25, a number of amended site notices were displayed around the site on 16/06/2022. The application was advertised in the 17/06/2022 edition of The Slough Express for the following reasons:

- The proposals constitute a Major Development
- The application is supported by an Environmental Statement
- The development is a departure from the Development Plan
- The proposals may affect the setting of Grade II Listed Buildings

4.4 One representation has been received on 20/09/2022 in support of the application and is summarised below.

- This part of town requires serious attention to revive its previous prominent reputation, as it is currently a no-go area, providing the town with a negative stigma
- a new generation High St as a central hub is needed as the current traditional High St is in decline,
- new generation options such as street trading, retail, leisure, and residential mix alongside the Curve, Porter Building, Works, Moxy will help to boost growth and economy within the area

4.5 Consultations:

4.6 Berkshire Archaeology

Comments received on 19/11/2021. With respect to the re-submission, no further comments have been received.

No objections raised, and no further requirement for archaeological mitigation. With respect to the re-submission, no further comments have been received.

Case Officer Note: In light of the representations by Berkshire Archaeology, there is no requirement for planning conditions requiring further archaeological investigation.

4.7 Royal Borough Windsor & Maidenhead (RBWM)

Comments received from RBWM Planning Team and Conservation Team on 27/04/2022.

Objection raised on the basis of the proposed development having an adverse impact on the setting of all heritage assets considered within RBWM.

Case Officer Note: In response, the applicant has sought to address concerns with respect to the building heights, protected viewpoints, and harmful impacts on heritage assets. RBWM were provided with the applicant's comments on 28th June 2022, however no further comments have been received in response at the time of writing. Through the agent's response, the applicant has sought to correct errors in the

assumptions of building heights and ground floor levels made within RBWM's assessments. (RMWM had over-stated the actual building heights due to the reference to AOD rather than the height above ground and SBC accept this as an incorrect statement of fact with regards to the development). It is considered by officers that the applicant's response clarifies the proposed building heights. This is confirmed in the description of development in this report. The EIA scoping response predated the application and this document provided representative viewpoints and associated visual receptors that were agreed as appropriate and proportionate to the potential effects of the proposed development on site. Historic England raise no objection to the impact on heritage assets within RBWM including from the viewpoint taken from the Copper Horse Statute.

4.8 South Bucks District Council (Buckinghamshire Council)

Comments received on 30/11/2021.

No objections raised. With respect to the re-submission, no further comments have been received.

4.9 Sport England

Comments received on 17/11/2021.

No objections raised. With respect to the re-submission, no further comments have been received.

4.10 Crime Prevention and Design Officer

Comments received on 01/12/2021.

No formal objection raised. The officer has provided a list of comments to provide the applicant with guidance with respect to detailed design to ensure compliance with the National Planning Policy Framework, Secured by Design principles and Section 17 of the Crime and Disorder Act 1998.

No formal comments in relation to the re-submission have been provided.

Case Officer Note: The guidance provided by the CPDO has been issued to the Applicant as informative to the future submissions and a planning condition requiring Secure by Design Compliance is recommended.

4.11 Historic England

Comments received on 30/11/2022.

The proposals would be visible in long-range views from highly significant historical sites, including Windsor Castle, the Home and Great Parks, and Stoke Park (house and registered park and garden), as well as in close proximity to the highly grade Church of Our Lady the Immaculate and St Ethelbert. The role of the long-range view differs in its significance for each asset, with both strategic visibility of surroundings and designed vistas valued within the Windsor Castle estate. For Stoke Park, the designed landscape incorporates views throughout the grounds and includes views from the pleasure grounds southwards towards Slough town centre and from Stoke Park house. These views were designed to enjoy the splendour of the parkland with

the illusion given by tree belts to the south that the parkland extended on considerably beyond the ownership boundary.

Overall, the proposals indicate a similar scale of development in terms of impacts on heritage assets as the extant planning permission.

However, we note that it does not appear that the impact on Stoke Park was considered at the time of the earlier scheme, which is regrettable. The parameters plans indicate that the site could sit taller and further to the east in certain views from Stoke Park, which may have a greater adverse impact if poorly designed.

We agree with the design guide principles M6/7 and M6/8 that require key views from heritage assets to be carefully considered and we recommend that in addition to Windsor Castle and the Church of Our Lady the Grade I listed Stoke Park (and its grounds, registered grade II) should be included in this analysis. This is because we believe careful analysis of these sensitive locations is required to inform the developing designs, to achieve the exact position and form of towers so that the impact of them in views is reduced as far as possible. This can be achieved through careful design, including designing towers that are slender.

We welcome the aims of the indicative scheme to respect the Church of Our Lady and to create a town square and civic space to the west of the site, that could enhance this important Grade II* listed church and associated Presbytery.

No objections raised on heritage grounds. With respect to the resubmission, responses were received on 05/07/2022. No objections were raised within the response.

Case Officer Response: The impacts on built heritage are considered further within the planning assessment set out in this report and conditions are recommended to ensure future reserved matters are submitted to ensure special regard is given to the design, materials and architecture of the development to safeguard the setting and special historic character of the heritage assets identified in the report.

4.12 BEAMS [Council's Heritage Advisor]

Comments received on 10/12/2021.

No objections are received from BEAMS. BEAMS generally agrees with the findings of the Heritage Statement which provides a thorough assessment of the proposed development and its impact upon designated and non-designated heritage assets within the study area. BEAMS comments are focused upon the setting of the Church of Our Lady Immaculate and St. Ethelbert and the setting of Windsor Castle.

The proposed part of the Queensmere development closest to the Church has a curved façade which reflects and follows the line of The Curve however its massing and the massing of the development behind which rises in height is significantly greater than the existing development in this position (as illustrated in the TVIA).

The Townscape and Visual Impact Assessment (view 27 from the Copper Horse Statute) illustrates that the development would be sited to the right of Windsor Castle so will not alter its existing silhouette. The development does not look to break the skyline. BEAMS view is that the substantial massing of the Queensmere development is likely to 'draw the eye' and visually distract from views towards the Castle. The materials used in the construction of the development, and careful handling of its

overall design / appearance should aim to reduce its visual intrusion and ensure it fades into the background in views from the Copper Horse and does not visually distract from the Castle.

BEAMs considers that the proposal would lead to less than substantial harm in relation to the impact on the significance of Windsor Castle and St Ethelberts Church and Presbytery. Slough Borough Council, as decision maker, should weigh up the harm identified against the public benefits of the proposal.

4.13 Highways England

Comments received on 21/09/2021.

No objections raised subject to a condition requiring a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways) (prior to commencement of development) to mitigate any adverse impact from the development on the M4, to ensure that the M4 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

With respect to the re-submission, no further comments have been received.

4.14 Natural England

Comments received on 30/11/2021.

An objection was received with a request further information required to determine the impact on designated site, as the proposed development is within 5.6 kilometres of Burnham Beeches Special Area of Conservation (SAC). Therefore, Natural England have requested the submission of a Habitat Regulations Assessment and Appropriate Assessment to consider mitigation of the SAC.

Revised holding comments received on 05/09/2022.

As agreed [with NE], Phase 1 of Upton Court Park has a capacity [to mitigate up to] 1719 dwellings however some applications have already been allocated to Upton Court Park (for up to 524 homes at the Stoke Wharf and Montem Leisure Centre sites). As a result, the remaining capacity at Upton Court Park is 1195 dwellings.

Application P/19689/000 – Queensmere would need to seek additional mitigation as there is not enough capacity at Upton Court Park should 1600 homes come forward with this application. Phase 2 at Upton Court Park is likely to have the additional capacity for Queensmere however this requires the visitor surveys to be undertaken so you can calculate the remaining capacity within Upton Court Park in addition to the additional measures that will be delivered in Phase 2.

Case Officer Note: Following discussions with SBC officers and the Applicant, it has been agreed with Natural England that a financial contribution will be made towards Upton Court Park and Burnham Beeches mitigation measures as part of the S106 Obligations. SBC is required to determine the additional carrying capacity of Upton Court Park referred to in the Phase 2 of the Upton Court Park Enhancement Scheme and this must be agreed with Natural England. SBC is currently undertaking this work to determine the additional carrying capacity of Upton Court Park in order to provide further measures to be secured through this outline development if in excess of 1195

dwellings are delivered under the outline permission. It is understood that the rate and amount of s106 contributions are broadly acceptable to NE as evidenced by SBC.

4.15 SBC Community Safety

No objections.

Case Officer Note: Discussions between the Community Safety Officer and Officers took place on 02/03/2022. Whilst no objections specifically were raised, it was advised that the detailed design seeks to address issues with concerns to surveillance, landscaping design and security management. Officers have advised that details elements of this are provided at the reserved matters stage. The s106 will include obligations on the developer to facilitate a town centre operations management forum to review the on-going community safety measures to arise out of the new development, to include local businesses, residents, other key stakeholders, Local Police and SBC. The s106 will also include provision of a Meanwhile Use Strategy which will contain details of the strategy for promoting interim land uses, access and public realm during the construction process. A Phasing Programme and Plan will be conditioned to include details of the interim community safety measures (ie: lighting, security, access, parking etc) are satisfactory whilst the development is implemented over the construction period.

4.16 Thames Water

Comments received on 26/11/2021. The comments issued by Thames Water were issued in the standard format noting the need for conditions for foul water and surface water drainage details and piling method statements, prior to any development taking place. Thames Water recommend no development within 5m of the strategic water main. Thames Water have identified that the existing water network infrastructure may not have capacity to accommodate the needs of this development proposal. A further condition is recommended to secure an infrastructure phasing plan to ensure capacity is provided.

Case Officer Note: Correspondences were received from the Applicant on 23/02/2022 addressing concerns raised by Thames Water in relation to Foul and Surface Networks and Drainage Strategy. The Applicant acknowledges the need for modelling and design upgrades would be carried out by Thames Water prior to the development taking place. The proposed drainage strategy discusses this in the main text (section 5.3 Proposed Foul Drainage). Thames Water Pre-app response quotes a timeline of circa 20 months for Thames Water to model, design and construct the reinforcement works.

The outline application proposes that the proposed surface water system reduces the run off rate by 50% or more which has been discussed with Thames as part of the pre application process. The Applicant proposes to reduce the 1:100 year runoff rate by 50% including an allowance for Climate change. The Applicant has used Thames Water's sequential approach to the disposal of surface water in the drainage strategy document (section 4.3.1 Runoff Destination) which was submitted as part of the Queensmere Outline Planning Application.

Details of piling method statements, foul and surface water drainage methods and strategies/run-off rates will be required prior to the commencement of development and will be conditioned.

4.17 HSE Planning Gateway One

Substantive response received on 28/01/2022.

It is noted within the response that there is insufficient information available within the outline application for HSE to provide full comments, given the nature of the application. Notwithstanding this, conditions have been provided in line with HSE comments in order to ensure these details are provided within a Fire Statement alongside any reserved matters application. With respect to the re-submission, no further comments have been received.

Case Officer Note: The Council is satisfied that the Outline Fire Statement includes information that is commensurate with an outline application and further details can be addressed at the reserved matters stage and/or by condition. A condition is therefore recommended to ensure that a Fire Statement is submitted with each reserved matters application for Development (of Buildings) within a Development Zone. The Fire Statement will need to demonstrate that fire safety measures are incorporated into the detailed design of the buildings (including ancillary areas) in order to meet the relevant Building Regulations. HSE and the Local Fire Service will be consulted on these detailed submissions.

4.18 HSE

Response received on 17/11/2021.

No comments made, given that the application does not fall within HSE consultation Zones.

4.19 SBC Landscape and Arboriculture

Comments received on 18/11/2021. The comments note that details are to be provided under future Reserved Matters Applications. Further officer assessment of this is provided within Section 11.5 of the report.

4.20 SBC Environmental Air Quality and Noise

Final responses received on 18/07/2022. No objections subject to the attached conditions and recommended mitigation strategies. These issues are discussed in further detail within Section 19.0 of the report.

4.21 SBC Special Projects Officer - Energy, Sustainable Design and Construction

Comments received on 21/12/2021. No objections received. The carbon emissions will be better than the intention behind the published SBC planning guidance of 15/19% (domestic) which are better than 2013 Building Regulations. The proposal can be considered to comply with current SBC energy planning policy/guidance provided there is confidence that a start (re: Building Regulations) will not be made before 23 June 2023. If there is doubt I suggest applicant agrees to a condition to commit to comply with the 2021 Part L Building Regulations or if they dispute that 19% better than 2013 Building Regs for domestic and non-domestic buildings. Recommend BREEAM excellent for non-domestic floorspace is secured by condition.

Re use of renewable/low carbon energy, it is assumed the indicative proposal would be much better than the Council's published 10% (as defined in the 2017 Guidance).

Please seek a low carbon energy scheme by condition that commits them to a % substantially higher than 10% if possible. And to tie in with SBC climate change strategy, in liaison with Carbon Compliance Officer, seek a requirement in some form to connect to a future district heat network.

Bearing in mind the Council's climate change strategy, emerging planning policy and long build out, it is hoped there is scope to achieve better than current minimum standards re BREEAM, carbon, energy etc. as indicated above and in particular for later phases of development. 'Build net zero now' is a logical aim to avoid retrofit in future years. It should be noted proposals for net zero re: Building Regulations may come into force in 2025.

Re: ventilation and minimising overheating risk I suggest seek a study and mitigation measures by condition although improved Building Regulations are due to come into force as above re dates.

Further officer assessment of this is provided within Section 17.0 of the report.

4.22 Atkins [Providing technical advice to SBC in respect of Ecological Assessment, Biodiversity Net Gains and Habitat Regulation Assessment]

Comments received on 17/12/2021.

In respect of the Preliminary Ecological Assessment, as no survey was undertaken of the additional trees, we suggest a precautionary approach is taken and that prior to works commencing (including demolition), a pre-works check is undertaken to determine the presence / likely absence of bats.

In respect of the Habitat Regulations Assessment, Slough Borough Council need to provide details of their mitigation strategy report for Burnham Beeches SAC to Natural England including more details with regards to the timescale of this and the format of proposed mitigation measures.

In terms of the Biodiversity Net Gains report, Atkins are in agreement with the findings of the BNG assessment undertaken for the application but have made a few review comments. This report is adequate for supporting this stage of the application, but Slough need to ensure that a full BNG assessment is undertaken (once the detailed design and landscaping plans are available to support this) and submitted as part of the full planning application for the Queensmere site.

Case Officer Note: Whilst no objections were raised by Atkins, officers have secured further pre-commencement conditions in order to ensure (1) a bat survey is carried out of the existing buildings; (2) sufficient mitigation measures and appropriate assessments are provided at the reserved matters stages and to address Natural England comments in regards to Burnham Beeches mitigation and (3) a detailed BNG Assessment is carried out when sufficient detailed design is known (securing BNG in accordance with the detailed assessments).

4.23 Hampshire County Council (Lead Local Flood Risk Authority)

Comments received (in connection with outline Surface Water Drainage Assessment) on 10/12/2021.

No objections subject to condition.

Case Officer Note: Conditions are required to secure a site wide surface water drainage strategy and detailed surface water drainage proposals to be prepared for each Development Zone, or relevant part thereof for approval (prior to commencement of development) as part of the appropriate reserved matter submission.

4.24 SBC Contaminated Land

Comments received on 13/12/2021. No objections raised subject to the attached conditions requiring site investigation, remediation method statements, verification and monitoring reports post remediation.

4.25 SBC Building Control

No comments received.

4.26 SBC Resilience and Enforcement

No comments received.

4.27 Royal Berkshire Fire and Rescue Service

Comments received on 15/11/2021. No formal objections received.

4.28 Design Southeast (DSE)

Summary of final DRP (carried out on 16th August 2022);

The scheme has improved since the last review and we are supportive of the principles contained in the illustrative masterplan. This is a unique opportunity to reshape the town centre for the benefit of future generations. To enable this, the design code should promote positive change where it is needed, for example on Wellington Street. It should build on the principles described in the illustrative material and define the proposal as unambiguously as possible so that the local authority understands what is being proposed. Finally, it must provide the authority with the tools it needs to ensure the promise of the proposal is delivered and be sufficiently robust to be used in the assessment of reserved matters applications. Based on the presentation and the examples of the code shown, we think further development is required to deliver a document that meets these objectives. We would welcome the opportunity to review the design code in full and to be engaged in the review of reserved matters applications.

Case Officer Note: Design Southeast (DSE) consultants have worked alongside officers to advise on the Parameter Plans and Design Code document submitted as part of the application. A series of discussions and workshops have taken place in order to resolve outstanding issues with respect to the Design Codes and Parameter Plans. 3 x Design Review Panels (DRP) have taken place, with the applicant, agent, officers and DSE consultants pre and post planning submission. The final DRP was held on 16/08/2022. The DRP are supportive of the overall principle of redevelopment, land use provision and flexible approach to the scheme. However, some concerns are raised about the level of control in the Design Code and the Parameter Plans. Following DSE consultation comments, a number of recommendations were provided advising on the structure and content of the Design Codes and Parameter Plans, for consideration for amendments provided as part of the current proposal and matters for

future Reserved Matters Applications to resolve. Further DRP commentary is set out in the planning assessment of design within the report.

It is agreed by officers that further details in relation to the Design Codes should be submitted as part future reserved matters applications. A condition outlining the details required for this is attached to the permission.

4.29 SBC Transport and Highways Comments

An assessment of the transport and highways impacts is addressed within the planning assessment.

4.30 SBC Asset Management- Education

Comments received on 03/02/2022. No objections have been raised. A financial contribution is sought in a S106 Agreement along with provision of an appropriately sized nursery to relate to the scale of residential development delivered on the site.

4.31 SBC Future Skills/Economic Development

Following discussions with officers no objections have been raised. Financial and Non-financial commitments have been sought as part of the Section 106 Obligations alongside the S106 requirement to submit for approval a Meanwhile Use Strategy which provides details to support potential interim and temporary uses within the site, whilst the development is under construction.

4.32 SBC Community Service- Leisure

Comments received on 26/01/2022. No objections have been raised. A financial contribution (toward Upton Court Park as part of the Burnham Beeches mitigation) is sought as part of the Section 106 Obligations.

4.33 SBC Planning Policy

Comments incorporated into the planning assessment.

4.34 SBC Place Strategy

No objections received. From discussions with officers, financial contributions and non-financial commitments are sought as part of the Section 106 Obligations.

4.35 SBC Asset Management (Development)

Comments received on 26/01/2022. Note that some properties within our ownership (in Mackenzie Square, the Town Square) are incorporated into the scheme. No objections are raised.

4.36 Business Improvement District (BID)

No objections have been received.

4.37 SBC Parks

Comments received on 10/02/2022, and 22/02/2022. No objections were received. It is noted that Upton Court was accepted by officers as a Suitable Alternative Greenspace (SANG) to Burnham Beeches as a mitigation strategy. Financial contributions are sought as part of the Section 106 Obligations.

4.38 Transport For London

Comments received on 09/08/2022. No objections raised, as the site falls outside the Crossrail Safeguarded Limits.

4.39 Network Rail

Comments Received 15/08/2022. No objections raised to principle of development.

4.40 Environment Agency

Comments received on 21/12/2022. No objections have been raised, subject to the attached conditions.

4.41 Councillor Sadfar Ali

There are several concerns regarding the proposed planning development in the town centre. I believe the Queensmere and Observatory shopping centres should be upgraded at the same time. Separate construction will still cause disruption across the centre, but will be for a prolonged period of time, rather than intense construction over a shorter period. Given the other developments taking place along the high street at the moment, this will create further problems.

The council guidelines state that of the developments being proposed, 30% are designated for social housing. This plan being presented proposes only 12% for social housing, adding further burden to the council during a national social housing need.

Further to this, the pressure on local schools and GP's surgeries will be incredibly high. Given the pressure these institutions are already facing, without the appropriate development and funding, it would be ill advised to further add to the burden with this proposed development.

Parking is another issue, as has been raised by many residents previously. The parking would be insufficient to meet both the commercial and residential requirement, further adding to the congestion on the roads and thereby causing intense environmental damage as the area may well be brought to a standstill.

The consultation for the proposed planning has not been wide enough. I would like to request information on how many residents were contacted, the means by which they were contacted and how many responded? Without this information, it would not be suitable to begin construction having not considered the opinions and beliefs of the local community whom we serve.

Regarding the height of the proposed buildings, nothing of this sort exists within the town centre whereby the front of the centre would be 6 storeys and the rear going up to 18. This would require intense regulation and safety procedures, and we must consider the burden this would place.

Central ward, within a very short period of time, will have a development of the former ICI site, with over 1000 units, Stoke Wharf with over 300 units, and future potential development of the TVU site with over 1000 units. This will create a very concentrated area being turned into a concrete jungle, not mentioning the additional traffic this will generate.

The council has a track record of spending very little 106 money in the areas where these developments are taking place, the local residents will have no relief or assistance whether this be in the form of traffic relief, schooling, parking or amenities for local residents.

Finally, what guarantees do we have that this would be for the local community? As it stands, we have no guarantee that the jobs would be for local people, both in development and moving forward. Secondly, we hold no guarantee that after the planning is granted, construction would begin, as opposed to simply using the permission to increase the value of the site and sell it off to a third party. Given these grave concerns, I strongly object granting permission for the planning proposal as it stands.

Officer Response: The planning assessment will address each of the above comments in further detail. A summary response is noted in this paragraph in respect of the key headlines in Cllr Ali's Comments (Construction Disturbance including cumulative impact, Lack of Affordable Housing, Impact on GP Surgeries, Car Parking, Building Height, Density, Traffic Impact, Traffic Relief, Schools, Resident Amenities, Local Employment, Potential Sale to third party, Consultation):

Construction Disturbance including cumulative impact – This is considered within the summary of the Environmental Statement including a summary of mitigation measures required to minimise disturbances and disruption during the construction phases. This section of the report also considers the cumulative impact of the various developments coming forward in the area. Conditions are recommended to ensure that the development phasing is carried out in an appropriate sequence and Construction Environmental Management Plans (CEMP), Demolition Method Statements and Construction Logistics Plans (CLP) will be conditioned which will ensure construction and demolition work is carried out in accordance with best practices.

Lack of Affordable Housing – This is addressed within the report in the Planning Assessment. The FVA determines that the development cannot viably support any affordable housing. This has been verified independently by the Council's technical advisors. The proposals will deliver a minimum of 75 affordable homes in Phase 1 which is over and above the level of affordable housing which could be viably delivered on-site. In addition, officers have secured review mechanisms (at the end of Phase 1 and prior to commencement of the final development zone) which could re-run the viability to determine whether further affordable housing can be provided either on site, or in the form of payment in lieu to affordable housing in Slough. The affordable housing provisions are in accordance with the guidance set out in the Developer Guide.

Impact on GP Surgeries, Schools and Local Communities – The impacts on community and local amenities are addressed within the ES Section and Planning Assessment of this report. The Council does not have any planning policy, guidance or emerging strategic plans which requires s106 healthcare/GP contributions from new development to be secured. The proposal includes provision for Class F use which could provide on-site floorspace for dental, health centres or GP surgeries. S106 contributions have been secured to deliver education infrastructure to mitigate the

additional impact of the development in addition to the on-site provision of a nursery in DZ6A. S106 contributions are proposed to ensure environmental improvements to Upton Court Park are delivered to encourage new residents to it rather than Burnham Beeches SAC. The proposals deliver on-site public realm provisions including a new town square and local square, and Heart space. Conditions and Design Codes will require these to be designed to a high quality.

Car Parking – This is addressed in the planning assessment within this report. The level of car parking is in accordance with Slough’s Adopted Car Parking Standard in the Developer Guide 3 and would be consistent with the NPPF guidance. Further s106 contributions towards sustainable transport infrastructure and on-site improvements to walking and cycling, EV infrastructure Car Clubs are secured through the legal agreement and details within conditions or reserved matters. The contributions and measures are aimed towards reducing car usage and towards alternative travel modes. The impact on the local highways network is not considered to be severe as a result of the development and additional cumulative impacts arising from development can be mitigated further through the s106 contributions outlined in this report.

Building Height – This is addressed within the design section of this report. The proposed development could support taller buildings within the town centre in light of the highly sustainable central location and due to the approach to stepping down towards the site edges to the south (High Street) and west (The Curve/St Ethelberts). The height of the taller buildings is comparable with emerging and approved developments at TVU, Old Library Site, Former BHS, Octagon Site and Future Works which are in close proximity to the development. The Townscape and Visual Impact Assessment (TVIA) indicates that the height of the development will not result in substantial harm to heritage assets including the setting of Windsor Castle.

Density – This is addressed in the design section of this report. The proposed density is typical of urban town centres and is justified through good design and minimising adverse environmental impacts. Whilst delivering a denser town centre than existing, the additional homes and commercial uses will provide opportunities for a higher quality urban environment optimising the use of land in accordance with the NPPF.

Traffic Impact and Traffic Relief, - This is addressed in Chapter 6 (Environmental Impact Assessment) and the transport section of this report. The impact of the development will increase traffic levels in the town centre and the impacts have been duly considered by officers and the Council’s technical transport consultants. With implementation of a comprehensive scheme of mitigation measures including cycling, walking and public transport improvements, and through the on-site design of the development (with low car parking levels throughout) the development is capable of being implemented minimising the adverse impact of the additional traffic.

Local Employment – This is addressed within Chapter 6 (Environmental Impact Assessment) and Chapter 8 of this report. The development will result in some loss of employment within the remaining shops, offices and services within the Queensmere Shopping Centre and associated properties. The new development would create opportunities for local employment within the new modern commercial floorspace within each development zone in addition to a potential higher proportion of office floorspace if offices are constructed in DZs 1, 2 and/or 4. The s106 Agreement will require the Applicant to submit for approval a construction and end-user/operational jobs Local Employment, Skills and Training Strategy targeting local residents and companies/businesses/providers in postcodes SL1, SL2 and SL3. In addition, a Meanwhile Use Strategy will be secured by way of a planning obligation which will promote meanwhile and interim uses on the site during construction. This also

provides further opportunities for local engagement and employment whilst the development is under construction.

Development of Both Shopping Centres – The Council as Local Planning Authority cannot require both shopping centres to come forward for development at the same time although the design of the QOPA should not prejudice any future plans coming forward at the Observatory Site. The proposals have been prepared to ensure the Queensmere shopping centre could be developed either with or without Observatory Shopping Centre in situ. Whilst no current plans are tabled to develop Observatory, the scheme has been designed to ensure the Town Centre is still served by an appropriate level of retail and commercial uses, and town centre public car parking within Observatory whilst the Queensmere Shopping Centre is under redevelopment. A significantly greater amount of retail and commercial town centre uses would potentially be lost if both shopping centres came forward for development at the same time. Officers consider a phased approach to development of both shopping centres would be acceptable in planning terms.

Potential Sale to third party – This is not a material planning consideration and so this matter is not directly addressed in the report.

Consultation: The consultation process has been carried out in full accordance with Slough Borough Council's Guidelines and with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Over 20 x site notices have been erected within the site as part of both consultation exercises, and in the surrounding areas in June 2022 and in October 2021. No further statutory consultation is required.

4.42 SBC Early Years Team/Children Services

No objections – Strongly supports provision of Nursery in DZ6A and requests that this is secured as part of the development, rather than as a financial contribution. The size of the nursery would depend on the quantum of housing provided on the site. Therefore, the nursery should accommodate between 85 to 120 places.

4.43 Local Green Party Branch

With the management of this planning application, you have a great opportunity to take a strong step in the right direction to become a zero-carbon emission town. You should make them follow the ZC2040 (ideally ZC2030) target the council has recently declared it is trying to achieve. The local Green Party branch has submitted a response to this time last year's SBC spatial strategy consultation and every point made can apply to this development. It is a great opportunity which, if missed, could cause you to overshoot 2030 or 2040 before reaching ZC. Please seize it.

Officer Comment: The ES includes an assessment of the greenhouse gas impacts and recommends a range of measures designed to reduce carbon emissions, promote renewable energy use and require sustainable forms of construction. Planning conditions will be secured to ensure these measures are secured in accordance with site wide strategies for energy, sustainable construction standards and by reducing carbon emissions.

4.44 The Gardens Trust

Consulted on 20/09/2022 – Any comments received will be reported to the committee as an Addendum sheet.

5.0 **Description of Development**

5.1 **Outline Description**

The description of development, is as follows:

Outline application (with all matters reserved) for the demolition of buildings and the phased redevelopment of the Site to provide a mixed-use scheme comprising residential floorspace (C3 use and provision for C2 use); flexible town centre uses floor space (Use Class E and Use Class F), provision for office floorspace (Use Class E (g) (i)), supporting Sui Generis town centre uses (including a range of the following uses: pubs, wine bars, hot food takeaway), Sui Generis leisure uses (provision for a cinema or live music venue); provision for the creation of basements, car and cycle parking (including provision for a Multi-Storey Car Park); site wide landscaping, new public realm including provision of a new town square and public spaces and associated servicing, associated infrastructure, energy generation requirements and highways works [Revised Parameter Plans, Reports, Documents and Environmental Statement Amendments submitted 15th June 2022].

- 5.2 The supporting documentation provided with the planning application confirms that the Applicant is seeking outline planning permission (with all matters reserved) for up to 1600 new homes (or up to 140,800 sqm Class C3 (residential dwellings) floorspace with some Class C2 (Extra Care/Nursing Home), 0 to 40,000 sqm Class E (g) and (i) offices, between 5,500-12,000 sqm Use Class E (town centre retail and commercial uses) and Class F (community, nursery and leisure uses (with exclusions), 0 to 2,250 sqm Sui Generis (pubs, hot-food take aways) and 0 to 1,500 sqm Sui Generis (Town centre leisure uses which could include a live music venue or small cinema).
- 5.3 The application seeks permission for up to 685 car parking spaces within either podium under-croft areas (within specified Development Zones) or a Multi Storey Car Park (MSCP) in DZ6.
- 5.4 The development includes provision for basement excavation within specified areas within Development Zones for 0 to 24,355 sqm.
- 5.5 The development includes provision for a new town square in the western part of the site (adjacent to Development Zones 1 and 2) and the Curve/St Ethelberts, a local park/square in the centre of the Site (adjacent to the corners of DZ3, DZ4, DZ5 and DZ6) and a potential urban park in the eastern part of the site south of the A4/Wellington Street next to the HTC office building.
- 5.6 The outline application contains provision for a hierarchy of pedestrian and mixed pedestrian/cycle and vehicular routes connecting the various urban public spaces together and also permits connections to the existing network of streets and routes in the Town Centre. The outline masterplan identifies the principle for a new vehicular junction and access point to the site located on Wellington Street immediately adjacent to Brunel Way (on the southern side of Wellington Street). The existing access arrangements from the roundabout adjacent to the HTC roundabout are to be retained, with potential improvements to crossings and junction designs forming part of future reserved matters submissions.
- 5.7 The masterplan allows for a new North to South public street and key route connecting the High Street with Wellington Street (A4) and this would be located directly to the south of the southern arm of Brunel Way (at the new access point). This route would

potentially allow a direct link between the High Street and the Slough Railway and Bus Stations to the north of the Site.

- 5.8 The masterplan allows for the former Mackenzie Street (the diagonal street west of DZ2B) to connect to the new town square to be re-established. Additional routes between the High Street and Wellington Street are provided for and these break down the impermeable barrier of the existing shopping centre. The masterplan allows for a central spine road to split the northern and southern Development Zones which provides circulation for vehicles travelling through the site from west to east or west to south (in accordance with the controls set out in the access and circulation parameter plan).
- 5.9 The permitted building heights are subject to detailed consideration at the reserved matter stage, but the outline application permits a variation of heights across the Site rising from lower rise heights around the site edges extending up to a maximum of approx. 19 storeys. The scale and height of the development is identified within the parameter plans which permit buildings up to a maximum height within each specified Development Zone (inclusive of the height differentials shown in the plans).
- 5.10 The Outline Masterplan is comprised of a series of individual Development Zones of which there are eight in total (Zones 1, 2, 3, 4, 5, 6, 6a and Wellington Street), three Highways Zones (Zones DZH1, DZHA and DZHB) and Development Zone Wellington Street (East and West) (DZWS). Each Zone is subject to maximum parameters as shown within the associated Parameter Plans which accompany the submission. For each Development Zone, Parameter Plans have set maximum building heights, together with a maximum building footprint. This provides a maximum envelope for each Development Zone within which buildings could be delivered (Development Blocks). Throughout the Development Area, a series of public realm spaces are to be provided within four locations, with a series of landscape north/south routes and car free routes to be provided. The Parameter Plans indicate (within the Town Centre Uses Parameter Plan) the frontages which would comprise of Class E and F (and sui generis) town centre uses (although the specific E and F Class uses are not specified), predominantly office uses and/or residential uses.
- 5.11 The Applicant has applied for a flexible planning permission which permits a range of potential development scenarios within each Development Zone. The Applicant's reasoning for this is to incentivise development within each parcel/zone to support a full range of land uses including town centre uses ranging from retail, leisure, community, food and beverage uses, financial institutions etc within a range of different building typologies and scale, which is able respond to market conditions, encourage investment and stimulate development in the town centre without undue restrictions. The Applicant considers flexibility is an economic necessity in order for the development to respond to the demand for a wide range of land uses and building typologies, which cannot all be designed in detail at the outline planning stage. The below sections of the report seek to define how the flexibility is enshrined within the outline application, in the context of the documentation submitted for formal approval (under the permission).
- 5.12 Character Areas

Notwithstanding the flexible approach outlined above, in order to ensure variety in character across this large development site, four Character Areas have been established and these are set out in the parameter plans. These Character Areas aim at providing a considered response to immediate context and will have a bearing on

the appearance and detail of the associated part of the development which will be designed in detail at the reserved matters stages. They will also serve different functions to the users of the public realm spaces and buildings. The four main character areas comprise:

- High Street
- Town Centre
- Residential [Or Mixed Residential with Offices/MSCP]
- Wellington Street

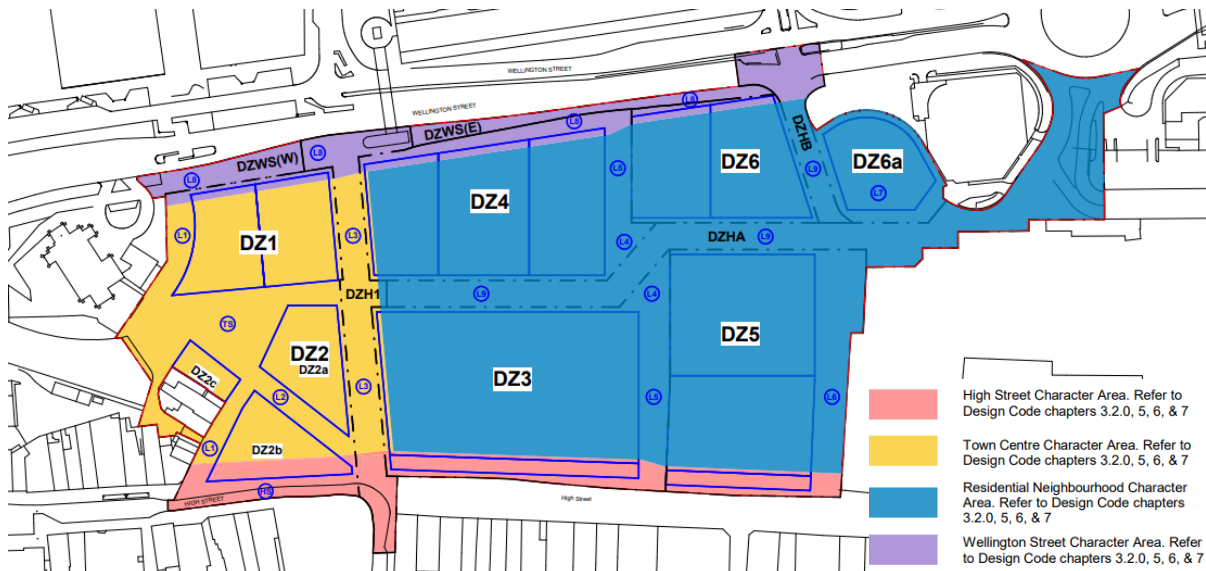


Fig 2: Character Areas Parameter Plan

5.13 Form of Application

5.14 The Application seeks outline planning approval with the elements submitted 'for approval' set out in Parameter Plans supported by a Development Specification Document and Floorspace Schedule which explains how the planning controls should be applied when preparing and assessing the detailed design (when applications for reserved matters come forward) subsequent to the outline stage. Mandatory Design Codes are submitted (for approval) to provide the Local Planning Authority further design controls to be applied when considering detailed applications for reserved matters approval. The applicant has submitted both New and Revised Parameter Plans, Development Specification Document and Floorspace Schedule and Mandatory Design Codes to respond to the consultation feedback and Local Planning Authority Officer advice. The following documents are submitted for approval as part of this application:

- Development Specification Document
- Design Codes (Mandatory Rules)
- Schedule of Plans (PA1)
- Schedule of floorspace (PA2)
- Site Location Plan and Ownership Boundary (PP01)
- Red Line Plan & Development Zone Boundaries (PP02)
- Demolition Plan (PP03)
- Existing Site Plan (PP04)
- Site Wide and Development Zone Parameter Plans (see PA1 and table 3.1)

5.15 A comprehensive set of Site Wide and Development Zone Parameter Plans have been submitted for approval following an extensive period of negotiation with the Local Planning Authority. The Site Wide Plans comprise the following titles:

- **Sitewide Highways and Movement Plan (SWHMP)** – this shows the Site with the hierarchy of highways and pedestrian movements identified.
- **Sitewide Public Realm, Public Spaces and Private Amenity Plan (SWPR)** – this shows the Site with the minimum areas of public realm and public spaces named and identified. It also identifies the indicative locations of private amenity space (for the residential uses) within each Development Zone.
- **Sitewide Town Centre Uses Plan (SWTCU)** – this shows the Site with the maximum building footprints identified and red and yellow hatching is used to show the frontages which must be predominantly town centre ground floor uses* (either 70% (orange) or 90% (red)+) and purple hatching for predominantly other office, MSCP or residential uses.
- **Sitewide Composite Plan (SCP)** – this shows the Site with the DZ boundaries, maximum heights and Maximum Building Footprints, balcony oversailing zones, areas of public realm, highways zones and Town Centre Use frontages. Also shows the Town Centre Use frontages which must be at or exceed 70% (as indicated in orange) or 90% (as indicated in red) Town Centre Uses and viewing corridors (to establish unobstructed lines of sight).
- **Sitewide Character Area Plan (SWCAP)** – this designates the character areas across the QM OPA masterplan Site.

* Town Centre uses comprise Class E (retail, business, commercial), Class F (community, leisure), Sui Generis (food, drink and beverage, pub, restaurant and non-Class F town centre leisure uses)

5.16 The below plan comprises the Site Wide Composite Parameter Plan which contains the full range of controls.

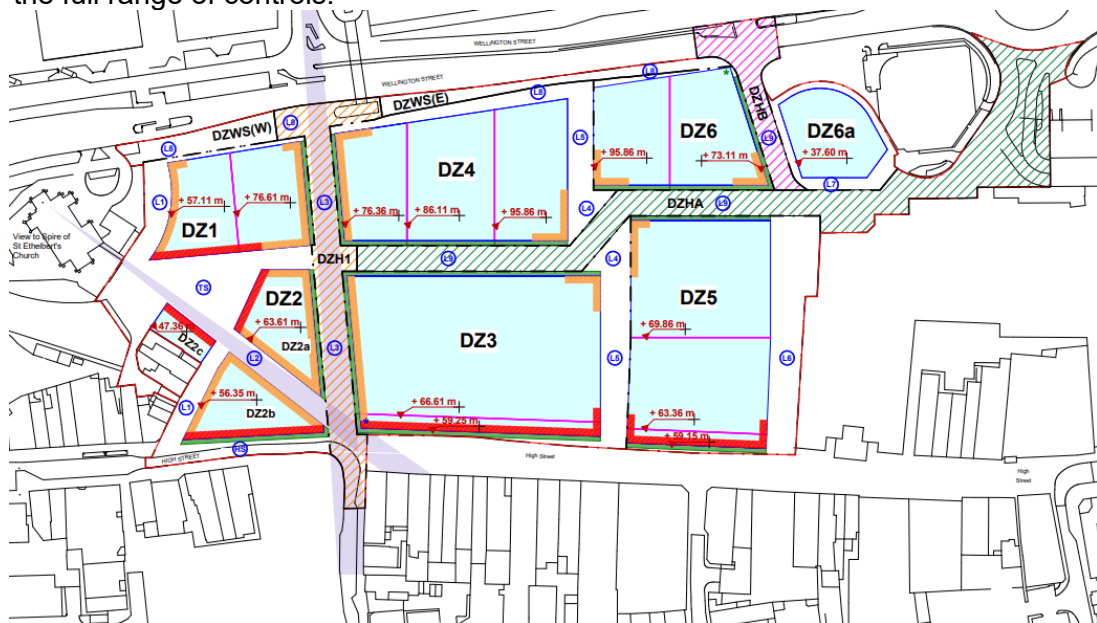


Fig 3: Site Wide Parameters Plan

5.17 The Site Wide Plans are submitted alongside Development Zone Parameter Plans for approval. Development Zone Parameter Plans are split into three types (for each specific Development Zone) which contain the control limits for the development (within each Development Zone). Future reserved matters submissions will need to fully comply with these parameters which should be read alongside the Floorspace

Schedule and Development Specification Document. The following types of parameter plan are submitted for each Development Zone (DZ):

Type A: Proposed Maximum Parameter AOD Heights (and height differentials), Maximum Building Footprint (above ground), Balcony Oversailing Zones, DZ Boundary Limits of Deviation, Information on Basement Areas.

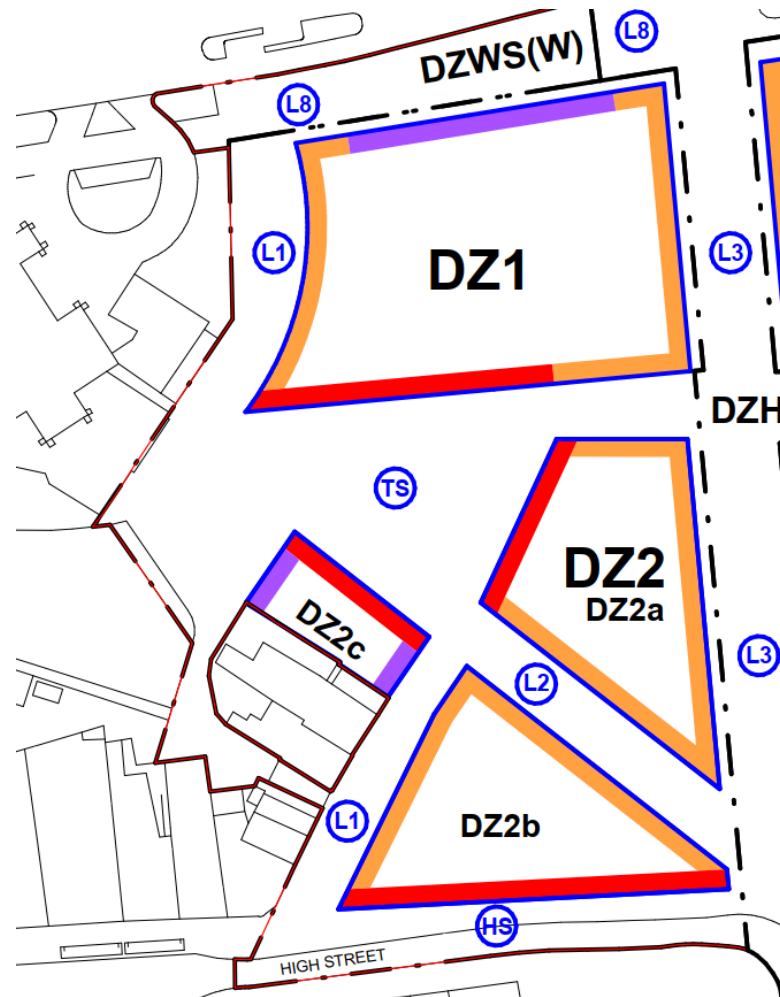
Type B: Areas of Public Realm, Areas for Landscaping, Ground floor frontages which must be at or exceed 90% (shown in red) or 70% Town Centre Uses (shown in orange), or which are primarily residential or permitted office/multi-storey car park uses as identified with the DSD (shown in purple).

Type C: Maximum Building Footprint (above ground), Maximum Basement Extents Coverage (20%, 50% or 100% where applicable).

- 5.18 The below paragraphs contain further detail about the controls and limits of deviation within each Development Zone.

Development Zones 1, 2A, 2B and 2C

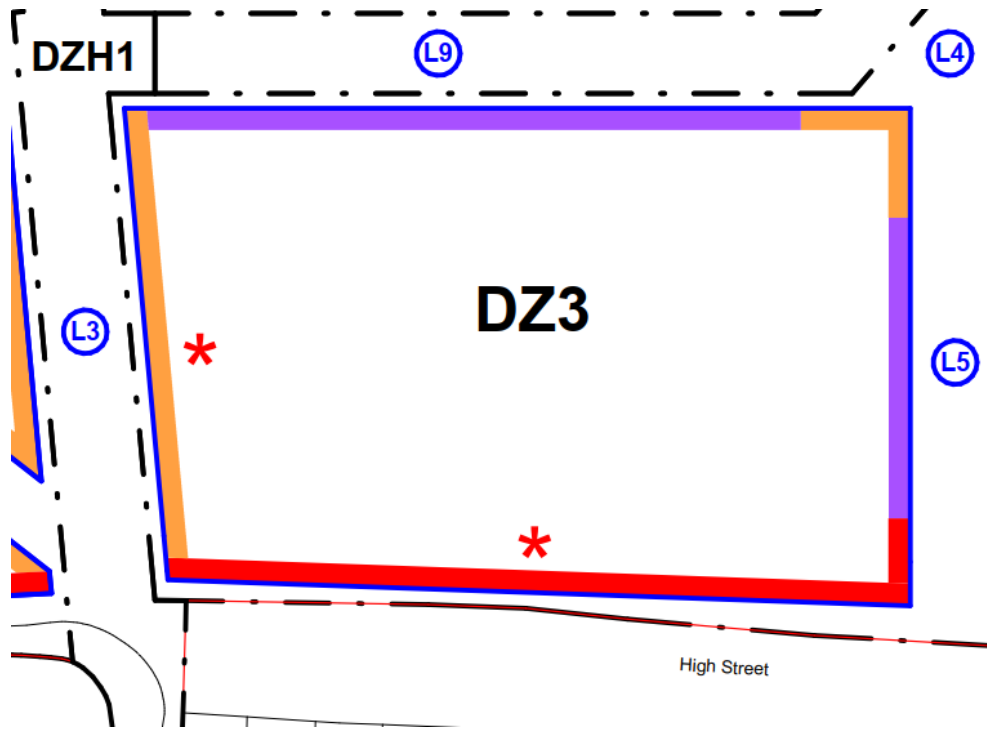
- 5.19 Within Development Zone 1 and 2A, the Maximum Parameter AOD heights are as follows: DZ1 57.11m-76.61m (stepping up in height to the east), DZ2A 63.61m, DZ2B 56.35m and DZ2C 47.36m (denoted on Parameter Plan SWCP). The Zones are bounded by DZH1 to the east, the High Street to the south and DZWS(W) to the north. With respect to the Town Centre Uses, as identified on Parameter Plans DZ1&2 (B) and SWTCU respectively, the southwest frontage of DZ1, west frontage of DZ2A, the south frontage of DZ2B and north frontage of DZ2C are to have frontages where Town Centre Uses must be at or exceed 90% of the ground floor level frontage.
- 5.20 The west and northwest corner edge, southeast corner edge, east edge and northeast corner edge of DZ1, the northeast and south edges of DZ2A, and the east and west edges of DZ2b are to have frontages where Town Centre Uses that must be at or exceed 70% of the ground floor level frontage. The north edge of DZ1 and east and west edges of DZ2C are to have frontages which are primarily residential or permitted office uses as identified with the DSD. In accordance with the DSD, the parameter plans allow flexibility within these Development Zones to comprise up to 36,000 sqm of offices within the upper floors OR residential uses.
- 5.21 It is noted that the Town Square and Landscaped Areas are identified as TS, L1 and L2 respectively on Parameter Plans SWTCU and SWPR. Within Parameter Plan SWCP, the Balcony Oversailing Zones are also identified, where there is potential in these locations for balconies to be constructed beyond the maximum building footprint envelope, but these areas cannot be occupied by buildings. It should be noted that all Development Zone Boundaries indicated on the parameter plans have a limit of deviation of +/- 2m.
- 5.22 The below extract is taken from the ground floor land use site wide plan which identifies the frontages which are to comprise predominantly town centre uses (90%+ in red or 70%+ in orange) or predominantly office/residential uses (in purple). The public realm areas are labelled with an L, H (High Street) or TS (for the town square).



**Fig 4: DZ1, DZ2A, DZ2B and DZ2C Land Use Parameters Plan
(Extract from Site Wide Plan)**

Development Zone 3

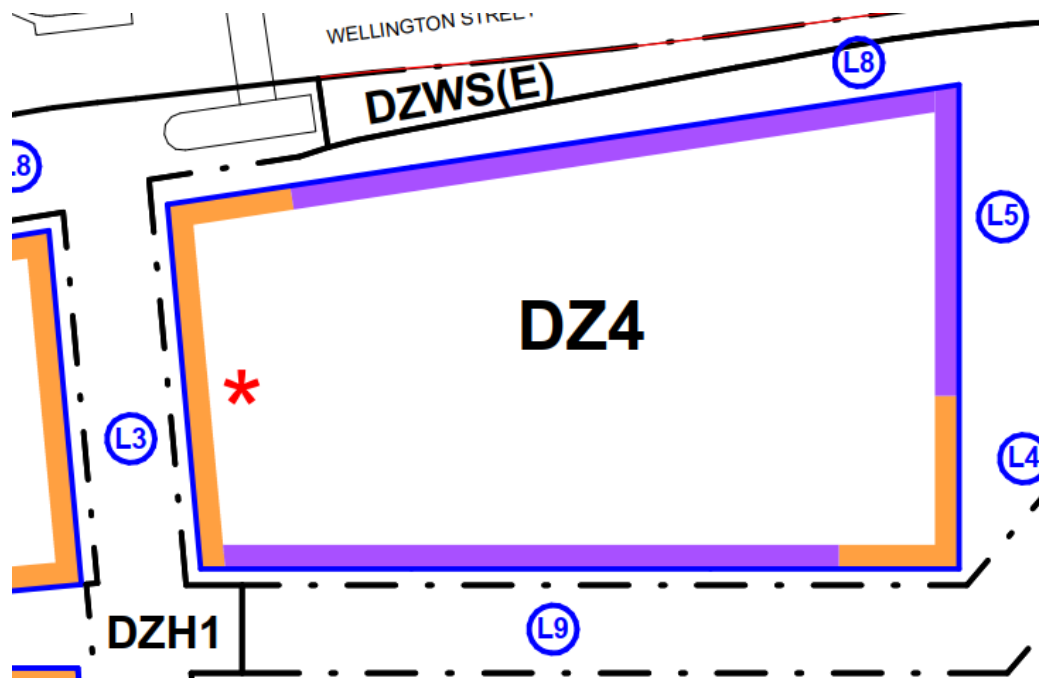
- 5.23 Within Development Zone 3, the Maximum Parameter AOD heights are as follows: 59.25m-66.61m (stepping up in height to the south). This is denoted on Parameter Plan SWCP. The Zone is adjoined by DZH1 to the west and DZHA to the north.
- 5.24 With respect to the Town Centre Uses as identified on Parameter Plans DZ3 (B) and SWTCU respectively, the south edge and southeast corner edge are to have frontages where Town Centre Uses must be at or exceed 90% of the frontage. The west edge and northeast corner edge are to have frontages where Town Centre Uses that must be at or exceed 70% of the frontage. The north edge DZ2C are to have frontages which are primarily residential or permitted office/multi-storey car park uses as identified with the DSD. The upper floor uses within DZ3 comprise residential.
- 5.25 Within Parameter Plan SWCP, the Balcony Oversailing Zones are also identified, where there is potential in these locations for balconies to be constructed beyond the maximum building footprint envelope, but these areas cannot be occupied by buildings. The asterisks note the potential location for town centre leisure uses (sui generis) which could comprise of a cinema or music venue (or other suitable town centre leisure use).



**Fig 5: DZ3 Land Use Parameters Plan
(Extract from Site Wide Plan)**

Development Zone 4

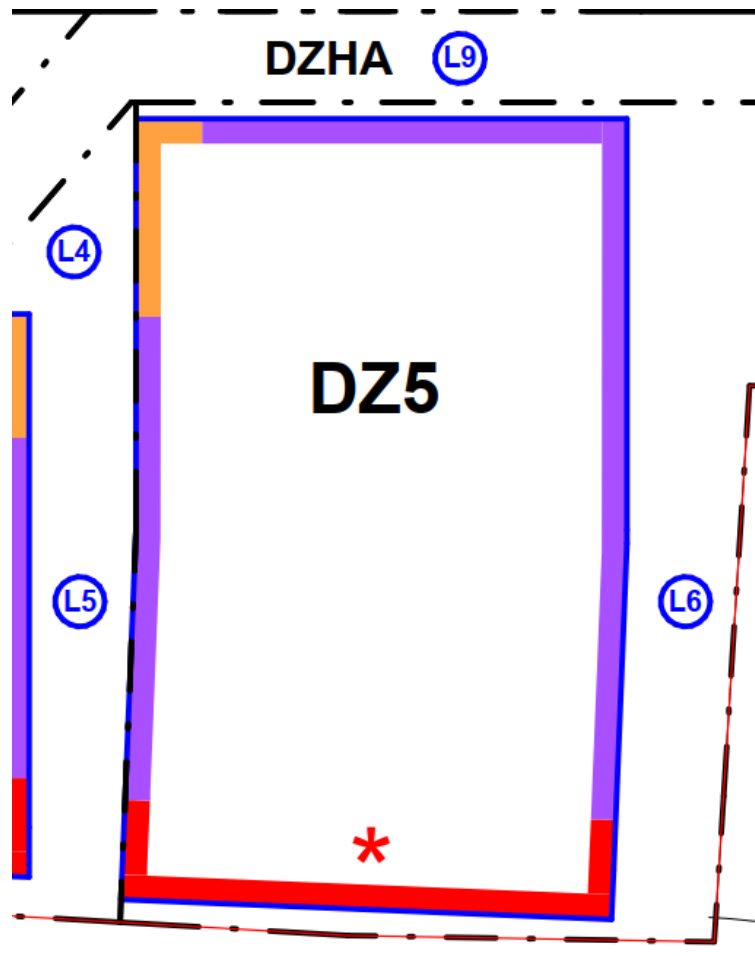
- 5.26 Within Development Zone 4, the Maximum Parameter AOD heights are as follows: 76.36m to 86.11m to 96.86m increasing in height towards the east. This is denoted on Parameter Plan SWCP. The Zone is adjoined to DZH1 to the west, DZWS(E) to the north and DZHA to the south.
- 5.27 With respect to the Town Centre Uses as identified on Parameter Plans DZ4 (B) and SWTCU respectively, the west edge and northwest corner edge and the southeast corner edge are to have frontages where Town Centre Uses must be at or exceed 70% of the frontage. The north, northeast corner, east and south edges all are to have frontages which are primarily residential or permitted office uses as identified with the DSD. This is identified within Parameter Plan SWTCU. The upper floor uses could comprise either residential or/and office uses which are specified in the DSD up to the maximum limits set.
- 5.28 It is noted from the parameter plan B (for DZ4) that the Local Square (L4) and landscape areas (L3, L8 and L9) are located within the vicinity of DZ4. Within Parameter Plan SWCP, the Balcony Oversailing Zones are also identified. There is potential in these locations for balconies to be constructed beyond the maximum building footprint envelope, but these areas cannot be occupied by buildings.



**Fig 6: DZ24 Land Use Parameters Plan
(Extract from Site Wide Plan)**

Development Zone 5

- 5.29 Within Development Zone 5, the Maximum Parameter AOD heights are as follows: 59.15m to 63.36m to 69.86m (stepping down in height going south towards the High Street). This is denoted on Parameter Plan SWCP. The Zone is adjoined by DZHA to the north.
- 5.30 With respect to the Town Centre Uses as identified on Parameter Plans DZ5 (B) and SWTCU respectively, the south, southeast and west corner edges of the block are to have frontages where Town Centre Uses must be at or exceed 90% of the frontage. The northeast corner edge is to have frontages where Town Centre Uses that must be at or exceed 70% of the frontage. The north, northeast corner, east and west edges of the block are to have frontages which are primarily residential or permitted office uses as identified with the DSD. Residential Uses are proposed within the upper floors of this DZ.
- 5.31 It is noted from Parameter Plan SWTCU that the Local Square (denoted as L4) and landscape areas (denoted as L5, L6 and L9) are located within the vicinity of DZ5. Within Parameter Plan SWCP, the Balcony Oversailing Zones are also identified. There is potential in these locations for balconies to be constructed beyond the maximum building footprint envelope, but these areas cannot be occupied by buildings.



**Fig 7: DZ5 Land Use Parameters Plan
(Extract from Site Wide Plan)**

Development Zone 6

- 5.32 Within Development Zone 6, the Maximum Parameter AOD heights are as follows: 73.11 to 95.86m (stepping up in height to the east) as denoted on Parameter Plan SWCP. The Zone is adjoined by DZHA to the south and DZWS to the north.
- 5.33 With respect to the Town Centre Uses as identified on Parameter Plans DZ6 (B) and SWTCU respectively, the southeast and southwest corner edges are to have frontages where Town Centre Uses that must be at or exceed 70% of the frontage. The south, east, west and north edges of the block are to have frontages which are primarily residential or permitted office/multi-storey car park uses as identified with the DSD. This is identified on Parameter Plan SWTCU.
- 5.34 The parameter plans and DSD indicate that DZ6 could come forward either as a mixed predominantly residential led block or a predominantly Multi-Storey Car Park (with other ground floor potential uses).
- 5.35 It is also noted from this plan that the Local Square (L4), the Urban Park (L7) and landscaping areas (identified as L5, L8 and L9) are within vicinity of DZ6. Within Parameter Plan SWCP, the Balcony Oversailing Zones are also identified. There is potential in these locations for balconies to be constructed beyond the maximum building footprint envelope, but these areas cannot be occupied by buildings.

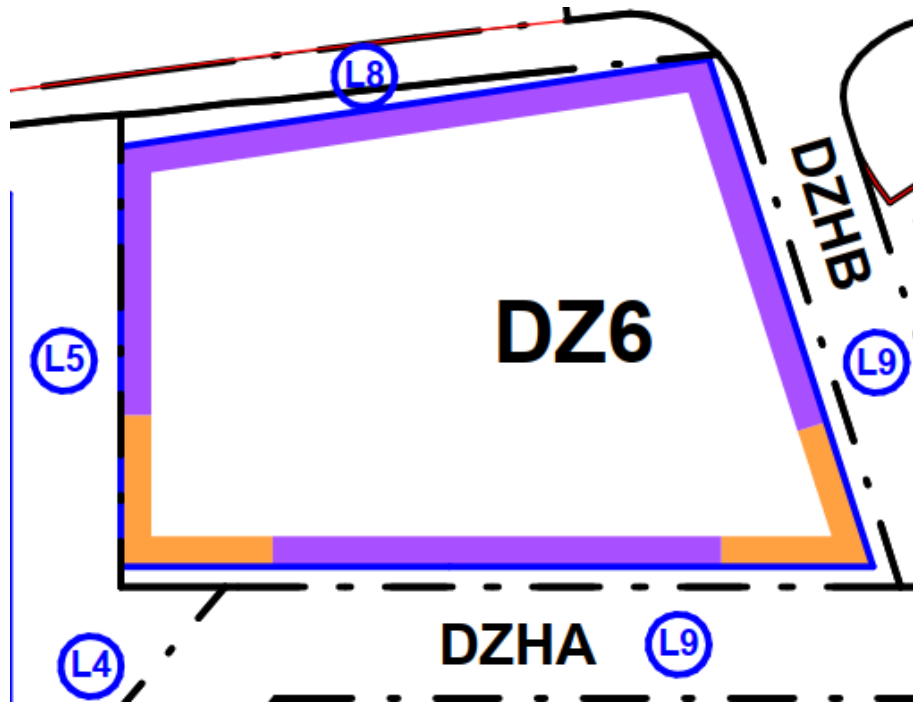


Fig 8: DZ6 Land Use Parameters Plan
(Extract from Site Wide Plan)

5.36 Within Development Zone 6A, the Maximum Parameter AOD height is 37.60m. The area is proposed to have flexibility for Town Centre Uses (if a pavilion structure is proposed) or Class F (if nursery provision is proposed) on Parameter Plan SWTCU. It is noted from Parameter Plan SWTCU that the hatched area also has potential flexibility to be used as an Urban Park. The Zone is adjoined to the west by DZHB and DZHA to the south.

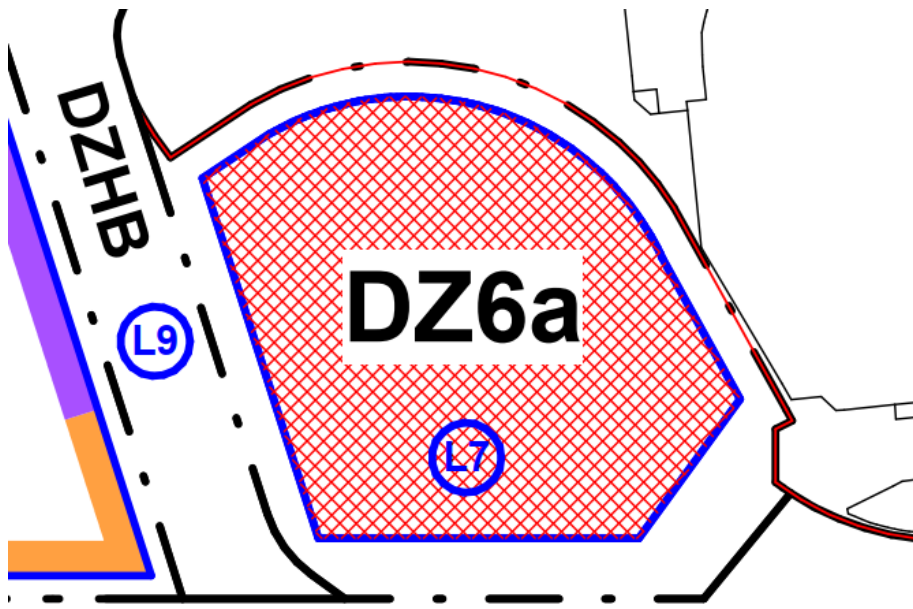


Fig 9: DZ6a Land Use Parameters Plan
(Extract from Site Wide Plan)

5.37 Within Development Zone Wellington Street (DZWS), no Development Blocks are included as there are no buildings within this Zone. The purpose of this Zone is to identify an area that can be used as landscaping and public realm. Parameter Plan

PPDZWS identifies landscaping areas (denoted as L8) along the Development Zone. The Zone is adjoined by DZH1, DZ1&2, DZ4 and DZ6 to the south.

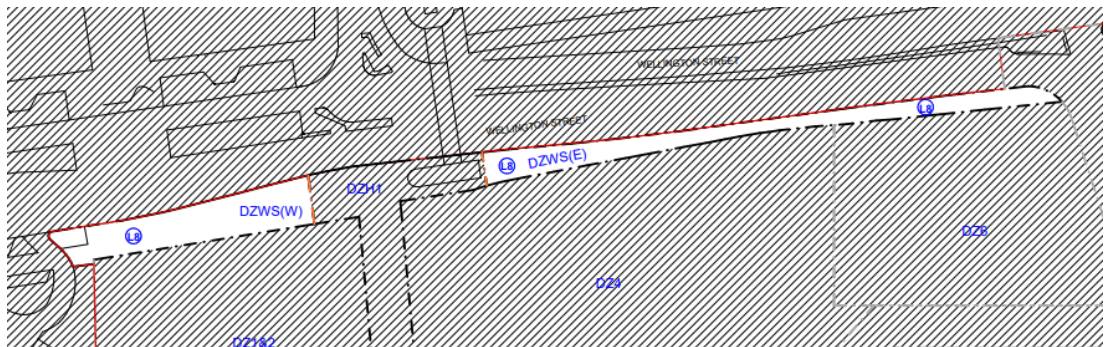


Fig 10: DZWS(E) & DZWS(W) Parameters Plan

- 5.38 Within Development Zone Highways 1 (DZH1), no Development Blocks are included as there are no buildings within this Zone. The purpose of this Zone is to provide a one-way direction south through the Site between DZWS, DZ1&2, DZ4, DZHA and DZ3 and adjoining the High Street to the south. All vehicles and cyclists can exit the Site to the east via DZHA. Controlled access is provided south to the High Street. Within Parameter Plan PPDZH1, the Balcony Oversailing Zones are also identified, where there is potential in these locations for balconies to be constructed beyond the maximum building footprint envelope, but these areas cannot be occupied by buildings. This plan also shows the direction of traffic flow.

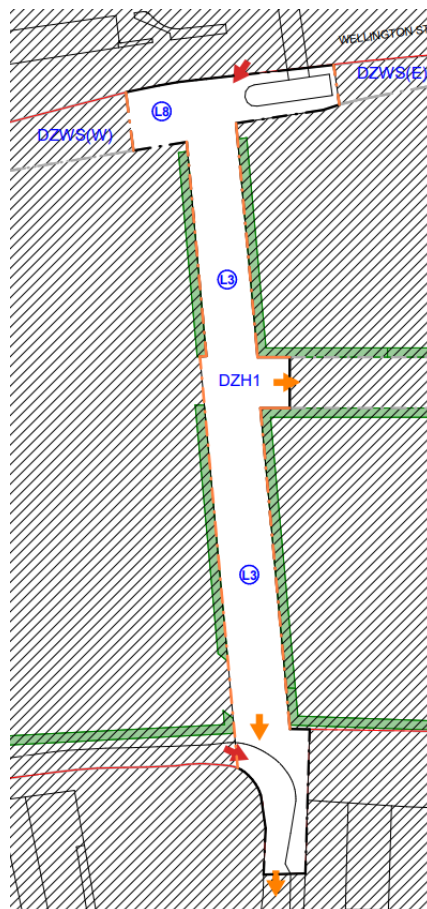


Fig 11: DZH1 Parameters Plan

5.39 Within Development Zone HA (DZHA), no Development Blocks are included as there are no buildings within this Zone. The Zone runs centrally through the Site, starting at DZH1 and running eastwards. When the Zone reaches DZ6a, DZHA becomes a two way point along Queensmere Road and up to the HTC Roundabout with egress/access to Wellington Street. The Zone is adjoined by DZH1 to the west, and DZ4, 6, 6A to the north, and DZ3 and DZ5 to the south. Within Parameter Plan PPDZHA, the Balcony Oversailing Zones are also identified, where there is potential in these locations for balconies to be constructed beyond the maximum building footprint envelope, but these areas cannot be occupied by buildings. This plan also shows the direction of traffic flow.

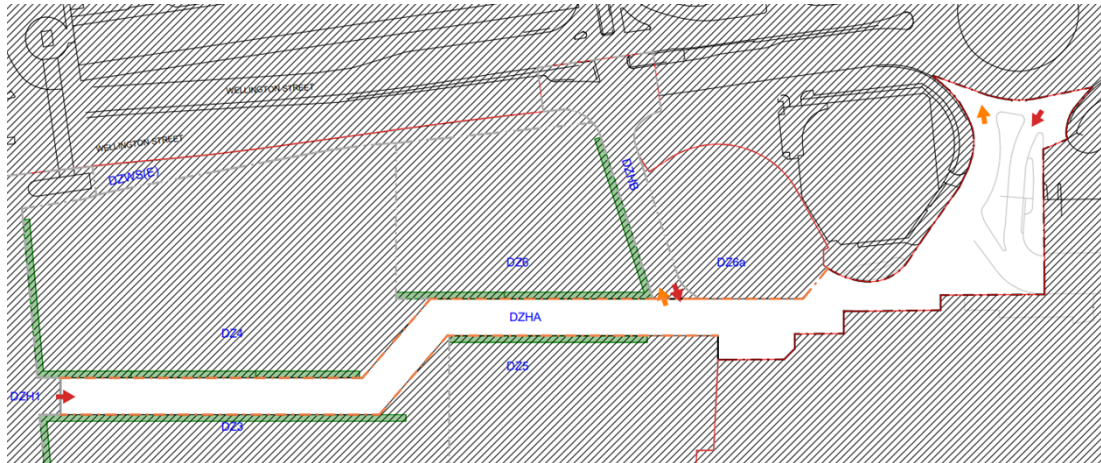


Fig 12: DZHA Parameters Plan

5.40 Within Development Zone HB (DZHB), no Development Blocks are included as there are no buildings within this Zone. The Zone is a two-way street which runs between Wellington Street (north) and DZHA (south). The Zone is adjoined by DZWS, DZ6 and DZHA to the west and DZ6A to the east. This plan also shows the direction of traffic flow. This is shown on Parameter Plan PPDZHB

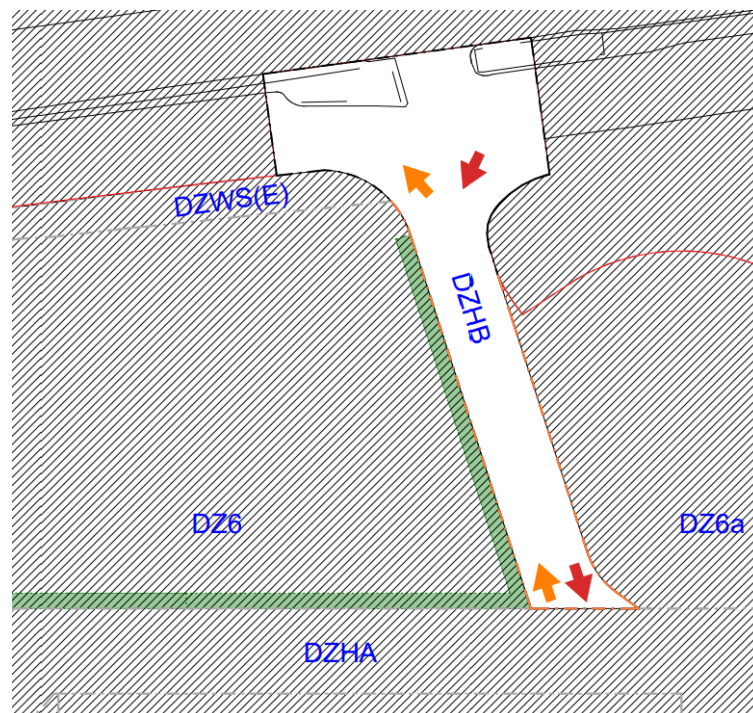


Fig 12: DZHB Parameters Plan

Flexible Approach to facilitate Future Development

- 5.41 The applicant is seeking approval for a mixed-use development offer within the town centre which has a flexible approach towards the scheme. The application provides flexibility for the scheme (as a whole) to deliver a larger quantum of office floorspace with an MSCP and subsequent lower quantum of residential uses. The application also allows flexibility for no office floorspace (within upper floors) to be provided, with upper floor levels within specified DZs comprising residential uses. The office led scheme proposes the scope to provide up to 40,000sqm of office space, with flexibility being provided to accommodate this within Development Zones 1, 2 and 4. It is noted that this office use would be above ground floor level, excluding any mezzanine levels.

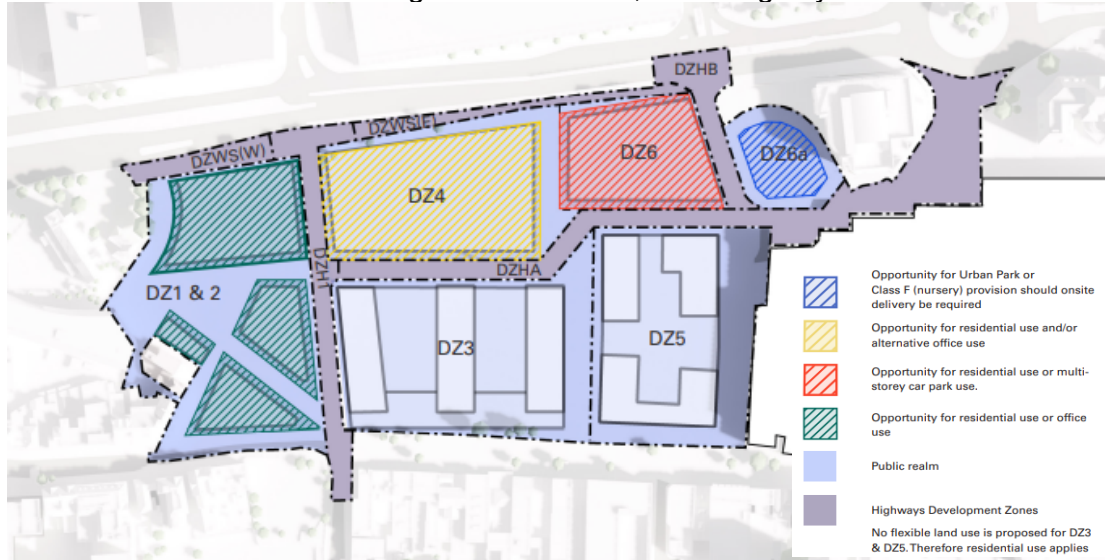


Fig 13: Flexible DZ Land Uses

- 5.42 As part of this scenario where the maximum provision of office space is brought forward, the Applicant suggests that with the reduced residential floorspace in DZ6 (if constructed as an MSCP) and if the maximum 40,000 sqm Class E offices are constructed within DZ1, DZ2 and/or DZ4 up to 950 units could be provided. Should no office floorspace be provided within the upper floors, up to 1,600 units could be proposed as a part of a residential led scheme in the Development Zones. Within each scenario, ground floor uses will predominantly be town centre uses. The application provides flexibility for a combination of these scenarios with varied quantum of office and residential floorspace, within the maximum floorspace tested in the ES as 260,000 sqm. It must be noted that a scheme of 260,000sqm could not be implemented as it would not conform to the PA2 Floorspace Schedule or the DSD. In practice, the development could provide proportionally less residential floorspace according to the amount of office floorspace delivered (which would be provided alongside an MSCP).
- 5.43 A Schedule of Floorspace PA2 (as set out within the Development Specification Document) has been submitted which sets out the maximum site wide limits for each proposed land use within the QM OPA. The maximum volume of development set out within the parameter plans for all Development Zones, and the maximum amounts of floorspace set out for each Development Zone in the Development Specification Document could not all be built out in full due to the site wide limitation of floor area in PA2, for which approval is sought. The Applicant is seeking flexibility to draw from the site wide Schedule of Floorspace (PA2) to provide a range of land uses across the different Development Zones, and that the location and type of certain land uses to be delivered across the different Development Zones remains flexible at the outline application stage.

- 5.44 The exact quantum of each proposed land use to be delivered per Development Zone is to be secured at Reserved Matters Application State on a phased/Development Zone basis and will be required to be in accordance with the PA2 Schedule and the Development Zone floorspace schedules set out within the Development Specification Document. This includes setting a minimum and maximum floor area within each DZ where specified.
- 5.45 The following table sets out the use classes, types of use and proposed range of floor spaces as set out within the PA2 Schedule of Floorspace. Further details of this are set out within Table 5.1. of the Development Specification Document.

Use Class	Type of Use	Total Gross New External Floorspace Proposed
Class C2/C3	Residential	0 – 140,800sqm (up to 1600 units)
Class E (g) (i) (above Ground Level)	Office Space	0 - 40,000sqm
Use Class E and Class F	Town centre uses	5,500 – 12,000sqm
Sui Generis	Pub/Bar/Hot food take away	0 – 2,250sqm
Sui Generis	Cinema/ Live Music Venue	0 – 1,500sqm
Car Parking	Potential to be provided within the building as sandwich parking / basement parking / in a MSCP on DZ6	685 spaces
Basement Areas	Potential to include car parking, cycle parking, plant and supporting infrastructure	0 – 24,355sqm

Fig 17: PA2 Floorspace Schedule

- 5.46 The applicant is seeking flexibility within the QM OPA as to how these land uses are allocated across the site (Office led or Residential led). This is discussed in further detail below with respect to Residential Uses, Office Use, Car Parking, Use Class E (excluding office uses), Use Class F (excluding primary and secondary schools, indoor or outdoor swimming pool or skating rink) and Sui Generis uses.
- 5.47 The land use is also further elaborated on per Development Zone as discussed within the DSD. This table sets out the range of floor space that could be delivered as a maximum:

Use Class	DZ 1&2 (GEA)	DZ3 (GEA)	DZ4 (GEA)	DZ5 (GEA)	DZ6 (GEA)	DZ6A (GEA) (Urban Park Option)	DZ6A (GEA) (Nursery Option)
Residential Units****	0-350 units	0-385 units	0-465 units	320 units	0-290 units	-	-
Residential Floorspace	0-26,850sqm	0-36,450sqm	0-41,400sqm	27,750sqm	0-25,150sqm	-	-
Office (Class E)****	0-32,700sqm	-	0-40,000sqm	-	-	-	-
Use Classes E & F*	Up to 3,900sqm***	Up to 5,400sqm***	Up to 3,050sqm***	Up to 1,550sqm***	Up to 200sqm***	0-300sqm	0-1,000sqm***
Pub, Bar, Hot Food Takeaway (Sui Generis)**	0-2,250sqm***	0-2,250sqm***	0-2,250sqm***	0-1,550sqm***	0-200sqm***	0-300sqm***	-
Basements	DZ1: no more than 20% of max building footprint DZ2A-C: up to 50% of max building footprint.	Up to 100% of the max building footprint	Up to 100% of the max building footprint	Up to 100% of the max building footprint	Up to 100% of the max building footprint	-	-
Live Music Venue/Cinema (Sui Generis)	-	0-1,500sqm	0-1,500sqm	0-1,500sqm	0-1,500sqm	-	-
Car Parking Spaces	-	0-243 spaces	0-261 spaces	0-106 spaces	0-96 spaces	-	-
Multi-storey car park (MSCP)	-	-	-	-	Up to 685 spaces	-	-

Fig 18: Minimum and Maximum Floorspace Permitted per use class.

*Footnote: Class E (excluding offices) & F (excluding primary and secondary schools, indoor or outdoor swimming pool or skating rink)

**Footnote: Sui-Generis uses (pub / bar / hot food takeaway) – this category of floorspace includes the ability to delivery uses as a public house, wine bar or drinking establishment, as a drinking establishment with expanded food provision, and as a hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off premises.

***Footnote: The Class E & F and Sui Generis floorspace combined provide for Town Centre Uses. There is a minimum commitment in this for DZ1&2 for 2,075 sqm (GEA) of Town Centre Uses. There is a minimum commitment in this for DZ3 for 1,800 sqm (GEA) of Town Centre Uses. There is a minimum commitment in this for DZ4 for 1,000 sqm (GEA) of Town Centre Uses. There is a minimum commitment in this for DZ5 for 500 sqm (GEA) of Town Centre Uses. There is a minimum commitment in this for DZ6 for 125 sqm (GEA) of Town Centre Uses. There is no minimum commitment to town centre uses within DZ6A.

****Footnote. No more than 1600 dwellings and 40,000 sqm (Class E Offices) could be implemented by way of the FA2 Floorspace Schedule.

- 5.48 For Development Zones 1 and 2, flexibility is sought for the quantum of residential and/or office floorspace that comes forward. This means that within DZ1&2, the upper levels of Development Blocks DZ1, DZ2a, DZ2b and DZ2c could be used for residential or office floorspace. This flexibility is proposed to be mutually exclusive as between residential or office use within each individual Development Block in DZ1&2. That means that above ground floor in DZ1&2, excluding any mezzanine level, the land use is proposed to be either office or residential use (save that other uses from the floorspace tables might also be integrated at upper levels with office or residential uses). No car parking is provided within this Zone. Residential car parking for this zone could be provided on DZ3 as “sandwich parking”, basement parking or within Development Zone 4 depending on which Zones are a part of the first phase of development. Alternatively, car parking for these zones could be provided in DZ6 as a MSCP. Flexibility is sought for basements to be provided at no more than 20% of the Maximum Building Footprint of DZ1 and up to 50% of the Maximum Building Footprint of DZ2a, DZ2b and DZ2c. The basements would provide space for cycle parking, plant, and supporting infrastructure.
- 5.49 For Development Zone 3, flexibility is sought for basements to be provided as up to 100% of the Maximum Building Footprint of DZ3. There is potential for car parking to come forward for the residential uses in the range of 0 to 243 spaces. This car parking area, or the car parking area in DZ4, could also meet the car parking requirements from the residential uses on DZ1&2, depending on which Development Zones comprise the first phase of development. The car parking would be delivered as ‘sandwich’ parking or as part of a basement car park. The basements could provide space for car parking, cycle parking, plant, and supporting infrastructure. Alternatively car parking for these zones could be provided in DZ6 as a MSCP.
- 5.50 For Development Zone 4, flexibility is sought for office and/or residential use of the above ground floors, excluding any mezzanine levels. In DZ4, the use of the above ground floors, excluding any mezzanine level, is not mutually exclusive between office and residential uses. That means that Development Block(s) in DZ4 can operate independently within a Development Zone as to whether they are in office or residential use or a mix on the upper floors, provided they accord with the floorspace figure ranges for the Development Zone as set out in this DSD. Office entrances may also be provided at ground level (this is accounted for within the office floorspace range). Town Centre Uses (as defined in this DSD) may also be incorporated at upper levels if this is considered appropriate at RMA stages. But the floorspace quantum for each use will not exceed that set out in table above and table 5.5 of the DSD. Should the residential use be brought forward on the upper levels of the block, there is the potential scenario within the proposal for car parking to come forward for the residential use in the range of 0 to 261 spaces, as ‘sandwich’ parking or in a basement. Alternatively, car parking could be delivered in DZ6 as a MSCP. If offices are proposed at upper levels in DZ4, car parking for the offices would be on DZ6 as a MSCP. It should be noted that the residential unit numbers and car parking spaces proposed allow for DZ4 to be able to accommodate the car parking for DZ1&2 in the event that DZ1&2 and DZ4 form the first phase of the development. 115 car parking spaces allocated to DZ1&2 are mutually exclusive. Flexibility is also sought for basements to be provided as up to 100% of the Maximum Building Footprint of DZ4. The basements would provide space for car parking, cycle parking, plant, and supporting infrastructure.
- 5.51 For Development Zone 5, flexibility is sought for basements to be provided as up to 100% of the Maximum Building Footprint of DZ5. There is potential for Town Centre uses to be incorporated within the upper levels if considered appropriate at the

reserved matters stages however the quantum of floorspaces shall not exceed the values as set out in the table above and Table 5.5 of the DSD. There is potential for car parking to come forward in DZ5 for the residential uses in the range of 0 to 106 spaces. The car parking would be delivered as ‘sandwich’ parking or as part of a basement car park. Alternatively, car parking could be delivered in DZ6 as a MSCP.

5.52 For Development Zone 6, flexibility is sought for basements to be provided as up to 100% of the Maximum Building Footprint of DZ6. There is potential for Town Centre uses to be incorporated within the upper levels if considered appropriate at the reserved matters stages however the quantum of floorspaces shall not exceed the values as set out in the table above and Table 5.5 of the DSD. There is potential for car parking to come forward for the residential uses in the range of 0 to 96 spaces as ‘sandwich’ parking or as part of a basement car park where DZ6 is delivered with residential uses. DZ6 also has flexibility for a MSCP to be delivered, which would accommodate the car parking for office uses on DZ4 or car parking for residential uses from across the Site. If a MSCP came forward on DZ6, no residential floorspace would be delivered on DZ6. The MSCP could serve both the office and residential uses. In the maximum office scenario, the MSCP could provide up to 685 car parking spaces. In the maximum residential scenario, the MSCP could provide up to 550 car parking spaces. Both of these figures would be policy compliant for each scenario.

5.53 It is noted for Development Zone 6a, that the GEA provision for associated class uses is dependant on whether a Nursery or Urban Park comes forward.

5.54 With respect to the public realm, amenity and landscaping spaces, the Sitewide Public Realm, Public Spaces and Private Amenity Plan (SWPR) is relevant. This plan shows the minimum areas of delivery for each of the main areas of public spaces as set out below:

- The Town Square: 1,00sqm min,
- The Local Square: 175sqm min,
- The Heart Space: 1,200sqm min,
- The Urban Park 1,000min (should a nursery not be provided within DZ6A).

5.55 Application Reports List

5.56 As a part of the application, documents for the final submission were received from the applicant on 20th June 2022. Further documentation in relation to Parameter Plans and Design Codes have also been received throughout August and September. The submission documents submitted are set out below:

<u>Document Name:</u>	<u>Document title:</u>	<u>Prepared by:</u>
-	Development Specification Document	Gerald Eve LLP
-	Design Codes (Mandatory Rules)	Squire and Partners
PA1	Schedule of Plans	Squire and Partners
PA2	Schedule of Floorspace	Squire and Partners
Parameter Plans		
PP01	Site Location Plan and Ownership Boundary	Squire and Partners
PP02	Red Line Plan & Development Zone Boundaries	Squire and Partners

PP03	Demolition Plan	Squire and Partners
PP04	Existing Site Plan	Squire and Partners
PPDZ1&2(A)	Development Zone 1 & 2 Parameter Plan A	Squire and Partners
PPDZ1&2(B)	Development Zone 1 & 2 Parameter Plan B	Squire and Partners
PPDZ1&2(C)	Development Zone 1 & 2 Parameter Plan C	Squire and Partners
PPDZ3(A)	Development Zone 3 Parameter Plan A	Squire and Partners
PPDZ3(B)	Development Zone 3 Parameter Plan B	Squire and Partners
PPDZ3(C)	Development Zone 3 Parameter Plan C	Squire and Partners
PPDZ4(A)	Development Zone 4 Parameter Plan A	Squire and Partners
PPDZ4(B)	Development Zone 4 Parameter Plan B	Squire and Partners
PPDZ4(C)	Development Zone 4 Parameter Plan C	Squire and Partners
PPDZ5(A)	Development Zone 5 Parameter Plan A	Squire and Partners
PPDZ5(B)	Development Zone 5 Parameter Plan B	Squire and Partners
PPDZ5(C)	Development Zone 5 Parameter Plan C	Squire and Partners
PPDZ6(A)	Development Zone 6 Parameter Plan A	Squire and Partners
PPDZ6(B)	Development Zone 6 Parameter Plan B	Squire and Partners
PPDZ6(C)	Development Zone 6 Parameter Plan C	Squire and Partners
PPDZ6A(A)	Development Zone 6A Parameter Plan A	Squire and Partners
PPDZ6A(B)	Development Zone 6A Parameter Plan B	Squire and Partners
PPDZ6A(C)	Development Zone 6A Parameter Plan C	Squire and Partners
PPDZWS	Development Zone WS- Wellington Street (East & West) Parameter Plan	Squire and Partners
PPDZH1	Development Zone Highways 1	Squire and Partners
PPDZHA	Development Zone HA Parameter Plan	Squire and Partners
PPDZHB	Development Zone HB Parameter Plan	Squire and Partners
Sitewide Plans		
SWHMP	Sitewide Highways and Movement Plan	Squire and Partners
SWPR	Sitewide Public Realm, Public Spaces and Private Amenity Plan	Squire and Partners

SWTCU	Sitewide Town Centre Uses Plan	Squire and Partners
SWCP	Sitewide Composite Plan	Squire and Partners
SWCAP	Sitewide Character Area Plan	Squire and Partners
Illustrative Plans		
IPP	Sitewide Indicative Phasing Plan	Squire and Partners
IMP	Sitewide Illustrative Max Parameters	Squire and Partners
ILP	Sitewide Illustrative Landscape Plan	Squire and Partners
IUUP	Sitewide Illustrative Upper Uses Plan	Squire and Partners
Environmental Impact Assessment and Chapters		
Volume 1	Main Text	
Chapter 1	Introduction	Waterman
Chapter 2	EIA Methodology	Waterman
Chapter 3	Existing Land Use and Activities	Waterman
Chapter 4	Alternative and Design Evolution	Waterman
Chapter 5	The Development	Waterman
Chapter 6	Development Programme, Demolition and Construction	Waterman
Chapter 7	Socio-Economics	Turley
Chapter 8	Transport and Access	WSP
Chapter 9	Air Quality	Hoare Lea
Chapter 10	Greenhouse Gas and Climate Change	Hoare Lea
Chapter 11	Noise and Vibration	Hoare Lea
Chapter 12	Daylight, Sunlight and Overshadowing	GIA
Chapter 13	Wind Microclimate	Arup
Chapter 14	Built Heritage	Turley
Chapter 15	Ground Conditions and Contamination	Arup
Chapter 16	Cumulative Effects	Waterman
Chapter 17	Next Steps	Waterman
Volume 2	Figures	Waterman
Volume 3	Townscape and Visual Impact Assessment	Turley
Volume 4	Appendices	Waterman
Other Supporting Technical Documents		
	File Note: BRE Consultant Response	Arup
	Application Form, Certificates and Notices	Iceni Projects
	Schedule of Owners (PA3)	British Land
	Design and Access Statement (including	Squire & Partners

Illustrative Scheme and Landscaping Strategy)	
Design Codes	Squire & Partners
Arboricultural Impact Assessment	Waterman
Archaeological Assessment	Waterman
Biodiversity Net Gain Report	Waterman
Built Heritage Statement	Turley
Original Cover Letter	Iceni Projects
Amendments Cover Letter	Gerald Eve LLP
Daylight, Sunlight and Overshadowing	GIA
Drainage Strategy	Arup
Environment Statement – Non-Technical Summary	Waterman
Fire Statement	Hoare Lea
Financial Viability Appraisal (FVA) Executive Summary and Affordable Housing Proposal and Review Mechanism Proposals	DS2
Buckingham Gateway Sensitivity Review	Gerald Eve (with Appendices)
Flood Risk Assessment	Arup
Future Proofing a Phased Redevelopment of Slough Central	Iceni Projects
Habitat Regulation Assessment	Waterman
Health Impact Assessment	Iceni Projects
Indicative Delivery and Servicing Plan	WSP/British Land
Indicative Construction Logistics Plan	WSP/British Land
Indicative Meanwhile Use Note	British Land
Indicative Sustainability and Energy Assessment	Hoare Lea
Needs Assessment	Turley
Planning Statement (including Retail Assessment)	Gerald Eve LLP
Post Submission Engagement Overview	Kanda
Preliminary Ecology Assessment	Waterman
Statement of Community Involvement	Kanda
Transport Assessment	WSP

	Utilities Statement	Hoare Lea
	Section 106 Topic Areas	British Land

Fig 19: Applications Documents & Supporting Information

5.57 Illustrative Scheme

5.58 An Illustrative scheme has been prepared by the applicant in order to test the broad design principles of the development. The illustrative scheme is submitted with the intent to demonstrate how a high-quality standard of design could be delivered through an overall masterplan which follows the good urban design principles sought by the Local Planning Authority. The Illustrative Scheme is described in further detail within the Design and Access Statement (DAS) and Illustrative Plans. These documents are advisory and are not submitted for approval. These documents are submitted to illustrate how the development could be implemented which would be consistent with the parameter plans in terms of land uses, building heights, public spaces and routes.

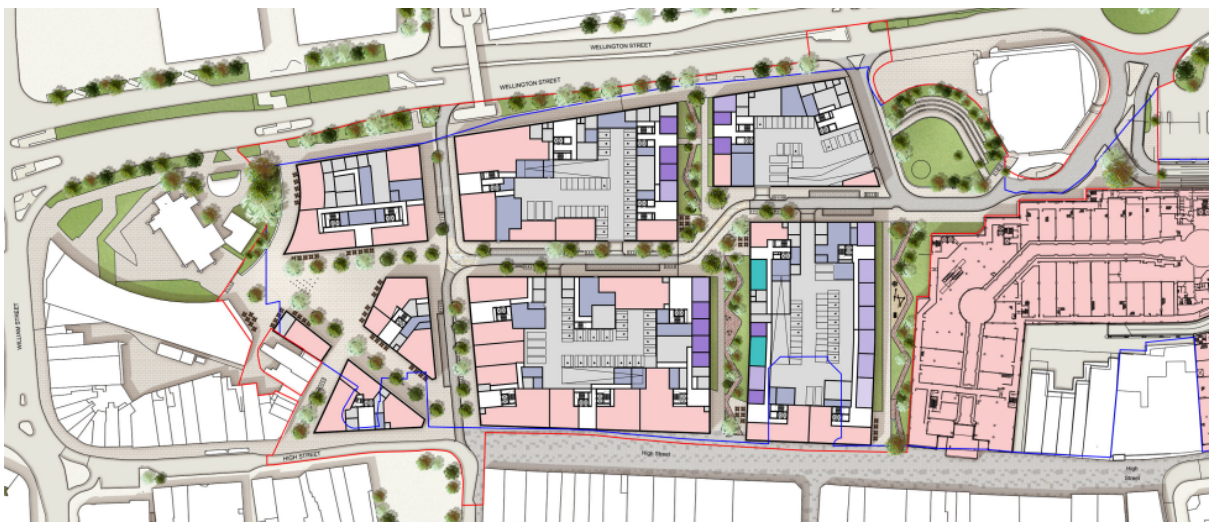


Fig 20: Indicative Ground Floor Masterplan



Fig 21: Indicative Masterplan 3D

- 5.59 Development Zones 1 & 2 Illustrative Design. The Illustrative Footprints within Development Zones (DZ1 and 2) are designed to create and define a link route connection to and from the High Street and create a new Town Square connected to the High Street and Mackenzie Street. The illustrative footprint of Development Zone 1 is configured as a single U-shaped building and is designed to have a strong northern edge to the new Town Square and a curved shape facing the church - to continue the geometry of the adjacent Curve building. In this illustrative scheme, buildings DZ2A and DZ2B consist of smaller, triangular footprints providing more diagonal public realm routes and contain central cores which serve the upper levels and DZ2C forms a bookend to the Mackenzie Street terrace as well as the southern edge of the Town Square. The ground floor uses of DZ1 and DZ2 are indicatively shown to have Town Centre Uses. The upper floors are illustratively proposed to have flexibility for residential and office use. The illustrative scheme heights for DZ1 are proposed to be 6-12 storeys with the heights stepping up away from the church, DZ2A is proposed to be 8 storeys, DZ2B is proposed to be 6 storeys and DZ2C is proposed to be 3 storeys. The blocks within Development Zones 1 & 2 fall within the Town Centre Character Area, with the exception of DZ2B which falls within the High Street Character Area.
- 5.60 The Town Square is located within Development Zones 1 & 2 with associated link routes, located within the Town Centre Character Area. The Town Square is illustratively designed to be a hard landscaped public space and to serve as a destination space, providing clear public realm routes from the Link route (which connects Slough Station to the High Street) and to existing civic spaces to the east - The Curve and Church of Our Lady Immaculate and St Ethelberts. The Town Square offers spill out spaces from the ground floor level food and beverage outlets.
- 5.61 Development Zone 3 Illustrative Design - Development Zone 3 is predominately located within the Residential Neighbourhood Character Area with the exception of the southern edge which belongs to the High Street Area. The Illustrative Footprint of DZ3 consists of an E-shaped building above a podium, with associated landscaping. The building form is designed to have strong edges to the High Street edge to the south to mirror the diagonal route, and the west and the east and north facades are perpendicular to one another and parallel with other Development Zone footprints. The ground floor uses for this Zone are illustratively shown within the Design and Access Statement to have predominantly Town Centre Uses and some plant/storage/parking, with the exception of the eastern edge indicatively shown to be residential in use, which faces towards Development Zone 5. The upper floors are shown to be predominantly C2/C3 (residential) in use. The proposed illustrative heights for DZ3 consists of 9 storey heights for the northern fingers of the E-shaped building and 7 storeys for the element along the High Street.
- 5.62 Development Zone 4 Illustrative Design - Development Zone 4 is predominantly located within the Residential Neighbourhood character area, with the exception of the northern edge which is located within the Wellington Street Character Area. The Illustrative Footprint of DZ4 consists of three rectangular blocks which sit on a podium base, with associated landscaping between the blocks within the Development Zone. The western edge of the block is illustratively designed to align with the North/South Link route and the northern edge is designed to align with Wellington Street. The ground floor uses for this Zone are proposed to have town centre uses to the south and western edges and northwest corner. Residential uses are indicated toward the eastern edge and plant/storage/parking is indicated to the northeast edge. The upper floor uses are indicated to have flexibility for Residential Use (C2/C3) and/or Office

Use (E). The illustrative heights for stated to be up to 8 storeys towards the east with a staggered height.

- 5.63 The Local Square is the second main public realm space within the QM OPA, which is located within the secondary North/South Route, connecting Wellington Street to the High Street. The Local Square is proposed in this illustrative scheme to be animated by a small amount of ground floor town centre uses and to serve as a stopping-off point for routes towards other primary routes and places. The North/South Route will also contain associated landscaping. The Local Square and secondary North/South Route are located in this scheme within the Residential Neighbourhood Character Area, on the edges of Development Zones 3, 4, 5 and 6.
- 5.64 Development Zone 5 Illustrative Design - Development Zone 5 is predominantly located within the Residential Neighbourhood Character Area, with the southern edges facing High Street being located within the High Street Character Area. The footprint of the buildings with DZ5 consists of a cluster of buildings and associated landscaping, atop of a podium base. The raised courtyard amenity space provided is designed to serve residents within this building cluster. The ground floor uses of DZ5 are illustratively shown to have Town Centre uses to the southern edges, residential uses to the eastern edge, plant/storage/parking uses to the north east corner, Town Centre uses to the north west corner and residential uses to the western edge. The upper floor uses are to be predominantly residential in character. The illustrative scheme heights are stepped up towards the north away from the High Street varying from 7 to 10 storeys.
- 5.65 Development Zone 6 Illustrative Design - Development Zone 6 is predominantly located within the Residential Neighbourhood Character Area, with the exception of the northern edge which falls within the Wellington Street Character Area. The parameter plans of the scheme splits this Development Zone into DZ6 and DZ6A (Urban Park), however, for the purposes of the Illustrative scheme, this is described overall as Development Zone 6. The footprint of the buildings within DZ6 consists of two linear blocks, sitting atop of a podium base, separated by associated landscaping space. The Illustrative Scheme also contains a Urban Park (DZ6A within the Parameter Plans) which sit adjacent east to the DZ6 buildings. The ground floor uses of the buildings within DZ6 are shown to be Town Centre uses on the southeast and west corners, residential along the east and northeast corner and plant/storage/parking along the north edge. The upper floors are proposed to have flexibility to be used for Residential Use (C2/C3) or for a MSCP. The illustrative scheme heights are proposed to be 11-18 storeys, with the heights stepping down towards the east. The parameter heights provide an additional allowance for rooftop plants and lift overruns. The illustrative scheme indicates if DZ6 was to come forward as an MSCP then the building would have a lower height given the maximum car parking is limited to 685spaces.
- 5.66 It is noted that the use of the Urban Park space may alternatively be used as a potential location for a pavilion, however the Illustrative scheme shows this area as an Urban Park. The Urban Part is located adjacent west to the existing HTC building and is proposed to be used as an open green space connected to the site through the Heart Space route from the High Street to the south.
- 5.67 The Heart Space route is located along the eastern edge of Development Zone 5 and the western edge of the existing Observatory House Shopping Centre. The route falls within the Residential Neighbourhood Character Area. The Heart Space connects the High Street, across the Service Spine Route to the Urban Park. The area provides

green spaced within the Town Centre, with the landscaping scheme designed to provide public play area and break-out space for potential use for markets, local events etc.

5.68 Development Highway Zones

5.69 The three Highway Zones contained within the QM OPA are DZHA, DZHA and DZHB. This are illustratively shown within the Sitewide Illustrative Landscaping Plan. DZH1 provides access from Wellington Street to the QM OPA site, and services access to the DZHA and servicing access for DZ2A and DZ3. DZHA shown in the Illustrative Scheme runs through the centre of the QM OPA area, through the Development Zones and Residential Character Area.

5.70 The route is identified as DZHA on the Illustrative and Parameter Plans. The route connects Highway Zones DZHB to the northeast and DZH1 to the northwest. DZHB provides an exit route from the site, connecting to DZHA. The routes overall are designed to provide vehicular access through the site, whilst also limited the interfaces between vehicular access routes and pedestrian priority movement routes. The Indicative Servicing and Delivery Strategy provides more definitive detail on how this is used and is further discussed within the report.

5.71 The detail provided in the above paragraphs describing the illustrative scheme should not be construed as being detail that is to be approved through this outline application. Officers will refer to the illustrative scheme only where it is relevant to the assessment of the planning merits of the proposed outline application for example, whereby it is necessary to consider if the scheme max parameters are capable of delivering an acceptable scheme in one particular scenario. In respect of issues concerning scale, access, appearance, landscaping and layout, these are reserved for the detailed stage and therefore where these issues are discussed in the context of the illustrative scheme, it should be advised the application is not seeking approval for these details.

Indicative Phasing

5.72 An indicative phasing plan is included in the DAS submission which indicated one potential construction sequence of development phases. The DAS confirms that a Development Phase will set out the order at which the proposed development will be delivered.

5.73 The Development Phase and/or Phasing Plan will not be defined in the Outline Planning Application stage but will be defined as part of the discharge of a planning condition and must be approved by the Council before any development is commenced.

5.74 The indicative phases of the development generally move forward in a west to east direction and are broadly in line with the sequencing of Development Zones. Phase 1 is likely to comprise Development Zones 1 & 2, with the addition of Development Zone 3 or 4. However, the Applicant is seeking flexibility on development phasing. These phases have been overlaid with the Development Zones and Character Areas to explain how they overlap with one another.

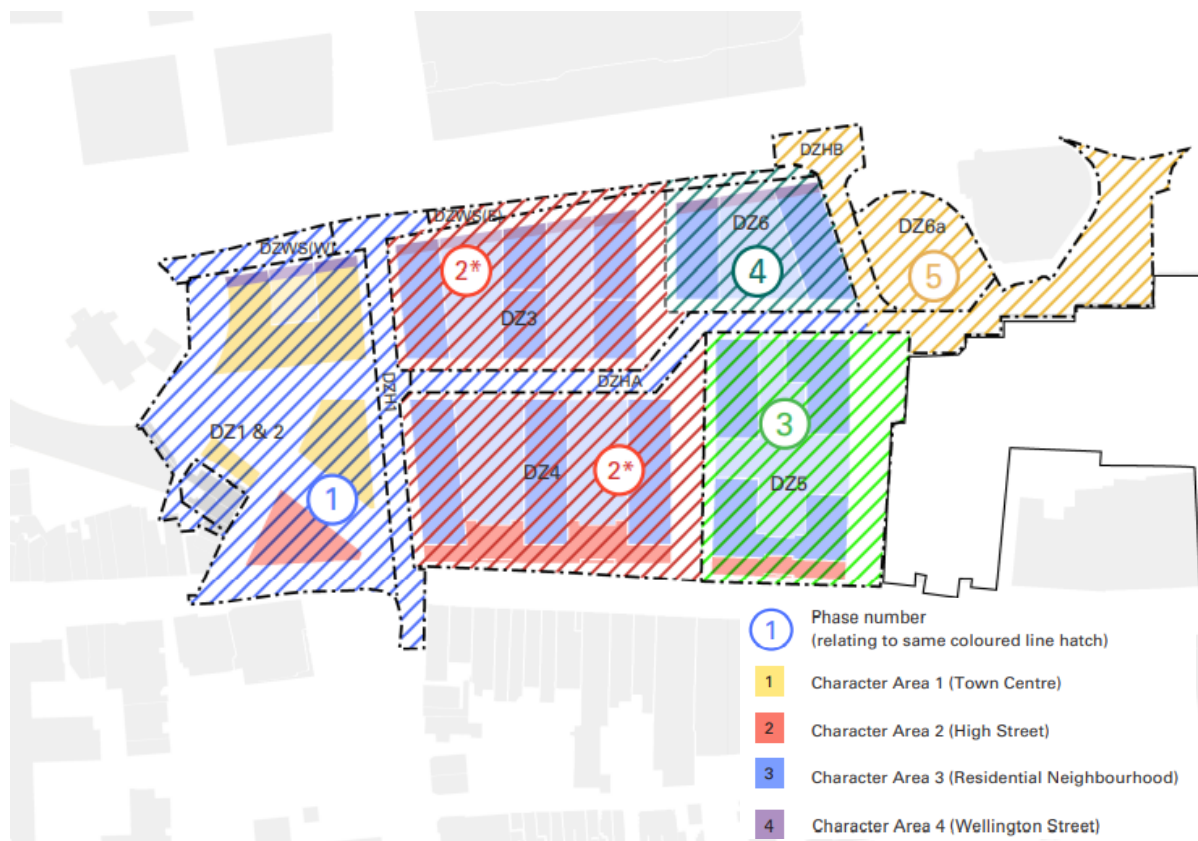


Fig 22: Indicative Phasing

Revisions to the Development secured post submission

- 5.75 Following consultation between the Local Planning Authority, statutory and non-statutory consultees, and the Applicant, the planning application has been revised and new technical supporting information and documentation has been submitted alongside revised and new/additional Parameter Plans, Development Specification Document and Mandatory Design Code submitted for approval. The Environmental Statement has also been updated to reflect the changes to the scheme.
- 5.76 The formal amendments took place in June 2022 (including the Revised ES), with further minor amendments and clarifications submitted in August 2022. The description of the development and details of the final parameter plans, design code and DSD are described in the above section of this report. The following bullet points comprise a summary of the changes to the proposals, secured post submission (these are set out in the Gerald Eve Cover letter dated June 2022 and Email dated August 2022);
- Tightening of the Maximum Footprints within a number Development Zones, including the addition of Balcony Oversailing Zones.
 - Addition of minimum extents for principal public realm areas included on Parameter Plans.
 - Addition of protected zones on the Parameter Plans to celebrate the view of St Ethelbert's Church and the pedestrian view/connection along Brunel Way.
 - Addition of basement extent Parameter Plans submitted for approval.
 - Sitewide Highways and Movement Plan, Sitewide Public Realm, Public Spaces and Private Amenity Plan, and Sitewide Composite and Town Centre Uses Plans are now submitted for approval.

- Addition of a checklist within the Design Code which outlines the key Character Areas and public realm areas relevant to each DZ.
- Addition of 'Wellington Street' character area.
- Addition of a Sitewide Character Area Plan for approval.
- Addition of illustrative information detailing typical upper floors uses.
- Provision of minimum town centre uses floorspace commitment per DZ.
- Clarification of 'height differential' on the Parameter Plans
- Balcony oversailing zones amended and oversailing zones removed on Wellington Street.
- Additional clarity on the minimum % of frontage coming forward for Town Centre Uses and amendment to secure more 'active' town centre uses within specified Category 1 frontages (90% town centre uses), Category 2 frontages (70% town centre uses) and Category 3 frontages (comprising predominantly residential, office and/or MSCP uses).
- Revised Town Centre Use Parameters indicates Category 1 frontages are located in the primary High Street and Town Square fronting buildings with Category 2 frontages located on the North-south route, Town centre Character Area and on key corners within the Residential Character Area.
- Chamfer added to lower levels of DZ3 up to a minimum of +38.5AOD of southwest corner of DZ3.
- Regulation Plan included within Mandatory Design Code to draw together relevant design codes specific to public realm and public spaces, in accordance with DRP feedback.
- Potential for chamfer added to lower levels up to a minimum of 39.36 AOD of the northwest corner of DZ6.
- Addition of Town Centre frontage on southeast and southwestern corners of DZ6.
- Indication of location of private podium amenity space within each DZ
- Clarification of location options for town centre leisure uses (including potential small cinema/live music venue).
- Amended Landscape Plan to respond to revisions to site movement/circulation plan.
- The former Illustrative Composite Plan submitted as a Revised Site Wide Composite Plan for approval.
- Rerouting of primary vehicular access, delivery and servicing route from HTC/A4 roundabout to form a new access point on Wellington Street (adjacent to DZ1 and DZ4) south of Brunel Way leading to a one-way system along the new North-south route turning eastwards into the new central spine road and egressing at the HTC/A4 junction. Controlled/restricted access for southbound delivery vehicles is provided to High St is provided for.
- Inclusion of an option within DZ6A for provision of an on-site nursery (with associated amenity/play space)
- Revised Mandatory Design Codes and Guidance submitted to address (where possible) design requirements and feedback following from the DSE Design Review Panel and SBC Officer advice.
- Indicative scheme for max office/ with MSCP scenario provided and included in the revised DAS

5.77 The following changes are also confirmed as being made to the proposals and are detailed in the Gerald Eve Cover letter and DSD (and other documents where applicable);

- Removal of reference to 'mutually exclusive' on Development Zone (DZ) 4 to allow residential and/or office uses at upper levels within this DZ.
- Correction of error in the 'up to' car parking number for the Max Office Scenario (2) - now to state, up to 685 car parking spaces

5.78 The following documents have been updated to reflect the changes to the scheme (although these elements are supporting material and not submitted for approval):

- ES Clarification updates in line with all changes proposed.
- Updated Daylight, Sunlight and Overshadowing Assessment to respond to BRE comments
- Updated Wind Microclimate Assessment information supporting the ES Chapter
- Shadow Appropriate Assessment submitted to address potential mitigation measures to reduce impacts on Burnham Beeches SAC.
- Revised Indicative Outline Delivery and Servicing Strategy to address new movement and circulation plan
- Revised Transport Assessment with technical appendices to address the detailed consultation feedback provided by SBC Highways Authority incorporating Origin Transport Consultant's advice.
- Indicative Meanwhile Use Strategy and Phasing proposals to address the potential location, types and timing for delivery of meanwhile uses during construction of the development.
- Clarifications detailing the proposed Affordable Housing provisions and Review Mechanisms.
- Revised Design and Access Statement submitted with Indicative Landscape and masterplan proposals updated.
- Non-Technical Sensitivity Analysis of cumulative environmental impact of the development upon potential Buckingham Gateway site proposals.

6.0 Environmental Impact Assessment

6.1 Due to the scale, size and form of the development, Environmental Impact Assessment (EIA) has been undertaken and an Environmental Statement with Addendum (ES) has been submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). This requires certain development-related issues to be assessed to establish whether they would have any significant effect on the environment.

6.2 The ES informs readers of the nature of the Development and the likely environmental effects. It also presents the measures proposed to prevent, reduce and where possible, offset any adverse effects on the environment (referred to as 'mitigation' measures). The ES identifies environmental effects during the demolition and construction phase, and on completion and occupation of the Development. This part of this section sets out the principal conclusions of the ES.

6.3 The significance of effects has been classified as being:

- **Adverse** (minor/moderate/major significance) – negative or harmful effects to an environmental / socioeconomic resource or receptor
- **Insignificant effect** - negligible effects to an environmental / socio-economic resource or receptor. These effects are beneath levels of perception, within normal bounds of variation or within the margin of forecasting error.
- **Beneficial** (minor/moderate/major significance) – advantageous or positive effect to an environmental / socioeconomic resource or receptor.

- 6.4 Where adverse or beneficial effects have been identified, these have primarily been assessed against the following scale (and are further defined within Volumes I of the ES):
- **Major effect:** where the Development is likely to cause a considerable change from the baseline conditions and the receptor has limited adaptability, tolerance or recoverability or is of the highest sensitivity. This effect is considered to be 'significant';
 - **Moderate effect:** where the Development is likely to cause either a considerable change from the baseline conditions at a receptor which has a degree of adaptability, tolerance or recoverability or a less than considerable change at a receptor that has limited adaptability, tolerance or recoverability. This effect is considered more likely to be 'significant' but will be subject to professional judgement;
 - **Minor effect:** where the Development is likely to cause a small, but noticeable change from the baseline conditions on a receptor which has limited adaptability, tolerance or recoverability or is of the highest sensitivity; or where the Development is likely to cause a considerable change from the baseline conditions at a receptor which can adapt, is tolerant of the change or/and can recover from the change. This effect is considered less likely to be 'significant' but will be subject to professional judgement; and
 - **Negligible:** where the Development is unlikely to cause a noticeable change at a receptor, despite its level of sensitivity or there is a considerable change at a receptor which is not considered sensitive to a change. This effect is 'insignificant'.
- 6.5 Effects are also generally assigned a geographic extent (local, Borough (within the administrative boundary of SBC) regional or national) and duration - temporary or permanent. In addition, the ES identifies the potential for direct and indirect effects, and interactions and cumulative effects.
- 6.6 Regulation 13 of the EIA Regulations provides that an applicant may ask a Local Planning Authority to state in writing its opinion as to the scope of an EIA. A formal EIA Scoping Report was submitted to Slough Borough Council (SBC) on the 19 July 2021 and as detailed in Chapter 2 EIA Methodology of the ES, a Scoping Opinion was adopted by SBC on the 22 September 2021 (refer to Appendix 2.1 and 2.2).
- 6.7 The scoping process determined that the Development would likely result in several potentially significant environmental issues that need to be assessed as part of the EIA/ES. These issues were categorised within key disciplines and a summary of the conclusions from the ES are provided below.
- 6.8 Given the flexibility being sought, the EIA needs to ensure that the assessments that rely on floorspace calculations (e.g. socio-economics, greenhouse gases, transport and access, air quality, and noise and vibration) are robust and therefore assess the potential worst case positions between the floorspace ranges and mix of uses and the flexibility sought. As a result, two scenarios have been defined as detailed below which are the worst-case scenario for the purpose of the socio-economic assessment:
- Scenario 1: Maximum Employment and Minimum Residential which would consist of:
 - 40,000 sqm of offices;
 - 950 residential units; and
 - 12,000 sqm of Use Class E (excludes offices) and F (excludes primary/secondary schools, swimming pool and staking rink) of which 1,500 sqm

is Sui Generis (either or live music/cinema) and 2,250 sqm Sui Generis Bar/hot food take away.

- Scenario 2: Minimum Employment and Maximum Residential which will consist of:
 - 0 sqm office;
 - 1600 residential units; and
 - 12,000 sqm of Use Class E (excludes offices) and F (excludes primary/secondary schools, swimming pool and staking rink) of which 1,500 sqm is Sui Generis (either or live music/cinema) and 2,250 sqm Sui Generis Bar/hot food take away.

6.9 The ES also states that in the case of the socio economics, a further scenario was also tested. This scenario was based on the minimum office, minimum Class E and Class F (5,500 sqm floorspace) and maximum residential of 1600. The Sui Generis uses are zero in this sub scenario. Under both scenarios, the most sensitive use is 'residential without gardens'.

Demolition and Construction

Programme

6.10 ES Volume 1, Chapter 6: Development Programme, Demolition and Construction sets out the indicative demolition and construction programme and activities. The specific order of phasing has not been defined and the Applicant is seeking flexibility to enable the Development to be brought forward in any order through Reserved Matters Applications (RMA). There will be a requirement via a pre-commencement condition to provide a detailed phasing programme for the whole Development alongside a programme of each Development Zone in conjunction with the Meanwhile Use Strategy to better understand if/when there will be any overlap phases to understand if there are likely to be multiple works at the same time to occur across the Site.

6.11 The ES states that it is currently estimated that demolition and the Development would be built-out over a period of approximately 13 years. A phasing programme will be conditioned to secure a more detailed programme and understanding of what will come forward as part of the RMA stage.

Access and Egress

6.12 The ES has assessed the main construction routes, namely the A4 Wellington Street / Bath Road, the A355 Turns Lane, and the M4. The ES states that this route is considered suitable for larger vehicles due to the width of carriageway, capacity, and their connection to the wider strategic network i.e. the M4. It should be noted that the traffic routing would be agreed in advance with SBC as part of the Construction Logistics Plans (CLP) and CEMP with the Council's Environmental Quality Team and Transport and Highways Team for the appropriate routing strategy (extracted from Volume II: Figures):

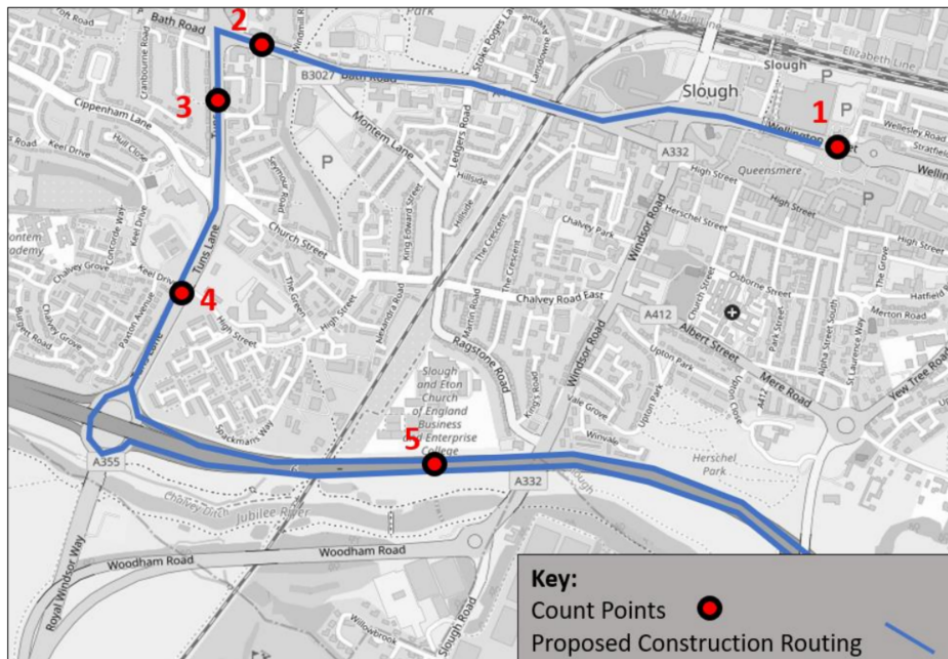


Fig 23: Indicative Routing Strategy

Construction Environmental Management Plan

- 6.13 The commitments made within the ES would be incorporated into a CEMP to be submitted to and approved by SBC in advance of the commencement of any demolition, refurbishment and construction works which has been secured via condition to minimise the environmental impacts during the construction phase.

Socio Economics

- 6.14 Chapter 7: Socio-Economics of the ES reports the findings of an assessment of the likely socio-economic effects of the Development which considers the need for local infrastructure such as employment during demolition/construction and operational phase, housing provision, schools, GPs and open space and recreation facilities.
- 6.15 The ES states that the maximum residential scenario (Scenario 2) would result in the largest increase in population and therefore effects on local education and healthcare provision, but the minimum number of jobs created during operation of the Development. The maximum office scenario (Scenario 1) conversely would result in the lowest increase in population, but the maximum number of jobs created during operation of the Development as well as the maximum number of vehicle movements during operation.

Creation of employment during demolition and construction

- 6.16 The ES reports that the demolition (over 13 years) and construction (over 12 years) phase of the Development is expected to generate approximately 210 Full Time Equivalent (FTE) jobs on average for each year. The construction of the Development could also be expected to support a further 80 FTE jobs within the wider impact area via indirect and induced effects, i.e. through contracts within the supply chain etc. The ES recommends that 60 FTE jobs could be taken by those living in the local impact area of Slough.
- 6.17 The Developer will be obligated to take all reasonable steps to secure these provisions by way of planning obligations in the proposed section 106 agreement via a Local Employment Skills and Training Plan. The Local Employment and Skills Plan must

ensure that employment opportunities are maximised through local employment, skills and training scheme, which the applicant will be required to prepare. As such, the ES concludes that the Development is considered to result in a local, temporary, long-term, direct, beneficial effect of minor significance on the labour force in the local impact area as a result of creation of employment during construction (insignificant effect in EIA terms).

Change in employment once operational

- 6.18 The redevelopment of the Site will mean that businesses occupying existing units at the Queensmere Shopping Centre will be displaced. Based on occupancy information stated within the ES, it is estimated that c. 560 FTE jobs are currently supported at businesses operating at the Site, which are all assumed to be lost, under a worst-case scenario. Therefore, it is estimated that the Development could result in a net increase of c. 2,580 on-site FTE jobs under Scenario 1, a reduction of 110 on-site FTE jobs under Scenario 2, and a reduction of 320 FTE jobs under the minimum commercial scenario. As such, the ES states that the Development is considered to result in:
- Under Scenario 1 – a permanent, long-term, direct, beneficial effect of major significance on the labour force in the local impact area as a result of the change in on-site employment once operational; and
 - Under Scenario 2 and the Minimum Commercial Scenario – a permanent, long-term, direct, adverse effect of minor significance on the labour force in the local impact area as a result of the change in on-site employment once operational which is not significant in EIA terms as stated within the ES.
- 6.19 The ES notes that it is important to recognise that the delivery of the minimum commercial scenario, should be considered very much a worst-case scenario. It is also highly possible that existing businesses which are displaced by the Development will seek to re-locate to new premises whilst remaining within Slough borough, resulting in no overall loss of employment to the local impact area, albeit at this stage it is not possible to quantify this factor. To mitigate the effect of lost/displaced jobs, there is a suitable condition and Section 106 obligation with regards to Business Relocation Strategy and Local Employment Skills and Training Plan to retain as many jobs as possible within the borough and the Meanwhile Use Strategy could also absorb some of these job losses and also bring in the opportunities for ‘start-up’s’ filter into the local economy.

Increased provision of housing, including affordable housing

- 6.20 The ES reports that a total of 12 existing homes will be lost as a result of the Development. It has been noted that the application form states 23 existing homes but only 12 are in habitable condition as confirmed by the agent. The number of residents that could be accommodated within the Development under the two scenarios has been calculated using the illustrative residential dwelling mix by number of bedrooms, refer to the table in para 9.1.

- 6.21 The ES states the findings for the two scenarios’:

Under Scenario 1 – A total of 950 new homes (938 net) at the Development would meet the housing need expected to arise over circa 1 year (1.1 years). This equates to approximately 5% of the total need between 2019 and 2039 or 8% of the borough’s needs over the 13-year construction and demolition period. Delivering lower numbers of new homes, this scenario is the least beneficial of the two scenarios.

Under Scenario 2 – A total of 1,600 new homes (1,588 net) at the Development would meet the housing need expected to arise in just under 2 years (1.8 years). This equates

to 9% of the total need between 2019 and 2039 or 14% of the borough's requirements over the 13-year construction and demolition period. Delivering higher numbers of new homes, this scenario is the most beneficial of the two.

- 6.22 The ES reports that the sensitivity of people requiring housing in the local impact area is considered to be 'high', given the scale of identified need, the impact that access to suitable housing can have on life chances and physical and mental health and the fact that the delivery of new homes is considered a local and, indeed, national policy priority. The magnitude of change is considered to be 'large' for both Scenario 1 and Scenario 2, given the Development's potential to contribute to provide new, high-quality housing for between c. 2,730 (under Scenario 1) and c. 4,590 (under Scenario 2) people by meeting the equivalent of between 5% and 9% of the total housing need identified in the borough between 2019 and 2039, increasing local housing supply permanently over the long term.
- 6.23 As such, under both Scenario 1 and Scenario 2 the Development is considered to result in a permanent, long-term, direct, beneficial effect of major significance on people requiring housing in the local impact area as a result of the increased provision of housing, including affordable housing, once operational and is significant in EIA terms as detailed within the ES.

Demand for education facilities

- 6.24 The ES concludes that Scenario 2 (1,600 homes) is considered to be the 'worst-case' scenario of those outlined for this effect, generating higher demand for education facilities. Under Scenario 2, the Development is considered to have a permanent, long-term, direct, adverse effect of moderate significance on pupils requiring access to education facilities (all phases) in the local impact area as a result of increased demand for education facilities and therefore the ES recommends that appropriate mitigation would be required mitigate the adverse impacts of the Development.

Early Years:

- 6.25 The ES states that an option for an on-site nursery building within DZ6A with a footprint no greater than 450 sqm and outside space no greater than 550 sqm could meet the demand for early years provision which would broadly meet the requirements for 1,600 homes. Therefore, as reported within the ES, following the effective implementation of the identified mitigation measures, either through the provision of a nursery within the Development and/or by way development contributions to off-site provision as required, via the section 106 agreement, it is concluded that the likely residual effect would be a permanent, long-term, direct effect of negligible significance. This effect is considered to be not significant.

Primary:

- 6.26 The three closest primary schools to the Site (Claycots Town Hall, St Mary's CofE Primary and Iqra Slough Islamic Primary School) are currently full. Therefore, an appropriate development contribution to provide additional capacity at these schools and at others in the surrounding area will be required. Additionally, while some pupils living at the Development will get places at nearby schools, the majority of children will have to travel further to find a place. Therefore, SBC will also require the development contributions towards a transport solution, such as school buses and Travel Plans and this will be secured via the section 106 agreement.

Secondary and Post 16:

- 6.27 All Slough secondary schools are currently effectively full and this will be the case for a number of years. Therefore, development contributions to provide additional capacity

at relevant secondary schools in the borough will be required. In terms of Post 16, Development contributions would be required to expand existing provision to meet the need and demand of the Development.

Special Education Needs & Disabilities *SEND*:

- 6.28 Development contributions for additional places at SEND facilities in Slough would be required, with development contributions also likely to be required towards transport solutions and again would be secured within the section 106 agreement.
- 6.29 Given the flexible nature of the outline planning application and the need to monitor the supply and demand position of school places over the coming years, the form of mitigation measures will be kept under review and determined as detailed planning applications are developed for each phase of development. The Applicant will continue to engage with SBC to ensure that the impacts of the Development are effectively mitigated, through a mixture of on-site provision and development contributions through the Section 106 Agreement. Following the effective implementation of the above mitigation measures, it is concluded that the impact to local education provision to be negligible (not significant). The Local Planning Authority is satisfied that the education impacts arising from the Development can be satisfactorily mitigated.

Demand for healthcare facilities

- 6.30 The ES states that Scenario 2 is considered to be the 'worst-case' scenario of those outlined for this effect, generating higher demand for healthcare facilities. Under Scenario 2, the Development is considered to have a permanent, long-term, direct, adverse effect of minor significance on people requiring access to primary healthcare facilities in the local impact area as a result of increased demand for healthcare facilities once operational.
- 6.31 It should be noted the Council does not have adopted policy to determine what healthcare facilities are required to mitigate the impact of development. In the absence of local policy to support local healthcare services and inability to ensure any mitigation is CIL compliant (insofar as any projects being in accordance with the statutory 106 tests at the time of writing the report), it is concluded at this stage that the likely residual effect would remain as a permanent, long-term, direct, adverse effect of minor significance and this would not be significant in EIA terms.
- 6.32 Based on the proximity of local facilities in the area, and the phased nature of the development being brought forward over time, it is considered the additional demand for healthcare provisions would generate an impact on existing facilities but this can be planned for as part of the wider Town Centre regeneration strategy and the Local Plan process which seeks to enable the provision of adequate healthcare provision to cater for the new development.

Demand for open space and recreation facilities

- 6.33 Scenario 2 is considered to be the 'worst-case' scenario of those outlined for this effect, generating higher demand for open space and recreation facilities. It is estimated that the total number of new homes could accommodate between c. 2,730 (under Scenario 1) and c. 4,590 (under Scenario 2) residents once completed and fully occupied. Under Scenario 2, the Development is considered to have a permanent, long-term, direct, adverse effect of minor significance on people requiring access to open space and recreation facilities in the local impact area as a result of increased demand for open space and recreation facilities.
- 6.34 Whilst the Development will not result in any loss of open green space and will also deliver primary mitigation in the form of civic/town squares and other public open

spaces, the Development will nonetheless generate additional demand for existing open and green spaces, there is limited public open and green space in the centre of Slough near the Site, albeit Salt Hill Park, Baylis & Godolphin Park, Herschel Park, Upton Court Park and Lascelles Park are present and serve the locality's need for green space to some extent.

- 6.35 Mitigation inherent to the Development's design in the form of on-site open space and recreation facilities will be delivered through new and enhanced public realm and landscaped areas. Details of the exact nature of open space to be provided would be subject to subsequent approval at a later date through RMA and this will be secured via condition.
- 6.36 Given the response from Natural England further mitigation measures will be secured in the form of a financial, which would further effectively mitigate the above adverse impacts and would primarily comprise development contributions towards new and enhanced facilities at Upton Court Park.
- 6.37 Following the effective implementation of the above mitigation measures, it is concluded that the likely residual effect would be a permanent, long-term, direct effect of negligible significance. It is considered that this effect is not significant. The Local Planning Authority is satisfied that the mitigation measures which will be secured via condition and the Section 106 agreement will be appropriate to mitigate the impacts arising from the Development.

Transport and Access

- 6.38 Chapter 8 Volume I of the ES presents an assessment of the likely significant effects of the Development on the transport and access conditions within the area local to the Site and the wider surrounding area. The applicant has submitted the ES which is supported by a detailed Transport Assessment which provides an assessment of the impacts of the Development during peak times and once completed and in operation.
- 6.39 The ES states that the likely significant effects arising from the Development during demolition and construction are expected to be temporary and will only impact local conditions in the short-medium term. The increase in traffic and HGVs generated during this phase is relatively small when compared to local traffic flows (it has been estimated that there would be a maximum predicted daily flow of 121 one-way vehicle movements (comprising of LGVs and HGVs) within a 10-hour working day. This comprises 51 one-way HGV movements in the worst case). Hence, the impacts expected to occur on environmental factors during this phase should be minor/negligible.
- 6.40 Additionally, the implementation of measures of mitigation such as a Construction Logistics Plan (CLP), a Construction Environment Management Plan (CEMP), temporary traffic management works and the implementation of cycle and pedestrian access routes during the construction phase are expected to further reduce impacts during this phase which will be secured via condition.
- 6.41 The Site is located in a highly accessible area with good connections by bus and rail, with good pedestrian and cycle connections. There are good quality pedestrian facilities and cycle routes around the Site which facilitate connectivity within the local and wider area. There are crossing facilities on key roads that bound the site that facilitate movement for both pedestrians and cyclists to surrounding facilities, negligible (not significant) effect on the surrounding roads.

- 6.42 In terms of the impact to the local highway network, the ES reports there would not be a significant impact in EIA terms to the local road which were assessed surrounding the town centre and the applicant's ES proposes a number of mitigation measures for the complete and operational phase of the Development will include:
- Improvements to HTC roundabout to facilitate two-way access to the Site.
 - Provision of cycle parking and low car parking which are expected to encourage site users to select active and sustainable forms of transport over private vehicle usage.
 - Public realm improvements and high permeability within the Site. These improvements will encourage walking and cycling through the Site and the town centre and railway station, thereby assisting to minimise the traffic impact of the proposed development.
 - Section 106 agreement to secure suitable financial contributions towards mitigation, refer to section 22 of this report;
 - A Framework Travel Plan which will be secured via the Section 106 agreement. The document would encourage a mode shift away from private car travel. This would help to mitigate impacts on the local highway network, severance, driver delay and amenity in the local area.
 - A Delivery and Servicing Management Plan as part of the RMA. The document would aim to reduce and consolidate delivery vehicle trips which would also assist with reducing vehicle trip generation associated with the Development; and
 - Section 278 agreements (of the Highways Act) agreements to secure appropriate working methods for highway works including traffic management arrangements for the revised secondary site access at Tesco junction and minor alterations to the HTC Roundabout Site access arm.
- 6.43 The Highways Authority consider the ES results are verified and robust. Notwithstanding this, there are material impacts on the following junctions: A4 Wellington Street / A412 Uxbridge Road signalised roundabout, A4 Wellington Street / Wexham, A4 Bath Road/Stoke Poges Lane/Ledgers Road signalised junction. In ES terms it is considered that the proposed development would result in the need for additional mitigation measures to be outlined in the s106 agreement.
- 6.44 The applicant asserts that the mitigation listed above are expected to mitigate impacts on the local highway network, severance, driver delay and amenity in the local area. The Local Highways Authority has identified further mitigation (in addition to that offered in the ES) as a result of reviewing the Transport Assessment. The LHA have not raised any objections to the mitigation proposed within the ES and agreed through the Transport Assessment which will be secured via conditions, Section 278 agreement and the Section 106 Agreement.

Air Quality

- 6.45 Chapter 9: Air Quality of the ES and the ES Addendum consider the impact on air quality that would occur as a result of the construction and operation of the Development and has been undertaken at both existing nearby sensitive receptors and the future users of the Development.
- 6.46 Within the ES, existing baseline conditions have been established using recent air quality monitoring data from SBC. This showed there has been one exceedance of the annual mean NO₂ AQO in the vicinity of the Site in the most recent monitoring year, 2019. NO₂ concentrations are decreasing in the vicinity of the Site at both roadside and background sites. Defra predicted background concentrations at the Site are below the relevant objectives for all three pollutants assessed (NO₂, PM₁₀ and PM_{2.5}) in the anticipated opening year of the Development, 2026.

- 6.47 The ES confirms that dust and particulate matter emissions released during the construction phase of the Development will be controlled through the implementation of a Construction Environmental Management Plan (CEMP). These emissions are therefore not expected to give rise to significant effects and have not been considered within the ES.
- 6.48 A detailed assessment of air quality in the construction phase of the Development has been undertaken, considering the impacts of emissions from road traffic generated by the Development at existing receptors. The impacts at existing receptors are all predicted to be negligible in line with the EPUK/IAQM guidance and, as such, will not give rise to significant effects.
- 6.49 A detailed assessment of air quality in the operational phase of the Development has been undertaken, considering the impacts of emissions from road traffic generated by the Development at existing receptors. The impacts at existing receptors are all predicted to be negligible in line with the EPUK/IAQM guidance and, as such, will not give rise to significant effects. Nevertheless, embedded mitigation measures to reduce emissions from road traffic generated by the Development are set within the highways and transport mitigation which seeks a modal shift from private car travel to sustainable forms of transport, such as walking, cycling and public transport.
- 6.50 The Site suitability assessment determined that predicted concentrations across the whole of the Site would fall below the relevant air quality objectives for the three pollutants assessed (NO₂, PM₁₀ and PM_{2.5}). Therefore, it is expected that onsite concentrations will not give rise to significant effects.
- 6.51 The cumulative impacts of the Development with other cumulative schemes in the local area have been considered inherently in the future year assessment. As a result, the cumulative impacts of the Development are not expected to give rise to significant effects.
- 6.52 Overall, the air quality effects of the construction and operational phases of the Development are judged to be not significant and no additional mitigation is required. The ES concludes that there are no material constraints to the planning application as a result of air quality.

Greenhouse Gases

- 6.53 Greenhouse Gases (Chapter 10); An assessment has been made of the likely significant environmental effects of the Development on the global climate. While the focus of the Climate Change chapter is on greenhouse gas (GHG) emissions, consideration has also been given to the anticipated effects on other receptors sensitive to climate change.
- 6.54 The ES states that for both the enabling/construction phase and operational carbon emissions predicted for the Development (considering both development scenarios), the anticipated impact has been identified as negligible, not significant effect. Notwithstanding this an Indicative Sustainability and Energy Strategy has been submitted and the ES sets out the enhancement measures to further mitigate and minimise any potential impacts on the environment which will be secured via condition.

Noise and Vibration

- 6.55 Noise and Vibration (Chapter 11); Noise and Vibration of the ES and ES Addendum present an assessment of the likely significant effects of the Development with respect to noise and vibration to identified sensitive receptors, in terms of:
- Predicted noise and vibration levels from the demolition and construction works;
 - Noise from building services plant associated with the Development during operation;

- Any increases to road traffic attributed to the Development.

Construction Works Noise:

- 6.56 A simple assessment of likely noise from construction activity at an early point in construction has been carried out, depending on location around the Site, the ES confirms that average noise levels during the day range from 41-77 decibel (dB). During this phase there will be the following impact:
- adverse effects of major significance are predicted at St Ethelbert's Church vicarage;
 - adverse effects of moderate significance are predicted at Marlborough House residential properties;
 - adverse effects of minor significance are predicted at receptors 8 (High Street residential properties - south), 10 (High Street residential properties - west) & 11 (High Street residential properties - north); and
 - all other receptors are expected to be subject to insignificant effects.
- 6.57 The ES states that as different works are carried out across Site, the nearest receptors will be subject to adverse effects of major or moderate significance and the effects at other receptors will be less. However, these effects will be short-term for each receptor. Therefore, even though the construction programme spans over 13 years, any noise effects would be short-term, as they quickly diminish in noise level as works progress. Therefore, construction works noise is considered to result in a local, temporary, short-term, direct, adverse effect of major significance i.e., significant.

Construction Works Vibration:

- 6.58 The ES assesses the highest levels of vibration anticipated at each assessment receptor during construction of the Development. These levels are based on impact driven piling works. The assessment concludes that there will be short-term adverse effects of moderate significance are anticipated for four number of receptors. Therefore, construction works vibration is considered to result in a local, temporary, short-term, direct, adverse effect of moderate significance i.e., significant.

Construction Works Traffic noise:

- 6.59 An indicative route for construction traffic has been defined in the ES, therefore, the assessment of construction traffic noise impacts is limited to the noise consequences of temporary changes in traffic flows along these roads as a result of this construction traffic.
- 6.60 The ES states that the average daily traffic data for the peak period of construction in terms of vehicle numbers (2026) have been compared to the forecasted baseline traffic data along these roads in the same year to determine how the temporary increases in traffic will influence road traffic noise levels. As the amount of traffic serving construction of the Development is very low in relation to the general traffic flows along the construction traffic route, the increases in road traffic flows caused by vehicles serving construction of the Development are not significant and considered to be negligible.

Complete and Operational Development

- 6.61 At this stage as the detailed design is not known, the ES reports that for internal noise levels, external amenity areas, building services noise, operational road traffic and delivery noise, the Development results in a site wide, permanent, long-term, direct, adverse effect of minor (only for operational road traffic) to major significance in the absence of mitigation.

- 6.62 The ES recommends that a noise condition to be secured so that sensitive receptors such as residents are protected against noise and that during the RMA stage, when the proposals are sufficiently developed, appropriate mitigation measures can be incorporated into the design process.
- 6.63 The Council's Environmental Quality Team have raised no objection and recommended a condition which states that the noise assessment will need to include a noise mitigation scheme which will demonstrate how the design, orientation, internal layouts and additional mitigation measures will minimise adverse noise impacts and provide an acceptable level of amenity for future residents. The scheme will include detailed specifications for any acoustic enclosures, screening, glazing, ventilation and cooling that are identified as necessary to protect the future residents and it is considered that this is acceptable to mitigate the impacts of noise arising from the Development.

Daylight, Sunlight and Overshadowing;

- 6.64 The ES, Chapter 12 and the ES Addendum provide an assessment of the Daylight, Sunlight and Overshadowing and only considers the effects of the Development on existing and future surrounding receptors, and not users of the proposed Development itself as this is covered separately in the planning assessment section of this report.
- 6.65 The daylight, sunlight and overshadowing assessments have been undertaken in accordance with the methodologies and guidelines recommended by the Building Research Establishment (BRE). It should be noted that BRE Guidelines was updated prior to the submission of this updated ES Chapter, but subsequent to the submission of the October 2021 ES. Whilst the assessments herein were undertaken by reference to the (now) superseded BRE Guidelines (2011), the updated BRE Guidelines (2022) have no bearing on the daylight, sunlight and overshadowing assessment methodologies contained within this Updated ES Chapter. The technical analysis has been undertaken quantitatively via the creation of a digital three-dimensional model of the Site and surroundings based on the maximum parameters of the Development.
- 6.66 The potential for solar glare and light pollution rely on detailed elements of the Development in order to undertake technical assessment. From review of the proposed uses and proximity of sensitive receptors and typical design strategies, it is not considered likely that significant solar glare or light pollution effects would arise. This will be considered and mitigated through any future detailed design.
- 6.67 Of the 65 existing residential buildings, a total of 999 windows serving 705 rooms surrounding the Site have been assessed for existing daylight conditions. Within the 42 residential buildings, a total of 504 windows (serving 415 rooms) were assessed for existing sunlight conditions. In respect of overshadowing, two portions on the outdoor area of amenity surrounding St Ethelbert's Church were assessed.
- 6.68 During the demolition works there would be short term, temporary, local effects on daylight sunlight and overshadowing to properties and amenity areas surrounding the Site. As construction of the Development progresses, the effects would change to those reported for the complete and operational Development.
- 6.69 In relation to daylight, 60 of the 65 buildings identified would not experience a noticeable alteration in the levels of daylight that they receive with the completed Development in place and therefore the effects to these buildings are considered negligible (of the 999 windows assessed for VSC 937 (93.7%) would meet BRE criteria. Of the 705 rooms assessed for NSL, 684 (97.0%) would meet BRE criteria). The new BRE Guide identifies that the Guidance and Standards may be applied flexibly in high density locations (such as town centres). Applying the BRE Guidance flexibly is also often required whereby it is necessary to increase housing supply and

optimise use (and re-use) of brownfield/previously developed land (in accordance with the NPPF). Officers accept that that some divergence from the standards in the BRE Guidance is justified for this development.

- 6.70 As stated in the planning assessment in this report, it is accepted that strict adherence with BRE guidance is often constrained in town centre/urban locations as the existing properties are generally constructed around a dense layout with buildings having close relationships with one another. In the case of the urban flatted developments, some loss in VSC and NSL can also be attributed to the design of rooms themselves and building exterior, such as overhanging balconies etc. A further detailed daylight and sunlight assessment would need to be undertaken at the RMA stage to ensure related impacts are mitigated where possible and this will be secured via condition.
- 6.71 The ES states that the majority of daylight effects and all sunlight effects are considered negligible in ES terms. The Church of Our Lady Immaculate and St Ethelbert Nave would experience a negligible to minor adverse daylight effect and two properties (presbytery building of the Church and 186-188 High Street) are considered to experience minor adverse daylight effects. One residential building, 146-148 High Street - Butler House would experience major adverse daylight effects to the seven windows affected by the proposed Development. However, all other windows at this property overlooking Church Street would be unaffected by the proposed Development.
- 6.72 In relation to sunlight, the ES reports that 43 of the 44 buildings identified would not experience a noticeable alteration in the levels of sunlight that they receive with the completed Development in place and therefore the effects to these buildings are considered negligible. Church Of Our Lady Immaculate and St Ethelbert Presbytery is considered to experience negligible to minor adverse effects.
- 6.73 The overshadowing effect of the Development on the surrounding amenity areas was also assessed, Church of Our Lady Immaculate and St Ethelbert Yard, is considered long term, local, adverse of minor significance.
- 6.74 In the cumulative scenario, no noticeable additional daylight effects would occur to 64 buildings, and therefore the overall effect is unchanged from the Development scenario. One building, Church of Our Lady Immaculate and St Ethelbert Presbytery, would experience noticeable additional effects in the cumulative scenario, and the effect is therefore considered to increase to a long term, local, adverse effect of moderate significance i.e. significant. It is understood that this building is not of primary residential tenure and as such is of lower sensitivity.
- 6.75 In relation to sunlight, all 42 buildings identified would not experience a noticeable alteration in the levels of sunlight that they receive in the cumulative scenario and therefore the effects to these buildings are considered to remain as reported for the Development scenario in isolation.
- 6.76 Owing to the location of cumulative schemes north of the sensitive amenity areas, no cumulative overshadowing assessment is considered necessary.
- 6.77 In relation to the future sensitive properties assessed in relation to daylight, six are considered to experience a negligible effect. The remaining building 150-152 High Street is considered to experience a long term, local, adverse effect of major significance. However, the design of this building inherently limits daylight availability within the room, which should be taken into consideration when evaluating the significance of effect.
- 6.78 Given the outline nature of this scheme, a condition will be included for a daylight and sunlight assessment during the RMA stage in accordance with the revised BRE

guidance, this will take into consideration the detailed design and provide a robust assessment of the site circumstances as they come forward to ensure that where possible the impacts in terms of daylight, sunlight and overshadowing can be appropriately mitigated.

Wind Microclimate

- 6.79 Chapter 13 of the ES and Addendum on wind microclimate presents an assessment of the likely significant impacts of the Development on the local wind microclimate both within the Site and within the immediate vicinity of the Site. In particular, consideration is given to the likely significant effects of wind upon pedestrian comfort and safety. This Chapter summarises the findings of a desk-based wind assessment undertaken by Arup, which they consider assesses the worst wind scenarios for the Site.
- 6.80 Further clarification was sought to understand the approach taken for the wind assessment by the Council's consultants BRE. In terms of the assessment undertaken, it has been based on the maximum building parameters and all wind directions (frequency and strength) have been considered. Generally, the ES advises that windiness depends on the overall massing and porosity. At this outline stage, the wind microclimate has been considered at a high level given the nature of this application. It should be noted that local windiness will occur in places where air escapes around corners or thorough openings and is very sensitive to detail geometry. Officers consider this will need to be fully assessed as the detailed massing is developed as part of the RMA stage.
- 6.81 The existing Site and surroundings contain a variety of building heights from lower rise two storeys up to 8/9 storeys along the High Street. In addition, a large part of the existing retail Site comprises covered internal malls. The external areas of the existing Site are expected to fall into the 'Sitting' to 'Strolling' range, which is safe and acceptable for almost all existing uses.
- 6.82 The development proposals are significantly taller than the surroundings, the heights will range between 6 and 19 storeys of development. However, this includes all plant and infrastructure requirements as well as lift overruns, so the number of storeys might be less in reality. The ES states that this will create some additional windiness around the borders where the massing 'steps up' and likely to impact the comfort of areas around DZ1, DZ4, DZ5, DZ6 and, DZ6a due to direct winds and down-drafting off the significantly taller outline massing and accelerating around the closest corners. This will be particularly noticeable at the north-eastern edge along Queensmere road and Wellington Street. Amenity spaces and the corners of buildings in these areas will be exposed to the less frequent but cooler north-east winds that occur in the spring. The ES recommends that local mitigation such as trees, screens and relocation or recessing of entrances will help improve any adverse conditions in these areas and can be specified at the RMA stage for each Development Zone to ensure that mitigation measures achieve safe limits of wind conditions.
- 6.83 The ES notes that the general massing of the development proposals gradually builds in height with the lowest height buildings in the west and south, building up as you progress east across the Site. This gradual increase in height takes advantage of the natural process of sheltering and isolated towers that would have created high wind accelerations at ground level have been avoided. This process continues right across the development proposals with each building in turn sheltering the next from the prevailing wind. The ES considers that this creates a generally sheltered environment with only very few areas of wind acceleration. The ES advises any small areas of wind acceleration are expected to be mitigated with the measures, such as soft

landscaping/trees, screens, public art/advertising signs for local businesses, and recessed or relocated entrances.

- 6.84 Prevailing south-west winds are likely to be downdrafted by the exposed western and southern facades of the QM OPA however these could be mitigated with horizontal canopies, soft landscaping and trees or recessed entrances.
- 6.85 Overall, with the local mitigation correctly designed at the RMA stage for each Development Zone, all conditions affecting areas such as public space, outdoor seating, upper amenity space and entrances into buildings are expected to be negligible. As such, an appropriate condition is proposed to be included for the RMA stage to ensure that prior to any works commencing above ground floor level within any Development Zone includes details of wind microclimate mitigation measures necessary to provide an appropriate wind environment throughout and surrounding the development, within the relevant Development Zone(s), or parts thereof which will need to be approved by the Local Planning Authority. This ensures compliance with the NPPF (2021).

Built Heritage

- 6.86 Chapter 14 of the ES assesses the likely significant effects of the Development on the environment, in respect of the particular significance of the built heritage assets adjacent to the Site and within the surrounding area (including statutorily listed buildings, scheduled monuments, registered parks and gardens, conservation areas and locally listed buildings), as well as the potential indirect impacts through change to their settings and views. For the purposes of this chapter, the term 'built' heritage refers to the above ground heritage assets only. The assessment has been undertaken on the basis of the maximum extent of built form within the established parameters, and also the proposed flexibility of uses, i.e. the worst case scenario.
- 6.87 No statutory or locally designated built heritage assets are present within the Site boundary; however, there are a range of other designated and non-designated built heritage assets within the wider study area. There are 25 Listed Buildings (3 Grade I, 2 Grade II*, 20 Grade II) and 3 Grade II Registered Park and Garden (Hershel Park, formerly Upton Park; Royal Estate, Windsor: Windsor Castle and Home Park; and Stoke Park) within the study area.
- 6.88 The closest Listed Buildings include Grade II Listed Church of Our Lady Immaculate and St Ethelbert, St Ethelbert's Presbytery, which are adjacent to the western boundary of the site, Grade II* Listed Church of St Mary and Grade II* Beech House, Oak House and Linden House at Upton Hospital. In addition, Windsor Castle, a Grade I listed building and scheduled monument, which is located approximately 7.8km south of the Site, has a prominent landmark status, exceptionally high level of special architectural and historic interest and sensitivity to change. In addition, there are 27 non-designated heritage assets within the Site and study area, and two locally listed buildings in proximity to the Site.
- 6.89 The ES concludes that the effects of the demolition and construction phase of works would be transitory in nature, i.e. confined to a phase, and also linked directly to the delivery of the completed scheme for the Site. However, during a phase, the visibility of spoil for demolition, construction cranes and other structures and equipment, and also the associated noise, dust, construction and vehicular activity, and other experiential effects, would likely distract from the experience and enjoyment of those heritage assets within closer proximity to the Site, which would be a minor adverse effect. For other more distantly located, or otherwise removed, heritage assets such effects would be either negligible or neutral. The details of proposed mitigation / monitoring measures would be set out in a CEMP and would be agreed with the Local

Planning Authority and secured via a condition. The duration of effects would be medium-term, although any magnitude of effects would reduce during the construction process as completed works obscure views of the later works under construction. Following the implementation of appropriate mitigation measures, the residual demolition and construction effects on the significance of the relevant built heritage are not considered to be significant for the purposes of EIA.

- 6.90 When completed and operational, the Development has the potential to indirectly impact the significance of the identified built heritage assets and sensitive receptors. Following completion, the ES states that the Development would likely have no significant effects on any of the designated and non-designated heritage assets within the local and wider surrounding area of the Site for the purpose of the EIA. The nature of the effect of the completed and operational phase on the significance of the built heritage assets has been assessed to be permanent, long term and indirect for each of the receptors assessed, and this ranges from minor to negligible adverse, or no change which in EIA terms are not considered to be significant effects.
- 6.91 It should be noted that given the nature of this application at outline stage, there are mandatory rules, and design guidelines set within the Design Code Document and detailed conditions which would ensure to achieve a high-quality place in terms of architecture and landscape design alongside public realm benefits, these mitigation measures which will need to be taken into consideration at the RMA stage to limit the impact to the heritage assets. An assessment has been undertaken in planning assessment within this report which identifies some less than substantial harm to heritage assets and this is considered further within the aforementioned section.

Ground Conditions and Contamination

- 6.92 Chapter 15 of the ES presents an assessment of the likely effects of the Development on ground conditions, hydrogeology and contamination, it should be noted that surface water receptors have been included in the assessment as changes to the groundwater may impact these receptors.
- 6.93 The Development is located in the centre of Slough. It has historically been developed and been subjected to industrial and commercial land use including the existing commercial centre, and historically, a gas works, printing works and embrocation works. Activities associated with these developments may have resulted in contamination of soils and groundwater. The Development is underlain by the Langley Silt and Taplow Gravels, which in turn are underlain by the Reading Formation over the Upper Chalk. The gravels and chalk support Principal aquifers, which comprise important resource for water supplies and the wider water environment.
- 6.94 The ES states that with mitigation measures in place during construction, no significant effects are predicted on human health and water environment. Direct impacts from land contamination during construction on human health and groundwater quality would be managed through the CEMP. Construction of the basements (up to 100% of maximum footprint within Development Zones 3, 4, 5 and 6; up to 20% of maximum footprint within Development Zone 1 and up to 50% of maximum footprint within Development Zones 2a, 2b and 2c) may locally need groundwater control levels measures, which may locally impact the groundwater level and flow within the gravels. There are not any groundwater dependent features within the study area that may be impacted by these changes. Construction of the basements will produce large volumes of soil, disposal of which will be managed through a Waste Management Plan as part of CEMP. These impacts are unlikely to result in significant effects during the construction of the Development.

6.95 With mitigation measures in place following further ground investigations and land contamination risk assessment post-demolition (e.g. remediation of soil or groundwater contamination), no significant effects are predicted on human health and the Site will be safe for the intended end uses of the Development. The new basements may locally create a barrier to the groundwater flow, though there are not any ground water dependent features within the study area that may be impacted by these changes. These predicted impacts are unlikely to result in significant effects during the operation of the Development.

Townscape and Visual Impact Assessment

6.96 The Townscape and Visual Impact Assessment (TVIA) provides an assessment of the potential townscape and visual impacts of the Development, details of which can be found in volume III of the ES. The document identifies the existing townscape character and visual amenity of the Site and its context; and assess the effect of the Development on the townscape and visual amenity of the Site and its surroundings.

6.97 The ES has identified eight townscape character areas (TCA) within the area, which are likely to be affected by the Development (map below exacted from the TVIA, prepared by Turley; highlights the local character areas). The sensitivity of these townscape character areas ranged between low and medium, with TCA6: Upton Park Residential having the highest sensitivity. The ES has also identified a number of visual receptors and viewpoints which have been considered in terms of their visual relationship to the Site and the possible views into the Development.

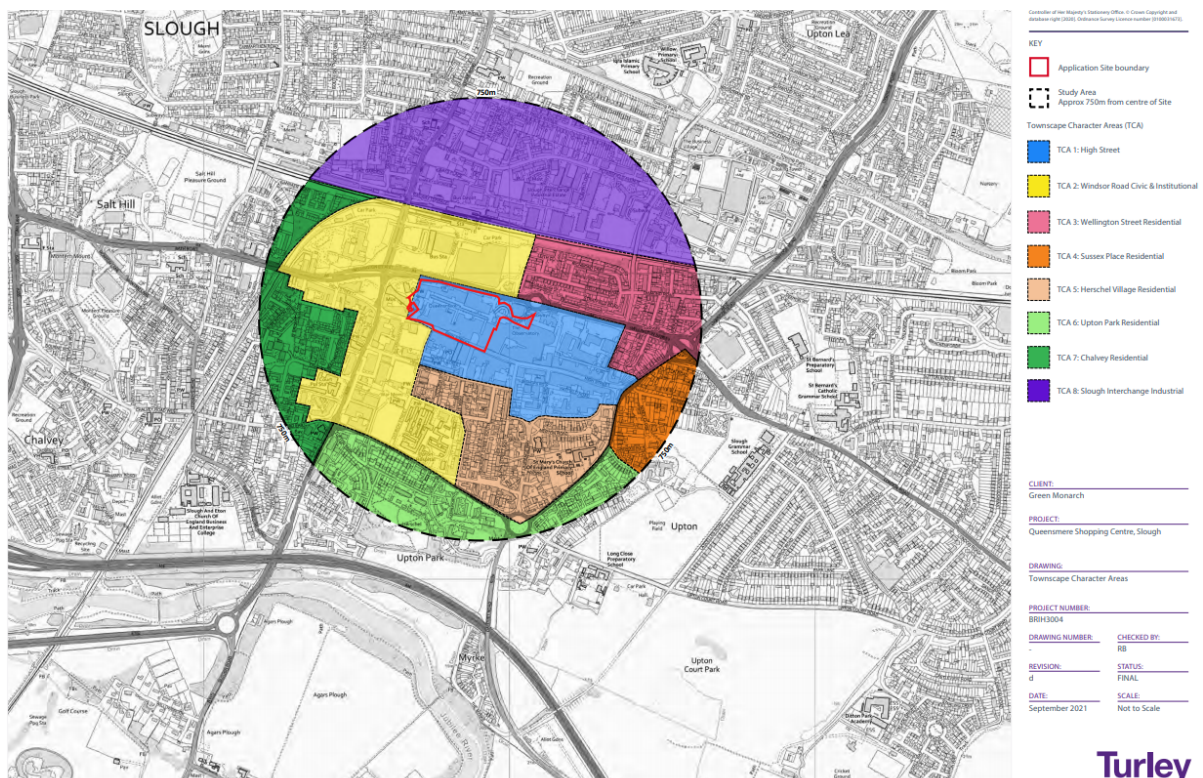


Fig 24: Townscape Character Areas

6.98 The existing site is characterised mostly by a large 1960s shopping centre with later additions and alterations. The building footprint creates a barrier to north-south movement whilst the limited active frontages together with the decreasing occupancy results in some poor-quality townscape. Traffic moving along the A4 Wellington Street dominates the townscape and compounds the limited permeability into the town centre from the north. Modern development around the train station is of high architectural

quality and has a more positive influence on the townscape and form prominent elements on the local skyline.

6.99 Potential effects on views and townscape character have been considered as part of the design process and views have been tested using 3D modelling of the maximum parameters and illustrative scheme. Mitigation has been incorporated into the design as far as possible through the iterative design process. The TVIA states that the key measures which have been embedded in the scheme to mitigate potential townscape and visual effects (as prescribed by the Mandatory items of the Design Code) include:

- Establishing minimum block spacing and maximum heights of new buildings (6 to 19 storeys) with varied and fragmented roof levels.
- Incorporating new public realm with a mix of formal and informal public open spaces which relate to the immediate context.
- Providing new access routes which increase permeability across the Site and respond to existing connections and nodes.
- Arranging building lines to highlight key views of local landmarks and new key routes.

6.100 The TVIA summarises that the construction effects would only give rise to effects that are medium term and temporary effects. The TVIA has identified that during the construction phase there would be tower cranes associated with the development. These would be visible from a wider area and would form noticeable skyline features in views from the surrounding area. However, tower cranes are temporary features, are relatively commonplace features and they would be seen in the context of other cranes associated with other building works taking place in close proximity to the Site and within the centre of Slough. They would therefore not significantly alter the character of views on a permanent basis.

6.101 The ES reports that key aspects of the Development once complete and operational, which are likely to affect the townscape and visual receptors, within the TVIA have been identified as:

- A change in the type, mix and intensity of uses on site, with a resultant increase in vibrancy and activity levels in and around the new buildings and the adjoining streets;
- The regeneration of the Site with new buildings and improved spaces – considering opportunities to contribute positively to local and wider views, as well as contributing to the established townscape character through new built form.
- An increase in the height and volume of built form with a stepped roofline (between 6 to 19 storeys) on the Site with new buildings as defined blocks.
- Improvements to the existing network of streets to promote sustainable transport choices, and introduction of new pedestrian routes which would improve the permeability of the Site.
- Creation of new areas of public and private open space across the Site including creation of a series of public squares.

6.102 The ES TVIA concluded that in the operation phase, the Development would result in a moderate significant beneficial effect on the townscape character for TCA1: High Street; the regeneration of a large shopping centre with a mixed use high density development and associated public realm of high quality design would result in an improvement to the townscape character of this area. The Development would be higher density than the existing surrounding townscape. However, the ES notes that the Development has been designed to mitigate potential effects including the use of

stepped building forms, variations in roof levels across the different blocks and the integration of tree-lined streets between blocks.

- 6.103 The ES states that there would be some indirect effects on TCA2: Windsor Road & Institutional as a result of the increased influence of tall buildings in views out of the area although these would not be significant. The TVIA found that the Development would have no significant residual effects on the wider townscape character including negligible effects on the townscape character of areas which are more distant from the Site (TCA 3 - 4).
- 6.104 The TVIA also found no significant residual effects at operation on all visual receptors, except for users of the High Street which runs along the southern site boundary and users of the Slough Train Station to the north. In these sequential and close distance views, the proposed built development would represent an increase in height and massing, which would form a notable change in the view. This would create a new focal point and contribute to the cluster of existing taller buildings nearby which would improve the legibility of the Town Centre. The balance of height and massing across the Development with stepped levels would partly mitigate the perceived massing and the change in level from surrounding development.
- 6.105 For all other visual receptors, the assessment of visual effects identified that the Development would introduce some new additions which would be prominent in some local views such as from the roads which bound the site, and smaller scale changes to more distant views such as from Lascelles Park. These views would typically be experienced in motion and in context with other existing taller development in and around Slough town centre. The TVIA states that the introduction of a mixed-use development of high quality with buildings of stepped form would contribute to the increased visual interest of the skyline and would have a beneficial impact on local views.
- 6.106 In some longer distance views such as from Windsor Great Park the development would be visible in the background; in these views, the increase in scale would partly detract from Windsor Castle which currently forms the focal point, although this would not result in a significant change to the visual amenity, as such, the TVIA considers that the proposals will have a minor to moderate magnitude of effect with the overall effects being adverse. The significance of effect is considered to be minor. This is not a significant effect in EIA terms. The planning assessment considers the impact in accordance with the NPPF and Core Strategy Planning policies.

Cumulative Effects (Chapter 16)

- 6.107 Chapter 16 of the ES presents an assessment of the likely impact interactions arising as a result of the Development during the demolition and construction and operational phases. There are two types of cumulative effects that may arise as a result of the Development:
- Type 1 Effects: Impact Interactions: different effects (e.g. noise and dust) arising from the Development that all impact upon a single receptor; and
 - Type 2 Effects: Combined Effects: effects arising from the Development together with other existing and/or approved projects which individually might be insignificant, but when considered together could create a significant cumulative effect.

Likely Significant Type 1 Impact Interactions

- 6.108 The ES reports that in terms of combined 'Type 1 Effects', there would be an adverse effect of minor and major significance during the construction phase on Church of Our

Lady Immaculate and St Ethelbert's Church Vicarage and St Ethelbert's Yard in terms of noise, vibration and built heritage. Once the Development is complete and operational, on the same receptor there will be a combined adverse effect of minor significance on daylight, overshadowing and built heritage. To mitigate the impacts, during the construction phase, there will be a requirement to comply with the measures set out in the CEMP condition which will include a noise and vibration management plan to reduce the effect and the impact on the built environment will be temporary. In terms of the operational development, the impact will be long lasting and given the proximity of the site to the Church, it is acknowledged that there will be an impact, refer to Section 12 of this report which discusses heritage in further detail. During the RMA stage, the LPA has proposed a number of conditions to secure a high quality development and where possible consideration on this receptor will be sympathetically designed early in the process.

Likely Significant Type 2 Combined Effects

6.109 The schemes that were considered as part of the cumulative assessment are shown in Map below, extracted from the ES:

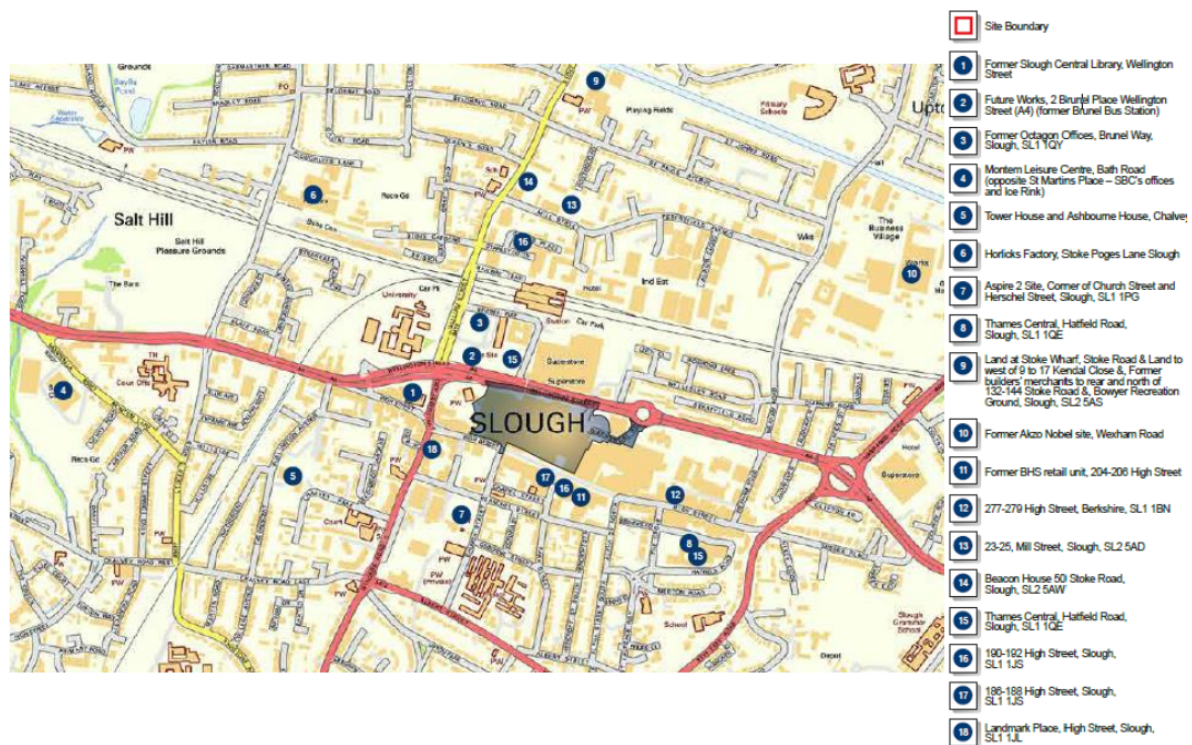


Fig 25: Cumulative Developments

6.110 The ES identifies the likely combined effects arising from the Development alongside the above cumulative developments:

- Neighbouring commercial/residential property and amenity areas (during the demolition and construction phase) who will experience a combined adverse significance (ranging from insignificant to major adverse) due to noise and vibration from the demolition and construction works;
- Socio Economics – during both the construction and operational phase, there would a major beneficial significance in terms of creation of employment and increased provision of housing;
- Transport and access – during the operational phase there will be an insignificant effect on pedestrian and cycle delay.

- Daylight, Sunlight and overshadowing – during the operational phase there will be a minor to major adverse significance.
- Wind microclimate - once the Development is complete, there will be a minor to major adverse significance on public cafes and seating areas south of DZ3 and DZ5 and north of DZ1 and DZ4 for the development itself.
- Wind microclimate - some of the most significant cumulative developments in terms of wind comfort are planned along the southern side of the High Street (204-206 High Street (5-11 storeys tall), 277-279 High Street (1-6 storeys tall), 190-192 High Street (6-8 storeys tall), and 186-188 High Street (2-5 storeys tall)). These developments will increase the height of the shelter to the site and the High Street from southern winds. On the other hand, winds from the north-west and north-east are more likely to be downdrafted by the taller north facades of the cumulative schemes and channelled along High Street. The combined impact of these changes will result in slightly larger areas of High Street experiencing ‘Strolling’ to ‘Business Walking’ conditions. These conditions will require similar mitigation for these developments as in existing surroundings as stated within this report.
- Built Heritage – during the construction phase there will be minor adverse significance to neighbouring sites as a result of cranes, construction machinery and activity visible, hoarding surrounding site and construction noise. Once the Development is complete there will be a minor adverse effects to the following:
 - Church of Our Lady Immaculate and St Ethelbert (Grade II Listed Building) / St Ethelbert’s Presbytery (Grade II Listed Building) - as a result of the creation of new square; increased height and density of built form within immediate surroundings.
 - Windsor Castle Including All the Buildings within the Walls (Grade I Listed Building) and the built heritage (Scheduled Monument) and The Royal Estate, Windsor: Windsor Castle and Home Park (Grade I Registered Park and Garden) – as a result of the view of the upper storeys of the tall residential elements.
- No cumulative effects have been identified for air quality and ground conditions and contamination.

6.111 It should be noted that following the submission of the ES with Addendum, a major planning application for a nearby scheme (at 132-144 High Street to the south west of the Site) referred to as ‘Buckingham Gateway’ was submitted to SBC in July 2022 (Planning Application Ref: P/04303/051) for *“Redevelopment of the existing cleared site for a mixed-use development comprising flexible Class E (commercial) floorspace on the ground floor fronting the High Street, up to 254 residential units on the upper floors, within four connecting buildings in heights ranging between part basement, ground plus part four/part six, six, seven and fourteen storeys. Shared amenity space on the ground floor, disabled parking and ancillary waste and recycling, cycle storage and landscaping”*. This application is currently under determination by the LPA. The applicants have confirmed that in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the ‘EIA Regulations’), where only existing and approved schemes require cumulative assessment, the Buckingham Gateway scheme would not constitute a cumulative scheme and therefore require assessment within the QM OPA ES. Nevertheless, the applicants have undertaken a sensitivity review of the Buckingham Gateway scheme on the following key issues: socio economics; daylight, sunlight and overshadowing; wind microclimate; built heritage; and townscape and visual impacts. The sensitivity review has confirmed that when considering the proposals together, the Buckingham Gateway proposals are not considered to alter the conclusions of the

QM OPA revised ES, submitted in June 2022. The LPA agree with the approach undertaken as the Buckingham Gateway scheme is currently under consideration with no resolution although this may need to be reviewed if the position changes before this proposal is formally determined.

- 6.112 Given the nature of this application, there have been appropriate conditions attached and these will be further assessed at the RMA stage and it is considered that the impacts arising from the Development can be mitigated through detailed design, and matters such as daylight and sunlight can be resolved to be of a more acceptable nature.

Conclusion

- 6.113 The ES with Addendum has been reviewed by the Council's Environmental Policy, Land Contamination, Environmental Quality and Highways and Transport Officers who all raise no objections, subject to the imposition of planning conditions and suitable mitigation measures being secured and obligations within the section 106 agreement. The planning assessment part of the committee report will identify the planning issues and identify where conditions are necessary to mitigate the effect of the Development.
- 6.114 The Environmental Statement, the subsequent Environmental Statement Addendum and Statements of Conformity and their various technical assessments together with the consultation responses received from statutory consultees and other stakeholders and parties, enable the Council to determine this application with knowledge of the likely significant environmental impacts of the proposed development.

7.0 Planning Policy

7.1 Introduction

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

- 7.3 The current version of the National Planning Policy Framework (NPPF) was published on 20th July 2021. Significant weight should be attached to the policies and guidance contained within the NPPF particularly where the policies and guidance within the Development Plan are out-of-date or silent on a particular matter. Relevant paragraphs of the NPPF are outlined below. However, before doing so officers first identify the relevant policies in the Development Plan which is the starting-point of an assessment of the application consistent with the statutory test in section 38(6) as above. The weight to be attached to the key Development Plan policies, and an assessment of the proposal against them, is set out in Section 22 of this Report.

The Development Plan:

7.4 The Development Plan consists of:

- Core Strategy Development Document (2008),
- Site Allocations Development Plan Document (2010),
- The Local Plan Saved Policies (adopted 2004, saved policies 2010); and,
- The accompanying Proposals Map (2010)

Core Strategy Development Plan Document (2008)

7.5 The Council's adopted Spatial Vision set out in the Core Strategy is to consolidate current efforts by the Council and its partners to improve the town's environment; by 2026, Slough will have a positive image which will help to create prosperous, confident and cohesive communities. **This will be achieved by the comprehensive redevelopment of parts of the town centre so that it can fulfil its role as a regional hub and maintain its position as an important regional shopping, employment and transport centre.**

7.6 There will also be the selective regeneration of other key areas, in a sustainable way, in order to meet the diverse needs and improve the prosperity and quality of life of Slough residents. The existing business areas in Slough will have an important role in maintaining a thriving local economy and providing a range of jobs for an increasingly skilled local workforce. All Slough residents will have the opportunity to live in decent homes that they can afford. The quality of the environment of the existing suburban residential areas and open spaces will be improved, in order to make them safe and attractive places where people will want to live and visit

7.7 The following key Strategic Objectives of the Core Strategy are (emphasis is added in bold text where it relates to the proposed development):

- Strategic Objective A. To **focus development in the most accessible locations such as the town centre**, district and neighbourhood centres and public transport hubs **and make the best use of existing buildings, previously developed land and existing and proposed infrastructure.**
- Strategic Objective B. To **meet the housing allocation for Slough** identified in the South East Regional Plan, while also preventing the loss of existing housing accommodation to other uses.
- Strategic Objective C. To **provide housing** in appropriate **locations** which meets the needs of the whole community; is of an **appropriate mix, type, scale and density**; is designed and built to **high quality standards** and is **affordable.**
- Strategic Objective D. To ensure that the existing business areas continue to provide sufficient employment generating uses in order to **maintain a sustainable, buoyant and diverse economy** and ensure that Slough residents continue to have access to a wide range of job opportunities.
- Strategic Objective E. To **encourage investment and regeneration of employment areas and existing town**, district and neighbourhood shopping centres to increase their viability, vitality, variety and distinctiveness.
- Strategic Objective F. To **maintain and provide for community services and facilities** in appropriate locations that are easily accessible.
- Strategic Objective G. To **preserve and enhance Slough's open spaces** and to protect the Green Belt from inappropriate development and seek, wherever

practically possible, to increase the size and quality of the Green Belt land in the Borough.

- Strategic Objective H. To **protect, enhance** and wherever practically possible **increase the size of the Borough's biodiversity, natural habitats and water environment** and those elements of the built environment with specific townscape, landscape and historic value.
- Strategic Objective I: To **reduce the need to travel** and create a transport system that **encourages sustainable modes of travel such as walking, cycling and public transport**.
- Strategic Objective J: To reduce areas subject to risk of flooding and pollution and control the location of development in order to **protect people and their property from the effects of pollution and flooding**.
- Strategic Objective K: To **promote a safe and healthy community** that is inclusive of the needs of the Borough's diverse population.

7.8 The following key policies in the Core Strategy are relevant to the determination of the planning application.

Core Policy 1 - Spatial Strategy
Core Policy 2 - Green Belt and Open Spaces
Core Policy 3 - Housing Distribution
Core Policy 4 - Type of Housing
Core Policy 5 – Employment
Core Policy 6 – Retail, Leisure and Community
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 9 – Natural and Built Environment
Core Policy 10 - Infrastructure
Core Policy 11 – Social Cohesiveness
Core Policy 12 – Community Safety

Slough Local Plan (Saved Policies 2010)

7.9 Some of the policies in the Local Plan for Slough (2004) have been “saved” for development management purposes. The following policies have to be taken into consideration.

H14 - Amenity Space
S1 – Retail Hierarchy
S8 - Primary and Secondary Frontages
S9 - Change of Use A1 to A2
S11 - late night Leisure Uses in Slough Town Centre
S12 - Change of Use A1 to A3
S14 - Amusement Centres
S16 - Town Centre Leisure Uses
EMP12 - Remaining Existing Business Areas
EN1- Standard of Design
EN3 – Landscaping
EN5 – Design and Crime
EN9 - Public Art
EN17 - Locally Listed Buildings
EN34 - Utility Infrastructure
OSC4 - Protection of private playing fields
OSC5 - Public Open Space requirements
OSC8 – Green Space

OSC15 - New facilities in residential Developments
T2 - Parking
T8 - Cycling Network and Facilities
T9 - Bus Network and Facilities

Site Allocations Development Document (2010)

- 7.10 The Site Allocations DPD (2010) includes a number of Site Specific Allocations with detailed development proposals for selected sites. One of these sites is SSA14, the Queensmere and Observatory Shopping Centres.

The proposed uses for the site are “*Mixed: retail, leisure, restaurants/bars, car parking, residential and community.*”

- 7.11 The stated Reasons for Allocation are:

*To establish the principles for the comprehensive redevelopment and/or reconfiguration of the Queensmere and Observatory shopping centres.
To ensure that the future development of the shopping centres positively contributes to the wider regeneration proposals for the town centre particularly the Heart of Slough.
To support development proposals that will encourage further retail investment in the town centre.*

The Site Planning Requirements in the DPD are:

Redevelopment and/or reconfiguration proposals should:

- *Improve the retail and leisure offer around the Town Square through change of use of key units and improved retail offer*
- *Link to the Heart of Slough through provision of a western entrance to the shopping centre and access to residential units above the centre.*
- *Create active frontages along the A4 Wellington Street and St Ethelbert’s Church frontage*
- *Remove the service ramp to the Prudential yard in coordination with the Heart of Slough proposals in the area*
- *Improve pedestrian links to the bus and railway stations via Wellington Street*
- *Rationalise multi-storey car parking provision and its links to the centres and Wellington House.*
- *Redevelopment of the western end of the Queensmere Centre adjacent to St Ethelbert’s church, including improved retail units, residential accommodation above the centre and removing the toilet block*
- *Transform Wellington Street frontage to create an urban boulevard with tree planting, improved north-south route connection to the town centre, active retail frontages and access to residential above the retail units*
- *Aim to reduce the negative impacts of construction upon existing businesses and the quality of life for residents and users of the town centre by appropriate phasing and implementation.*

- 7.12 It should be noted that although a Development Brief had been produced on behalf of the then owners, Criterion Capital in 2007, the Site Allocations requirements were not directed towards a specific scheme. They also relate to a range of circumstances which could involve the reconfiguration of the existing centres or their redevelopment. As a result it is necessary to identify which ones apply to the current application.

- 7.13 Much of the reconfiguration of the existing shopping centres proposed in the DPD has been carried out. This includes the “*creation of an internal pedestrian link between the Queensmere and Observatory shopping centres*”, the “*redevelopment of the western end of the Queensmere to remove the service ramp to the Prudential yard*” and the “*provision of a western entrance to the shopping centre.*”

Other Material Considerations

National Planning Policy Framework (NPPF) 2021

- 7.14 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs
- 7.15 Paragraph 8 of the NPPF outlines three overarching objectives that the planning system has to achieve sustainable development;
- an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
 - an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 7.16 Paragraph 11 of the NPPF states that plans and decisions should apply a presumption of favour of sustainable development. For decision-taking this means:
- approving development proposals which accord with an up-to-date development plan without delay (sub-paragraph c); 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:
 - (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole (sub-paragraph d)
- 7.17 Following the application of the updated Housing Delivery Test 2021 set out in the NPPF, the Council cannot demonstrate a Five Year Housing Land Supply. Therefore, and having regard to footnote 8, paragraph 11d) of the NPPF is engaged because the relevant housing policies of the development plan are deemed to be out-of-date, which

means the tilted balance applies. That is, as above, there is a presumption in favour of granting planning permission unless sub points (i) or (ii) apply.

7.18 Relevant sections of Paragraph 120 of the NPPF state *inter alia* that planning decisions should (a) encourage multiple benefits from urban land through mixed use schemes and taking opportunities to achieve net environmental gain; (d) promote and support the development of under-utilised land and buildings.

7.19 The NPPF (as a whole) has been considered and there are a range of policies and guidance relating to 'planning decisions' relating to the following NPPF Chapters (further details are provided in the planning assessment where relevant).

5. Delivering a sufficient supply of homes
Paragraphs 60 to 80

6. Building a strong, competitive economy
Paragraphs 81 to 85

7. Ensuring the vitality of town centres
Paragraphs 86 to 91

8. Promoting healthy and safe communities
Paragraphs 92 to 103

9. Promoting sustainable transport
Paragraphs 104 to 113

11. Making effective use of land
Paragraphs 119 to 125

12. Achieving well-designed places
Paragraphs 126 to 136

14. Meeting the challenge of climate change, flooding and coastal change
Paragraphs 152 to 173

15. Conserving and enhancing the natural environment
Paragraphs 174 to 188

16. Conserving and enhancing the historic environment
Paragraphs 189 to 208

7.20 With respect to achieving well-designed places, Paragraph 128 states that all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code. It is noted that SBC does not have a Design Code/Guide within its policy framework, however one has been submitted by the applicant as part of the application. Paragraph 129 states that Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites

they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.

7.21 Furthermore Paragraph 130 states that planning decision should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.22 It is also important to note from Paragraph 218 of the NPPF which discusses implementation, that the policies within the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this Framework has made. It is noted at this time that the Slough Local Development Plan has not yet been updated to reflect the latest addition of the NPPF. Notwithstanding this, Paragraph 219 states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them to their degree of consistency with the latest NPPF.

National Planning Practice Guidance (NPPG)

7.23 The NPPG was first published in 2014 and is iterative web-based guidance that is designed to complement the NPPF across a range of topics. Officers draw particular attention to the section for Design: Process and Tools provides advice on key points for consideration on design. The guidance states *inter alia* that consideration should be given to the National Design Guide by all relevant stakeholders when assessing good design. It also states the importance for Design Codes which are described as a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The guidance goes on to state within Paragraph 008 that Design Codes can be commissioned or prepared by the LPA or developer but are best prepared in partnership to secure agreed design outcomes, particularly across phased sites and multi-developer schemes. Design codes can be applied to all development types including residential, commercial, mixed use, open space, landscape, or public realm requirements. This section also outlines appropriate tools

for assessing and improving the design of a development. This list includes but is not limited to The National Design Guide, Design Review and Design Codes.

Fire Safety Provisions - DLUHC Guidance - Fire safety and high-rise residential buildings (from 1 August 2021)

- 7.24 The Department for Levelling Up, Homes and Communities (DLUHC) has brought in changes to the planning system whereby HSE Gateway One are a statutory consultee on specified planning applications. The DLUHC Guidance states that the changes are intended to help ensure that applicants and decision-makers consider planning issues relevant to fire safety, bringing forward thinking on fire safety matters as they relate to land use planning to the earliest possible stage in the development process and result in better schemes which fully integrate thinking on fire safety.

Centre of Slough Interim Planning Framework (2019)

- 7.25 The Interim Planning Framework was intended to demonstrate how comprehensive redevelopment and regeneration could take place within the Centre of Slough. It recognised that the town centre was failing as a shopping centre and so promoted an “activity” led strategy which sought to maximise the opportunities for everyone to use the centre for a range of cultural, social, leisure and employment activities which are unique to Slough. In order to do this it promoted it as a major transport hub, identified the potential for it to be a thriving business area which could accommodate a large amount of new housing and recognised the aspiration to create a new cultural centre in Slough.
- 7.26 The Framework defined a “central area” within the centre of Slough which consisted of the High Street, Queensmere and Observatory shopping centres which together perform many of the traditional town centre functions. Within the context of a declining number of visitors to the town centre and a significant number of shop closures, the preferred strategy was to keep the High Street as the primary shopping area and redevelop the southern part of the Queensmere and Observatory centres as integral parts of the new High Street. This would then allow the Wellington High Street to be redeveloped for a mix of other uses including high rise residential.
- 7.27 The Interim Framework introduced the concept of a new pedestrian link from the railway station to the High Street by extending Brunel Way through the Queensmere site.
- 7.28 The key elements of the Interim Planning Framework were taken forward in the Centre of Slough Regeneration Framework and the Local Plan Proposed Spatial Strategy documents. The extent to which the application complies with these is considered below and the weight to be afforded to the documents is concluded in the planning assessment part of this report.

The Centre of Slough Regeneration Framework (2020)

- 7.29 In March 2020 the Council commissioned Urban Initiatives Studio to prepare a Regeneration Framework for Slough’s Square Mile. This sets a vision and spatial framework for development in the town over the next 15 years.
- 7.30 This document provided technical urban design and regeneration guidance for the Centre of Slough area.

7.31 It also contained some technical analysis which conveys some evidence which underpins the broad strategies in the document. The Framework for example noted that *“Slough has around 850,000 sq. ft retail and leisure floor space. Much of this is concentrated in the Queensmere and Observatory Shopping Centres and the High Street. Slough town centre has too much retail space, some of poor quality and too many large floorplates.”*

7.32 The overall conclusion with regard to the shopping centre was as follows:

“Slough has already seen a decline in its retail performance with significant vacancy in the Queensmere shopping centre in particular. This vacancy however presents a significant opportunity for transformative change; the chance to redevelop the centre and transform the heart of the town and at the same time to deliver a more coherent and attractive place. Doing nothing is not an option.”

7.33 The Appendix to the report included a series of proformas setting out how important sites could be developed. Site 11 comprises Slough Central which sets out advisory Development Principles for potential regeneration proposals for the Queensmere and Observatory shopping centres. These were as follows:

- *Establishment of a mixed-use quarter on this large and prominent site within Slough’s urban core;*
- *Towards the southern edge of the site development to front onto High Street defining this main street with retail uses at ground floor but with residential uses above; towards the northern edge of the site large footprint office buildings to establish a new Central Business District for Slough. The east of the site to be established as a new residential quarter;*
- *The layout of development on the site to be permeable with new south to north links extending Church Street, Park Street and Alpha Street through the site to Wellington Street. A network of smaller streets, lanes and squares to provide a choice of routes through the area that encourages shoppers to step off the High Street to explore. These streets to have active ground floors, predominantly with retail use but also including a food and beverage, leisure and cultural offer;*
- *Pedestrian links and connectivity to extend westwards to integrate the site with The Curve and the Church of Our Lady Immaculate and St. Ethelbert. Further food and beverage uses could be provided in a new space that responds to the eastern entrance to The Curve;*
- *The site should include a cinema use replacing the existing cinema in the Queensmere site. The ideal location would be on a publically visible site on Wellington Street;*
- *A strong north to south pedestrian route to be established on Brunel Way connecting Slough Central and the wider town centre with the railway station. A direct and broad pedestrian crossing facility should be provided on Wellington Street to facilitate the best possible movement across the street. The north to south route to extend through the site to High Street and beyond to Church Street;*
- *A new predominantly hard paved town square to be provided on this axis. This ‘Civic Square’ to provide a space to congregate in the centre and a focus for activities and events in the centre. Active ground floor uses to be provided in the buildings that surround and enclose the space on all edges with potential to establish a focus for food and beverage uses;*
- *Whilst good visual and spatial links from the space to Wellington Street should be provided proposals should avoid opening up too much of the civic*

space to the impacts of traffic on the main street. A sculptural element could be used to draw people from the station to the civic square and CBD;

- *Development to respond to the scale, height and massing of its surroundings to the south and west but with the opportunity to establish a new character and scale on the northern part of the site;*
- *Along the northern edge of the High Street buildings should be six storeys in height but with potential to step upwards to heights of typically eight to twelve storeys to the north. The office buildings on Wellington Street, with their greater floor to floor heights could be of even greater scale (up to 14 office storeys);*
- *Building height should step downwards close to the Church of Our Lady Immaculate and St. Ethelbert to respect its setting;*
- *The office buildings should establish a clear building line to Wellington Street and with office entrances located on the main street;*
- *The environment throughout the development to be pedestrian focused with buildings set in a high quality public realm that includes areas of planting and semi-mature tree planting;*
- *Opportunity should be taken to utilise the roofscape for amenity with landscaped roof gardens located on the tops of buildings. The general arrangement of building height stepping upwards from south to north means that views southwards towards Windsor Castle can be maximised. A public viewing area should be provided allowing wider appreciation of these views;*
- *Car parking should be provided either below ground or with in a multi storey structure. The site currently incorporates two multi-storey car parks serving the town and some car parking spaces should be provided to serve shoppers in the town. Parking provision for offices should be available for wider use at weekends and in the evening; and*
- *The impact of car parking and servicing on the streetscape must be minimised and wherever possible.*

7.34 The extent to which the proposal meets each of these planning principles along with the weight to be given to the document is considered in the planning assessment in Section 8 of this report.

The Proposed Spatial Strategy (Nov 2020)

7.35 Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This set out a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough. The consultation document contained a revised Local Plan Vision which supports the Council’s vision for Slough as a place where people want to “work, rest, play and stay.”

7.36 It considers that:

The centre of Slough will be an attractive, vibrant hub providing high quality offices, retail and leisure, landmark buildings and cultural opportunities for our diverse communities.

7.37 One of the “Big Issues” identified in the document is the “future of a traditional shopping centre”. The section on “retail and leisure states:

Slough has a failing shopping centre and the future of the shopping centre is uncertain. It is recognised that Slough will no longer be a sub-regional shopping centre and there will be a significant reduction in the amount of retail floorspace.”

Slough has no real night-time economy and a lack of cultural facilities. Research by the Centre for Cities found that Slough had the least number of amenities per person of all of the major towns and cities in the country.

7.38 The 5 key components of the proposed Spatial Strategy can be summarised as follows:

- *Delivering major comprehensive redevelopment within the “Centre of Slough”*
- *Selecting other key locations for appropriate development*
- *Enhancing our distinct suburbs, vibrant neighbourhood centres and environmental assets*
- *Protecting the “Strategic Gap” between Slough and Greater London*
- *Promoting the cross border expansion of Slough to meet unmet housing needs.*

7.39 The Spatial Strategy builds on the work done for the Centre of Slough Regeneration Framework. The chapter on *Delivering major comprehensive redevelopment within the “Centre of Slough”* breaks it up into a number of key area and sets out planning proposals for each one. One of these is the Queensmere and Observatory Shopping Centres.

7.40 Paragraphs 13.23 of the document recognises that: *“The Queensmere and Observatory shopping centres currently perform many of the traditional town centre functions in Slough, but are outdated and, like many, have lost their attractiveness. As a result they provide the biggest opportunity for regeneration in the Centre of Slough”.*

7.41 Paragraph 13.25 states that *“The overall objective is to encourage the comprehensive mixed use redevelopment of the shopping centres which will transform the area into an attractive, vibrant, well connected place that can provide for some of the important shopping, leisure, cultural and business needs. It also has the opportunity to meet some of Slough’s housing needs.”*

7.42 As a result the Consultation Document for the Proposed Spatial Strategy stated that the following planning principles be applied to the proposed comprehensive mixed use development of the Queensmere and Observatory sites:

- *It should be a comprehensive mixed use scheme which follows the broad principles set out in the Centre of Slough Interim Planning Framework and the Regeneration Framework.*
- *It is essential that it provides new retail and leisure facilities which will create an attractive and vibrant centre. This will include new food and beverage outlets and a cinema which will help to sustain an evening as well as day time economy. This could also include provision for new cultural facilities.*
- *New office development can be provided as an expansion to the Central Business District to the north. As a result it is assumed that 50,000 m² of offices could be built along Wellington Street as part of the “workplace led” regeneration strategy.*
- *A substantial amount of housing should be provided throughout the redevelopment with a concentration at the eastern end, possibly in a new residential quarter. This should include a range of accommodation including the maximum reasonable provision of affordable housing.*

- *A high standard of architecture will be required in order to deliver this dense city centre scale development. The tallest buildings should generally be to the north alongside Wellington Street, which should become a new “address street”. The height of buildings should step down towards the High Street in the south where they should generally be a maximum of 6 stories in order to retain its human scale.*
- *The scale and nature of development at the western end of the sites needs to reflect and enhance the setting of St Ethelbert’s church and The Curve.*
- *A new pedestrian route will be created which links the High Street to the railway station via an improved Brunel Way. This will have active frontages in order to encourage office workers, residents, shoppers and other visitors to use it. The whole site will need to be permeable with convenient and attractive links to the rest of the town centre.*
- *There is a need to improve the environment and create more greenery. Buildings should be set in a high quality public realm that includes areas of planting and semi-mature tree planting. New areas of public open space will have to be provided including a “civic square” adjacent to, or part of, the new pedestrian link from the High Street to the railway station.*
- *The shortage of public open space means that opportunities should be taken to provide landscaped roof gardens on the tops of buildings. The views of the surrounding area should be optimised, particularly those of Windsor Castle to the south. A public viewing area could be provided to create an attraction and enhance the appreciation of the area.*
- *The southern side of the site facing onto the High Street should be the prime retail area with active frontages which help to deliver the “rediscovered High Street” aim of the Spatial Strategy. There is the possibility to create a secondary “neighbourhood” of shops and leisure uses behind the High Street frontage which would be a more tightly drawn area with its own distinctive character.*
- *The layout of the development as a whole should be permeable with new south to north links extending Church Street, Park Street and Alpha Street. Pedestrian links should also be integrated with The Curve and St. Ethelbert’s church.*
- *The layout should put pedestrians first. The impact of car parking and servicing on the streetscape must be minimised and provided either below ground or in multi-storey car parks or a combination of both. Vehicular access to the public car parks should be from Wellington Street.*
- *The redevelopment should ensure that a minimum amount of car parking is provided to meet the needs of shoppers and visitors in as convenient a location as possible. This should be managed in such a way as to ensure it cannot be used for long stay parking by for example office workers. There should be some shared use of other parking so that sufficient space is available in the evenings and at weekends to ensure the retail/leisure/cultural uses are attractive and viable. It is recognised that the scale of parking provided for other uses, like*

offices and residential has to ensure those uses are viable and lettable. However it will be important that this does not undermine the overall need to encourage modal shift to more sustainable forms of transport. The amount of parking allocated to these uses could reduce over time if modal shift is successful.

- *The preferred phasing would be to begin the redevelopment from the west in order to obtain maximum benefits from the new public facilities that can be provided in this area. It would also enable the new pedestrian link from the High Street to the railway station to be created at the earliest opportunity. It is important the core of retail and leisure facilities and suitable public car parking is retained during all phases of the redevelopment of the two shopping centres. There will also be a need to provide some “meanwhile” uses to support the ongoing vitality of the centre.*

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

Equality Act

7.44 In addition, Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. In coming to a recommendation, officers have considered the equalities impacts on protected groups in the context of the development proposals as set out in Section 21 of this report.

Written Ministerial Statement (2021) – First Homes

7.45 The WMS (2021) states that First Homes should account for at least 25 per cent of affordable housing units delivered through planning obligations, which is a material consideration for decision making from 28th June 2021. First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of ‘affordable housing’ for planning purposes.

7.46 Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;
- b) are sold to a person or persons meeting the First Homes eligibility criteria;
- c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
- d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

- 7.47 First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.
- 7.48 The transitional arrangements set out in the Written Material Statement and Planning Practice Guidance confirm that the First Homes requirement will not apply to sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021 or applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022.

Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

- 7.49 Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive.
- 7.50 Since 31st December 2020, the UK requirements for Habitat Regulations Assessments is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world.
- 7.51 HRA employs the precautionary principle and Reg 102 ensures that where a project is 'likely to have a significant effect' (LSE), it can only be approved if it can be ascertained that it 'will not adversely affect the integrity of the European site'. Burnham Beeches is designated a SAC under this Directive which is located to the north of Slough.
- 7.52 The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC)

Buckinghamshire SPD Burnham Beeches Special Area of Conservation

- 7.53 Buckinghamshire Council adopted (in November 2020) a Supplementary Planning Document (Burnham Beeches Special Area of Conservation – strategic Access Management and Monitoring Strategy) which requires developers to make a financial contribution per dwelling for mitigation irrespective of dwelling type or size in a zone between 0.5km and 5.6km from Burnham Beeches. The threshold, in terms of the size of development, when a contribution will apply is understood to be for schemes of 100 net additional homes.

Planning (Listed Buildings and Conservation Areas) Act 1990

- 7.54 Section 66 of the 1990 Act imposes a general duty on the Council as respects listed buildings in the exercise of its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Strategic Transport Infrastructure Plan (STIP)

- 7.55 In February 2019, SBC Cabinet approved the Key Principles of a transport vision to support the emerging Local Plan. The Key Principles focussed on improving public transport, improving cycling and walking and improving the public realm. The approach set out in the Key Principles is to reverse current trends in car use and address the growing demand for travel by providing a step-change in alternatives to car use and reducing the need to travel by locating homes closer to jobs, education and services. The key principles had at their core a number of proposed Mass Rapid Transit (MRT) routes to link the east and west, north and south with specific regard to housing and business growth.
- 7.56 Since March 2019 the Council has been developing the ideas in the Key Principles into a set of specific transport infrastructure proposals required to achieve the shift to non-car modes required for the future. The technical work has included the outline design of schemes, preparation of Strategic Outline Business Cases; and traffic modelling to forecast the impacts of the proposed projects on the highway network. The findings of this work have been brought together in the STIP.
- 7.57 The STIP and LTP4 are complementary, working towards a common set of objectives. The STIP sets out our plans for the largest projects for which we will need to make the strongest case for funding, whilst LTP4 is a ten-year plan for smaller projects delivered through a mix of Council funding and local contributions.
- 7.58 There are new Bus lanes (within the A4) adjacent to the northern boundary of the site which have been introduced as one of the measures proposed in the Strategic Transport Infrastructure Plan (STIP). The STIP was prepared in response to future changes in the town, including the Elizabeth Line, the redevelopment of the town centre (including the redevelopment of the site subject to this planning application), and other investment. The current dominance of travel by private car for most journeys means that there is little capacity for growth, for improving the surroundings or providing alternative forms of travel. The STIP represents a change of course towards a future where travel by public transport, on foot or by bicycle becomes much more the norm than the use of private car.
- 7.59 The STIP proposals will facilitate delivery of up to 7,400 new homes, 15,000 jobs and 328,000m² of employment floorspace. The STIP was discussed in Cabinet in Autumn 2021. Although it was not fully adopted, it was taken into account as part of the bus lane process.

8.0 PLANNING CONSIDERATIONS

8.1 Principle for Development

- 8.1 This sub-section of the report will assess the principle of the development against the adopted planning policies in the Core Strategy, Local Plan and the Site Allocations Development Plan Document which cover the strategic, local and site-specific planning requirements relating to the development as identified earlier in this report.
- 8.2 This will be supplemented, where applicable, by additional emerging evidence base in the Spatial Strategy Consultation Document and other evidence-based policy documents which contain some relevant guidance specific to the development site, but with only very limited weight to be afforded in the overall assessment.

- 8.3 The Proposed Spatial Strategy forms part of the formal process of the review of the Local Plan and was agreed by the Council as a Reg 18 Consultation. It remains the most up to date statement of the Council's position with regards to strategic planning in Slough but is only afforded very limited weight.

Core Strategy Development Plan Document (2008)

- 8.4 The Core Strategy Development Plan Document (2008) has a Spatial Vision and a number of Strategic Objectives. Part of the Vision states that there will be the “comprehensive redevelopment of parts of the town centre so that it can fulfil its role as a regional hub and maintain its position as an important regional shopping centre, employment and transport centre”.

- 8.5 Strategic Objective E is:

“To encourage investment and regeneration of employment areas and existing town, district and neighbourhood shopping centres to increase their viability, vitality, variety and distinctiveness.”

- 8.6 The Slough Core Strategy also has a Spatial Strategy which can be summarised as “concentrating development but spreading the benefits to help build local communities”. The key principle of this strategy is that all intensive trip generating development should be built in the most accessible location. In effect this means directing development to Slough town centre since this is the most accessible for all forms of transport. The co-location of employment, shopping, leisure, transport and other facilities in one place also means that people can carry out more than one activity in a single journey and there will be a boost to the local retail economy. The strategy also recognises that parts of Slough town centre are in need of environmental enhancement and that the centre has the most capacity for absorbing major change. The prominence of the town centre also means that any improvements to its image, environment or facilities are likely to have maximum benefit for the Borough as a whole.

- 8.7 The principles of this strategy, as set out in Core Policy 1 (Spatial Strategy) of the Core Strategy (2008) remain valid today and have been used as the basis for all subsequent non statutory planning policy documents that have been produced to date including the Site Allocations designation SSA14. The only variation is that the Town Centre Area, indicated in the Core Strategy and shown on the 2010 Proposals Map, has been treated as a broader “Centre of Slough” area which is sometimes referred to as the “Square Mile”. This has not changed the boundary of the Shopping Centre.

- 8.8 In order to implement this strategy, Core Policy 1 (Spatial Strategy) specifically states that:

“Proposals for high density housing, intensive employment generating uses, such as B1(a) offices, and other intensive trip generating uses, such as major retail or leisure, will be located in the appropriate parts of Slough town centre. Such development will have to be comprehensively planned in order to deliver maximum social, environmental and economic benefits to the wider community.”

- 8.9 The Core Strategy envisaged that the shopping centres would be redeveloped as part of this strategy. Paragraph 7.18 states that “Developers will be encouraged to prepare Master Plans for the comprehensive redevelopment of areas such as the Heart of Slough, Queensmere/Observatory shopping centres and Slough Trading Estate”.

- 8.10 As a result, the current application is considered to be in compliance with the Spatial Strategy set out in the Core Strategy and this policy is duly afforded significant weight. The applicant has produced an illustrative comprehensive masterplan that incorporates the Observatory shopping centre alongside this proposal. This is not before Members and forms no part of this planning application but it does indicate how a comprehensive approach to the redevelopment of both shopping centres can be delivered, consistent with this policy framework.
- 8.11 At a local level, the Development Proposals are supported by Core Strategy Policy 1 (Spatial Strategy), which outlines that development should take place within the built-up area on previously developed land. This scheme accords with this policy, which also requires that proposals for high density housing and other intensive trip generating uses, such as major retail or leisure are located in Slough Town Centre.
- 8.12 SBC cannot currently demonstrate a five-year housing land supply. As such, the policies in the Adopted Development Plan which relate to housing supply are out of date, and as such, officers consider it is reasonable to also give due consideration to the emerging policy direction, which responds to more recent evidence setting out the current and future needs of Slough and wider social and economic trends. The emerging documents, Interim Planning Guidance and supporting evidence base are also broadly supportive of the mixed-use redevelopment of the Site involving higher density residential uses alongside town centre land uses and offices.
- 8.13 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’.*
- 8.14 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 which is out-of-date and therefore only limited weight is applied to it.
- 8.15 In terms of the distribution of new housing the Core Strategy specified that around half of the allocation that it had identified should be located in the town centre in that Core Policy 3 (Housing Distribution) states that:
- “This will be distributed as follows: Town Centre a minimum of 3,000 dwellings*
- Any additional housing required as a result of an increase in Slough’s allocation in the South East Plan (Doc.10) will be built in the town centre or in other appropriate urban areas in accordance with the Spatial Strategy. New development should not result in the net loss of any existing housing.”*
- 8.16 The increase in the housing requirement, combined with a shortage of land in Slough, means that a much higher proportion of housing is now being built in the Centre of Slough. It is considered that the principle of optimising the amount of housing that can be built in the town centre, as set out in the Core Strategy, remains particularly relevant today. It should also be noted that the Core Strategy envisaged major housing development taking place on the Queensmere/Observatory shopping centre as explained in paragraph 7.46 where it is referred to as one of the sites that did not have planning permission but was still included in the Housing Trajectory that underpinned the projection at that time. The overall thrust of this policy remains, although the

quantum of dwellings is likely to change. Therefore, overall significant weight is afforded to the distribution of housing policy in the Core Strategy.

- 8.17 The Core Strategy also sets the type of housing that should be built in different locations in Slough. Core Policy 4 (Type of Housing) specifically states that:

“High-density housing should be located in Slough town centre.”

- 8.18 The policy also sets out a minimum net density of 37 dwellings per hectare across the Borough. The Core Strategy states that densities in the town centre should be above 70 dwellings per hectare but paragraph 7.68 explains that:

“In some parts of the town centre, such as the Commercial Core Area as defined in the Local Plan Proposals map and the area north of the railway station, densities in the range of 500 dwellings per hectare have been permitted. The actual density that will be permitted on an individual site will be dependent upon the overall strategy for that location and upon achieving a high standard of design which creates attractive living conditions.

- 8.19 As a result the principle of high-density residential development upon the application site is supported in the Core Strategy subject to compliance with other detailed planning policies. Due to its relevance, full weight is afforded to this element of the Core Policy 4.

Site Allocations Development Plan Document: Strategic Site Allocation (SSA14)

- 8.20 The Queensmere Shopping Centre forms part of a wider area of land that comprises both the Queensmere and Observatory Shopping Centres which forms Strategic Site Allocation 14 (SSA14) within the Site Allocations Development Plan Document (2010).

- 8.21 The proposed uses for the site are “Mixed: retail, leisure, restaurants/bars, car parking, residential and community. It should be noted that the current application contains proposals for all of these uses. It also proposes office development which is not included as a possible use in the Site Allocation.

- 8.22 The stated Reasons for Allocation are:

- To establish the principles for the comprehensive redevelopment and/or reconfiguration of the Queensmere and Observatory shopping centres.
- To ensure that the future development of the shopping centres positively contributes to the wider regeneration proposals for the town centre particularly the Heart of Slough.
- To support development proposals that will encourage further retail investment in the town centre.

- 8.23 The current application complies with the principle of having comprehensive redevelopment and is integrated with the Heart of Slough regeneration, particularly in relation to The Curve and St Ethebert’s Church. Although it includes some retail investment, this is not at the scale envisaged in the Site Allocation DPD.

- 8.24 It is important to remember that is an outline application. The inclusion of Parameter Plans and an Indicative Master Plan enable a preliminary assessment to be made as to the extent the proposal complies with the Site Allocation Requirements of the Site Allocations DPD.

- 8.25 The application proposes replacing the existing Town Square with an enlarged one close to the Curve and St Ethelbert's church. This will have the commercial and town centre leisure offer around it as envisaged in the Requirement. The current application complies with the requirement for the redevelopment of the western end of the Queensmere Centre adjacent to St Ethelbert's church which includes predominantly flexible Class E commercial units with residential accommodation or offices above. There will also be active frontages adjacent to St Ethelbert's as detailed on the parameter plans.
- 8.26 When the Site Allocations document was produced, the main link across the A4 to the Queensmere was the subway which has now been closed. The application goes beyond the expectations of the Site Allocation for improved pedestrian links to the bus and railway station by creating a pedestrian route from the High Street to Wellington Street.
- 8.27 The application proposes to redevelop the Wellington Street frontage which could be a great improvement upon the existing. The extent to which it will create the urban boulevard with tree planting envisaged in the Site Requirement or provide active town centre, office and/or residential frontages is a matter to be considered as part of the planning balance exercise.
- 8.28 The background section of the Site allocation assumes that the redevelopment or reconfiguration of the Queensmere and Observatory shopping centres could increase and enhance the 54,000 m² of retail floorspace. Whilst the Observatory is being retained, the application proposes a significant reduction in the retail floorspace on the Queensmere site.
- 8.29 Overall, it is concluded that the Site Allocations DPD provides support for the redevelopment of the Queensmere shopping centre and the provision of all of the proposed uses apart from B1(a) offices. This policy is afforded limited weight in the context of the proposals due to the different retail context that was envisaged to support growth at the time when preparing the evidence base and policy

Local Planning Policy Summary

- 8.30 The Slough Central area has been identified in the Adopted Core Strategy as one of the most important regeneration sites in Slough Town Centre. It forms one of the fundamental components of the emerging strategy to promote comprehensive land-use led regeneration within the town centre, which would deliver a new 'rationalised shopping centre' with supporting uses alongside a substantial contribution towards the Council's Housing Targets.

Reduction in Town Centre Retail Uses

- 8.31 In the Core Strategy Slough town centre is classed as a Primary Regional Shopping Centre which draws shoppers from beyond the Borough's boundaries. Paragraph 7.106 recognised that despite Slough town centre's appeal, it was facing increased competition from surrounding centres. As a result, it states that "in order to prevent further loss of trade to surrounding centres, a significant improvement in the quality, scale and range of new retail, leisure and community facilities is required in the shopping centre".
- 8.32 Paragraph 7,115 explained that this would be achieved through public investment such as the Art @ the Centre environmental improvement project and the Heart of Slough

regeneration scheme. It also states that the main Queensmere and Observatory shopping centres will be redeveloped and refurbished in accordance with the Master Plan that is currently being prepared by the new owners. This will improve the layout, environment and appearance of the centres and create the opportunity to attract large anchor tenants”,

8.33 Given the anticipated level of investment in the shopping centre (at the time of preparing the evidence base) the policy approach in the Core Strategy was to protect this by directing all development to the town centre and applying a sequential test to prevent inappropriate out of centre development.

8.34 Core Policy 6 (Retail, Leisure and Community Facilities) therefore states that:

All new major retail, leisure and community developments will be located in the shopping area of the Slough town centre in order to improve the town's image and to assist in enhancing its attractiveness as a Primary-Regional Shopping Centre.

Out-of-centre and edge-of-centre retail developments will be subject to the sequential test.

8.35 The significant change to retail patterns at a local and national level since the Core Strategy was produced has resulted in a dramatic decline in Slough town centre as a shopping centre.

8.36 The proposals amount to a significant loss of traditional (formerly) Class A1 Retail floorspace (now within Class E of the Use Classes Order). A significant proportion of this floorspace within the shopping centre is currently vacant with the closures of the major anchor stores in recent years contributing to the vacancy levels. It is noted in the Applicant's Retail Statement that the principal driver of this change has been the impact of online shopping and the changes in consumer behaviour and attitudes towards shopping. It is accepted by officers that these changes have been occurring for ten-years or more, but within the last five-years, these changes have been experienced by retailers and shopping destinations, further exacerbated as a result of the Covid-19 pandemic, which market research suggests brought forward 7-years of growth of online spend in 18 months.

8.37 The Retail Statement submitted by the Applicant contends that the Covid-19 pandemic and the rise of online shopping has resulted in a combination of shorter leases and retail failures, which combined with better technologies to support online sales, has resulted in retailers opting for a reduced number of stores. The Retail Statement also suggests that there has been a general shift in spending patterns, with shoppers spending more at larger, more effective retailers which has led to a nationwide imbalance of supply and demand for shops, resulting in an oversupply of space in virtually every town, city and shopping centre in the UK. The Retail Statement points to this continued trend which will result in more regional centres declining further.

8.38 Officers acknowledge that Slough Town Centre has in the past comprised a sub-regional shopping destination but it no longer performs this role. Whilst the town centre offers a significant quantum of retail floorspace, it has a much more limited range of other town centre uses, such as restaurants and cafes, leisure facilities and an evening and night-time economy. The town centre currently functions primarily as a retail destination, with little to attract visitors outside of core retail hours.

- 8.39 As a result, Slough Town Centre has suffered more than most towns in its catchment, as other nearby towns have benefited from new investment, whilst Slough Town Centre has had limited investment activity, particularly in the retail sector.
- 8.40 Notwithstanding the strategic adopted policy position, it is clear given the high vacancy levels of retail within the town centre in recent years and from the emerging planning policy coming forward in the Preferred Spatial Strategy (2020) in the emerging evidence base, that the policy approach (to increase retail within the town centre) is out of date and is no longer appropriate or justified. The Preferred Spatial Strategy expressly recognises the fact that the existing QM and OBS shopping centres are failing, and that Slough “will no longer be a sub-regional shopping centre and there will be a significant reduction in the amount of retail floorspace in the town centre”. It notes that redevelopment in the town centre has the potential to provide a smaller but more attractive and better-quality retail offer. Specifically, for the development, the text states that it is essential that it provides new retail and leisure facilities which will create an attractive and vibrant centre.
- 8.41 The Centre of Slough Interim Planning Framework and the Slough Regeneration Framework also recognise this shift in approach to the town centre, noting the need for the introduction of new town centre uses to revitalise the town centre. This emerging policy approach and evidence base (which is of very limited weight in terms of what can be afforded to the guidance) is considered to accept and understand the realities facing the modern retail market and the resulting shift in approach to town centre development.
- 8.42 It is therefore concluded that in the current circumstances, an application for retail development on the scale envisaged within adopted policy would be commercially unviable and not sustainable. The retail policies are therefore considered by officers to be out of date such that only limited weight is to be afforded to their application in the overall assessment of the proposals.
- 8.43 As such, it is considered the appropriate and sustainable direction is to require development proposals to provide improvements to the range and type of town centre uses, alongside either residential and office uses in order to regenerate Slough Town Centre and generate footfall, expenditure and provide new office employment, but accept a reduction to the overall retail quantum.
- 8.44 The Core Strategy did not however anticipate the need to protect town centre shopping and so there is no policy in the Core Strategy to prevent the loss of retail floorspace. This means that whilst the current application for the Queensmere centre is not what was envisaged in the Core Strategy, in terms of directing all new additional retail to the town centre, there is no conflict with the adopted policy for retail or leisure in respect of the loss of this floorspace.
- 8.45 Core Policy 6 (Retail, Leisure and Community Facilities) does, however, seek to protect community facilities in that it states that:
- All community facilities/services should be retained. Where, exceptionally, it is agreed that community facilities/services may be lost or reduced in size to accommodate new development, developers will be required to contribute towards new or enhanced community facilities/services locally.*
- 8.46 Whilst some of the space within the Queensmere is used by community organisations there are no “community facilities” which would be covered by this policy.

Employment Uses

- 8.47 The Core Strategy identified Slough as an important employment centre and anticipates that employment will continue to grow throughout the plan period particularly within the professional services and banking sectors. Paragraph 7.78 explains that “It is not considered that any new land needs to be allocated in order to facilitate any employment growth since this can be accommodated by the redevelopment and intensification of existing uses.”
- 8.48 In order to achieve this Core Policy 5 (Employment) states that:

“Intensive employment-generating uses such as B1(a) offices will be located in the town centre in accordance with the spatial strategy.”
- 8.49 Paragraph 7.94 states that *“major new office developments will be focused around the Heart of Slough and the Windsor Road area”*
- 8.50 As a result the inclusion of a up to 40,000 sqm offices as an option within the proposed development is supported by the Core Strategy.
- 8.51 If, however, the new offices are not provided there would be a net loss of office floorspace as a result of the demolition of Dukes House and Wellington House. The resulting levels of employment within the existing site compared to a worst-case scenario (ie: minimum new commercial floorspace) are included in the ES Chapter within this report. Whilst Core Policy 5 states that there will be no loss of the defined Existing Business Areas to non-employment generating uses there is no similar protection given to sites within the town centre. As a result, the option of not providing any new offices within the development would not be in direct conflict with the policy in Core Strategy even though it would contribute to the continued decline in employment contrary to the aspirations of the plan.
- 8.52 Core Policy 5 (Employment) also states that:

Intensive employment generating uses which increase the level of in-commuting, increase skill shortages or reduce employment opportunities for local people will be expected to contribute toward appropriate mitigation measures, including new training, childcare and transport facilities.
- 8.53 The proposed development creates a range of potential opportunities for local people to benefit from employment provision within the new town centre commercial floorspace (up to 12,000 sqm across all uses specified in the FA2 Floorspace Schedule), and up to 40,000 sqm new Class E office floorspace, within construction of the development and potentially within on-site interim Meanwhile Uses.
- 8.54 The applicant has agreed to enter into a series of planning obligations designed to optimise local employment opportunities within the Borough to mitigate the loss of office floorspace and retail employment within the current site. These obligations comprise the following:
- A commitment to submit for approval and operate a Local Employment, Skills and Training Strategy to include commitment to apprenticeship scheme; support to local procurement/partnerships, work placements for FE/HE students & engagement with local schools.
 - A commitment to submit for approval and operate (where possible) a site-wide Meanwhile Use Strategy to reflect the outline illustrative materials presented by

applicant and submitted in July 22. The MWU Strategy will include: a cleared site strategy, a strategy for potential temporary meanwhile uses(s) and routes, accesses, parking provisions, potential for public art, events, locations servicing, utilities and potential spec for structures and facilities and method of potential funding, managing and promoting the temporary uses.

- A financial contribution of £100,000 Financial Contribution towards economic development initiatives seeking to promote local employment business and training to include but not limited to the following: (a) establishment of and participation in a local construction academy in partnership with local education institutions; (b) establishment of a town centre innovation hub for start-up businesses and local companies; (c) affordable workspaces in the borough of Slough; and (d) other local training schemes.

8.55 Subject to the above provisions being secured by way of an acceptable legal agreement, the proposed development would comply with Core Strategy policy 5 and 6 and Strategic Objectives D and E and NPPF on creating a strong economy. Broadly, full weight can be applied to these policies in the NPPF and Development Plan.

Town Centre Uses (Classes E and F) Proposals

8.56 Local Plan Policy S1 (Retail Hierarchy) identifies Slough town centre as a Sub-regional centre and states that “all new retail proposals should comply with the sequential test in order to maintain, enhance and protect the following retail hierarchy.”

8.57 Policy S8 (Primary and Secondary Frontages) identifies all of the units in the Queensmere as being part of the primary shopping frontage in the town centre. Policy S9 (Change of Use A1 to A2), Policy S11 (late night Leisure Uses in Slough Town Centre) ,and Policy S12 (Change of Use A1 to A3) and Policy S14 (Amusement Centres) then identify which uses class will be permitted in the primary retail frontages. This is no longer relevant following the changes to the Use Class Order.

8.58 As detailed in Chapter 5 of the report and the FA2 Floorspace Schedule - the application proposes a range of new Town Centre Uses ranging between 5,500 – 12,000 sqm of Class E uses (excluding offices) and Class F uses (excluding primary and secondary schools, indoor or outdoor swimming pool or skating rink), between 0 – 3,750 sqm Sui Generis uses (including bars, pubs, hot food takeaways and live music venue / cinema) and residential and office entrances. The Class E uses include the uses typically associated with town centres, such as retail, restaurants, cafes and other commercial services. The application makes provision for town centre uses to be complemented by community and leisure facilities, to deliver a range and mix of different uses.

8.59 Class E is now defined as Use Class E of the Use Classes Order 1987 (as amended) was introduced on 1st September 2020 and covers the former use classes of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure) and puts them all into one new use class. **Use Class E [Commercial, Business and Service]** is as follows:

Use, or part use, for all or any of the following purposes —

- a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public, (**shops & Post Offices etc.**)

- b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises, **(cafes & restaurants)**
- c) for the provision of the following kinds of services principally to visiting members of the public—
 - (i) financial services, **(banks & building societies)**
 - (ii) professional services (other than health or medical services), or **(estate & employment agencies etc.)**
 - (iii) any other services which it is appropriate to provide in a commercial, business or service locality,
- d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,
- e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner, **(Doctors, clinics & health centres, acupuncture clinic etc.)** ,
- f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,
- g) for—
 - (i) an office to carry out any operational or administrative functions, **(Offices)**
 - (ii) the research and development of products or processes, or
 - (iii) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. **(Light Industrial)**

8.60 The proposed development makes provision for all of the above sub-uses with the exception of Class E (g) as part of the ‘town centre uses’ specified under the Floorspace Schedule. The proposals also allow for some complementary sui generis use in the form of Bars, Pubs and Hot Food Take-aways (up to 3,750 sqm).

8.61 The changes made to the classification scheme of Class E within the Use Classes Order were introduced by the Government to allow for different uses of property and to provide flexibility for developers in England at a time when there is a need to repurpose town centres and high streets. The outline planning application responds to this need for flexibility by permitting a full range of sub-uses within Class E (with the exception of offices which are permitted under the alternative development option).

8.62 The development also permits Class F as part of the town centre use provisions in the Floorspace Schedule. Class F (of the Use Classes Order) covers uses previously defined in the revoked classes D1, ‘outdoor sport’, ‘swimming pools’ and ‘skating rinks’ from D2(e), as well as newly defined local community uses.

- **F1 Learning and non-residential institutions** – Use (not including residential use) defined in 7 parts:
 - **F1(a)** Provision of education
 - **F1(b)** Display of works of art (otherwise than for sale or hire)
 - **F1(c)** Museums
 - **F1(d)** Public libraries or public reading rooms
 - **F1(e)** Public halls or exhibition halls

- **F1(f)** Public worship or religious instruction (or in connection with such use)
- **F1(g)** Law courts
- **F2 Local community** – Use as defined in 4 parts:
 - **F2(a)** Shops (mostly) selling essential goods, including food, where the shop’s premises do not exceed 280 square metres and there is no other such facility within 1000 metres
 - **F2(b)** Halls or meeting places for the principal use of the local community
 - **F2(c)** Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms)
 - **F2(d)** Indoor or outdoor swimming pools or skating rinks

8.63 The FA2 Floorspace Schedule submitted for approval notes that the Class F proposals exclude F1(a) primary and secondary schools and F2 (c) and (d) indoor or outdoor swimming pool or skating rink). As noted in the description of development section in this report, the proposals make provision for a nursery OR a public urban park with pavilion building within Development Zone DZ6A.

8.64 Broadly, these uses are considered acceptable uses within a town centre noting that Class F1(a) only excludes primary or secondary schools and so the permitted land uses allow for nursery provision to be secured.

8.65 As is noted in the description of development part of this report, each Development Zone benefits from the provision of specified land uses as stated in the Development Specification Document (DSD). The DSD should be read alongside both the Parameter Plans and Design Code for further guidance on the land uses that might come forward within any Phase, Block or Zone. The precise quantum of each land use to be delivered per Development Zone will be secured at Reserved Matters Application stage on a phased/ Development Zone basis and will need to be in accordance with the PA2 schedule and Development Zone floorspace schedules in the DSD.

8.66 With regards to Town Centre (Class E excl offices), Community (Class F), Sui Generis and Office (Class E) uses, the following Provisions are set out in the DSD:

Use Class	Development Zones 1 & 2 (GEA)	Development Zone 3 (GEA)	Development Zone 4 (GEA)	Development Zone 5 (GEA)	Development Zone 6 (GEA)	Development Zone 6A (GEA)
Class E + F (Town Centre Uses)	Up to 3,900 sqm	Up to 5,400 sqm	Up to 3,050 sqm	Up to 1,500 sqm	Up to 200 sqm	0 – 300 sqm
Class E (Offices)	0 - 32,700 sqm	0 sqm	0 - 40,000 sqm	0 sqm	0 sqm	0 sqm
Sui Generis (Bars, Pubs & Hot Food Take-Away)	0 - 2,250 sqm	0 - 2,250 sqm	0 - 2,250 sqm	0 - 1,500 sqm	0 – 200 sqm	0 – 300 sqm
Sui Generis (Music Venue/Cinema)	0 sqm	0 - 1,500 sqm	0 - 1,500 sqm	0 – 1,500 sqm	0 – 1,500 sqm	0 sqm
Multi-Storey Car Park (MSCP)	0 sqm	0 sqm	0 sqm	0 sqm	Up to 685 spaces (OR)	0 sqm

					0 – 96 Car Spaces	
Nursery	0 sqm	0 sqm	0 sqm	0 sqm	0 sqm	0 – 1,000 sqm
Minimum Town Centre Use Class E and F and Sui Generis (Bar, Pub & Take-Away)						
Class E, F and Sui Generis	2,075 sqm	1,800 sqm	1,000 sqm	500 sqm	125 sqm	No minimum

Fig 26: Minimum & Maximum Floorspace Permitted

- 8.67 The additional complementary uses, of which a maximum provision is made for in the outline application is welcomed, as it would help to create a more vibrant and attractive town centre by providing more reasons to be visited by residents and visitors, including new residents within the development. The new town centre and leisure uses will need to be provided within high quality modern buildings which could constitute an upgrade to the quality of some of the existing out-dated shopping and eating/drinking facilities.
- 8.68 Notwithstanding the provision of new floorspace within the development, the proposals result in the reduction of between 42,283 sqm Class E Town Centre Use floorspace (if the minimum 5,500 sqm is re-provided) and 35,783sqm (if 12,000 sqm is re-provided) in the development. The proposals could also result in the loss of 6,458 sqm Class E (office) floorspace if 0sqm of office floorspace is delivered. The proposals could also result in the loss of circa 2,797 sqm (Cafes & Bars) and 6,870 sqm (cinema) if the minimum 0sqm is delivered through the outline permission.
- 8.69 There are also a number of different permutations of land uses within each Development Zone which could result in less traditional town centre retail style uses coming forward within key parts of the site. The DSD should be read alongside the Land Use Parameter Plans and Design Code which require the provision of town centre uses within key frontages within the Development Zones. The Land Use provisions in the parameter plans have been designed to respond to the adjacent Character Area Parameters Plan which identifies 90% town centre (and sui generis (bars/pubs) uses) on the High Street frontages (in DZs 2B, 4 and 5) and the frontages within the DZs adjacent to the Town Square (to DZ 1, 2A and 2C) listed as Category 1 Frontages. Category 2 Frontages comprise predominantly town centre (including sui generis (pubs/bars) uses require a minimum 70% of the frontage to contain these land uses are positioned on other important parts of the site within specified Development Zones. These controls coupled with the minimum floorspace provisions for town centre uses (including sui generis bars/pubs and hot-food take-aways) provide the Council with sufficient control to ensure an acceptable level of town centre uses can be delivered within the Development, whilst providing active and vibrant mixed-use streets within the key parts of the site.
- 8.70 It should be noted that the illustrative scheme provides in excess of 7,500 sqm of town centre uses which falls in between the 5,500-12,000 sqm (including sui generis Bars, Pubs and Other Uses) range stipulated whilst providing substantial compliance with the land use parameters plan. This demonstrates a more realistic level of town centre uses which is more likely to come forward than the minimum provisions identified within each DZ in the DSD. A combination of the additional planning controls set out in the parameter plans, DSD and Design Code will ensure the Council retains sufficient scope at the reserved matters phases in order to exceed the minimum provisions set out in the outline application.
- 8.71 It is considered that the essence of Local Plan Policy S1 (Retail Hierarchy) is up to date, which is to require a town centre ‘sequential’ approach when considering new

retail proposals. However, when taken as a whole alongside the Core Policy 6, this Local Plan Policy is considered to be out-of-date given the Council's Spatial Strategy does not consider Slough town centre to constitute a Sub-regional centre. Policy S8 (Primary and Secondary Frontages), Policy S9 (Change of Use A1 to A2), Policy S11 (late night Leisure Uses in Slough Town Centre), Policy S12 (Change of Use A1 to A3) and Policy S14 (Amusement Centres) are broadly out of date as they are superseded by the Use Classes Order 2020 which permits most of the changes without planning permission. These policies are afforded minimal weight given the Use Classes Order provisions.

Sui Generis Town Centre Uses

8.72 Local Plan Policy S16 (Town Centre Leisure Uses) states that:

Development proposals which would result in the loss of leisure facilities within Slough town centre will not be permitted unless it can be shown that:

- a) *The proposal would not have an adverse impact on the vitality and viability of Slough town centre; and*
- b) *The proposal will not have an adverse impact on the day-time or evening economy of Slough town centre.*

8.73 The loss of a major leisure facility such as the cinema, without an appropriate replacement, is considered to be contrary to this policy. However, with appropriate re-provision of a cinema or an alternative town centre leisure use (such as a music venue) within the development, the conflict would only be considered minor. The emerging evidence base to the Spatial Strategy set out in the Slough Regeneration Framework requires the re-provision of the existing cinema within any redevelopment.

8.74 This adopted policy is given full weight which resists the loss of the leisure uses. This is consistent with the emerging evidence base which is also supportive of the re-provision of the existing facility (although afforded very limited weight). It is considered that the applicant has not sufficiently justified the proposals (which do not guarantee any town centre sui generis leisure uses) against this policy. To respond to this concern, the applicant has agreed to enter into a s106 obligation which secures a commitment to actively market the site to secure provision for Town Centre Leisure uses which could include a cinema, and/or music venue of up to 1,500sqm. In the event that the applicant demonstrated to the satisfaction of the local planning authority that they have not been able to secure re-provision of a cinema or another town centre leisure use, then the developer will not be required to implement this land use within the outline application site. The conflict with this policy weighs against the proposal which is concluded in the planning balance at the end of this report.

Summary on Principle of Development

8.75 Notwithstanding the potential loss of a significant amount of existing floorspace, the proposed provision for the stated range of land uses is broadly supported at this outline stage, although there remains uncertainty about the minimum provision of the complementary uses which may come forward. The outline application seeks to ensure flexibility is afforded to the future phases of development to allow the uses to respond to the need at the time. Whilst officers accept it is important to build in an element of flexibility in the planning application, the absence of a minimum level of complementary sui generis and leisure floorspace could result in a narrower and less sustainable mix of uses than afforded within the town centre at present. Notably, the proposed application does not guarantee the re-provision of the cinema which currently is located

in the heart of the town and provides a key leisure use. The proposed development could result in there being no cinema within the town centre and therefore a loss of an important leisure facility. The uncertainty over the minimum level of complementary uses being secured in the outline application, which may result in no uses of these types coming forward and/or a loss of existing leisure uses amounts to some harm and weighs against the proposal, in the absence of further controls which seek to maximise efforts to ensure the re-provision of/and improvement of sui generis or Class F uses.

- 8.76 The proposed development seeks to redevelop the site to allow an acceptable level of town centre floorspace within the Use Class E and F Range in addition to sui generis (bars, pubs and hot food take-aways) uses. The parameter plans show the indicative locations for the potential sui generis town centre leisure uses which are within acceptable zones within the site. Providing the floorspace and units are well designed at the reserved matters stages in accordance with the detailed design codes, the proposed development would be capable of supporting a range of land uses with flexibility to respond to market conditions which are appropriate within the town centre in planning terms.
- 8.77 The proposed loss of a substantial amount of town centre retail floorspace within the Queensmere Shopping Centre is neither supported nor prohibited by the adopted planning policies within the Core Strategy or the Local Plan. The loss of the cinema and absence of its re-provision within the development would result in a conflict with Core Policy 6 (Retail, Leisure and Community Facilities) and Local Plan policy S16. This carries some negative weight in the planning balance.
- 8.78 The proposed loss of a substantial employment generating floorspace in the event no office floorspace is developed could conflict with the aims of Core Policy 5 (Employment) also states that intensive employment generating uses which increase the level of in-commuting, increase skill shortages or reduce employment opportunities for local people will be expected to contribute toward appropriate mitigation measures, including new training, childcare and transport facilities. To address this, s106 obligations outlined in the report are secured to ensure that opportunities for local employment are maximised.
- 8.79 In conclusion, the potential (significant) loss of employment floorspace and loss of cinema carry moderate harm in the planning balance and weigh against the proposal. Notwithstanding the conflict with Core policy 6 and Local Plan policy S18, in Land use terms, however, the proposed mix of town centre, residential, office and sui generis uses would be considered to stimulate economic growth and reverse the decline in the town centre and this would comply with the aims of the NPPF of building a strong economy and ensuring the vitality of the town centre, to which significant weight should be attached.

9.0 Housing Mix and Type

- 9.1 The proposed development includes the demolition of 28 residential dwellings located within the various upper floors within the High Street properties on the application site. The loss of residential uses is considered to be acceptable given the substantial increase in residential uses at the site.
- 9.2 The application does not seek the approval for a fixed housing mix. Instead, the QM OPA seeks flexibility on what housing mix could come forward at the RMA stages, therefore allowing the RMAs to respond to market demand, policy and housing need at the point they are submitted. A Planning condition is recommended which requires (amongst other reserved matters submission content requirements) the details of the

dwelling mix and sizes to be included within the reserved matters submissions which would be considered at this more detailed stage. An Illustrative Scheme has been drawn up to assist officers with the consideration of the principles of the outline application and this proposes the below indicative housing mix.

No. of Bedrooms	Illustrative Mix
1 Bed 1 Person	14%
1 bed 2 Person	31%
2 Bed 3 Person	15%
2 Bed 4 Person	34%
3 Bed 5 Person	6%

- 9.3 This equates to 45% one-bedroom units, 49% two-bedroom units and 6% three-bedroom units. This illustrative housing mix is considered to reflect the typologies of dwellings suitable for the town centre and has been informed through a combination of local market advice and a review of recently consented schemes in Slough Town Centre. The proposed development will be required to provide accessible accommodation, with 5% of units meeting the M4(2) / M4(3) requirements (ie: Wheelchair Accessible Units) and this would be secured by condition. It is recommended that all Development Zones and Blocks (where applicable) provide a minimum 5% to avoid a shortfall at any stage in the construction and implementation.
- 9.4 The Applicant's Planning Statement references the data used to inform the Slough Regeneration Framework (SRF) which suggests that there is "market demand" for 'higher density, flatted development in the town centre, with the prospect of lower density, larger homes in more peripheral locations'. The SRF notes that *as a result of its excellent connectivity, Slough has become a very popular and affordable location for young professionals, leading to demand for flatted accommodation and smaller units*. This approach is taken forward into the emerging Preferred Spatial Strategy, which states that 'the vast majority of new residential development coming forward in the Centre of Slough and elsewhere will be flats'.
- 9.5 Noting the lower % of larger 3 bed plus units, officers consider that principle of providing primarily one and two-bedroom flats in this town centre location would be supported by the adopted Local Development Plan, as the Core Strategy notes in its explanatory text (para 7.56) that whilst the council will seek a mix of accommodation within the town centre, it recognises that the ability to deliver a mix will be limited within high density sites and that the main supply of new family housing will have to come from elsewhere in the borough.
- 9.6 Therefore, although the illustrative mix of dwellings provides lower percentages for larger dwellings, the predominantly flatted form of smaller 1 and 2 bed units is appropriate in the town centre and is broadly consistent with elements of Core Policies 3 and 4. Officers consider there is sufficient flexibility built into the OPA to allow for a range of residential typologies to come forward, including private market sale and Built to Rent (BTR). The final mix will be included for determination as part of future RMA submissions. Notwithstanding the future dwelling mix within the potential reserved matters submissions, the dwelling mix is of neutral weight in the planning balance at this stage.
- 9.7 The Outline application includes scope/flexibility for up to 20% of the residential accommodation to be brought forward in the form of housing for the elderly population (Use Class C2). The exact mix and quantum of C3 and C2 housing will remain flexible

as part of the OPA, with details to be submitted for approval at the RMA stage. It is noted that the proposals do not secure a minimum level of C2 accommodation and so, in light of this the provision of additional weight in the planning balance by virtue of providing a sustainable mix of accommodation for a variety of needs cannot be afforded at this stage.

- 9.8 Notwithstanding the weight attributed, the principle of providing a significant quantum of both C3 (with up to 20% C2 use) residential accommodation in the town centre is supported by policy as the NPPF supports the delivery of a variety of housing types to support local housing need and Local Plan Policy H22 (Elderly Persons, Nursing and Care Homes) sets out that housing for the elderly will be supported in appropriate locations with good access to local facilities and transport links, such as the town centre. Although the proposals are capable of demonstrating consistency with elements of the Council's Core Housing policies in terms of mix, type and location (with the exception of the provision of affordable housing), the weight given to Core Policies 3 and 4 is tempered due to the broadly out-of-date nature of the policies and due to the substantially higher housing needs for Slough as calculated by the Housing Needs Test (2021). The lack of a 5 year housing supply triggers the need tilted balance in the NPPF (as set out in paragraph 11). Limited weight is afforded to Core Policy 3 with moderate weight afforded to Core Policy 4 noting that this is also not fully consistent with the NPPF policies relating to affordable housing.

10. Affordable Housing

- 10.1 Core Policy 4 (Type of Housing) also sets out the affordable housing policy in the Core Strategy. This states that:

"All sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing."

- 10.2 This took account of the affordable housing target in the then draft South East Plan of 35%. It also took account of a level of need in Slough identified in the Strategic Housing Market Assessment (2007) and reflected the proportion of affordable housing that was being achieved at the time.

- 10.3 Paragraph 7.62 of the Core Strategy recognises that the proportion of affordable housing that will be sought may vary depending upon the size and nature of the site. It does not, however, contain a specific viability test within the policy.

- 10.4 NPPF para 65 states:

"Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area"

- 10.5 The Council's affordable housing guidance is contained in the 'Developer Contributions & Affordable Housing (Section 106)' document, dated September 2017. This requires 40% affordable housing as a 'normal requirement'. The affordable requirement is then split between different tenures, with 62.5% of the overall requirement being for low cost rented housing and 37.5% for Intermediate housing on brownfield sites. The Council's guidance outlines an exemption approach for brownfield sites where viability has been identified as an 'issue' by agreement, permitting a reduced overall requirement of 35% affordable housing, which is then again split 62.5% low cost rented and 37.5% Intermediate. The Council further sub-

divide the low-cost rent requirement, requiring between 22.5% and 24% (depending on whether it is 'normal' or a 'viability issue' application) as 'Slough Affordable Rent' and the remainder as 'Slough Living Rent.'

- 10.6 The Developer Guide notes that *“if a development, supported with a viability assessment, is agreed without being policy compliant re affordable housing policy it should be noted that the Section 106 planning obligation will include a review mechanism i.e. viability would be re-assessed at a later date”*. The Developer Guide notes *“For very large multi phased developments over many years. The review would establish if development values rise above development costs after permission is granted such that more affordable housing or an equivalent payment could be provided. Any additional affordable housing or payment justified by the review would take account of developers return for the site and be capped at the normal policy compliant level”*.
- 10.7 The transitional arrangements set out in the Written Material Statement and Planning Practice Guidance confirm that the *First Homes requirement will not apply to sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen)* before 28 December 2021 or applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022. In the case of this submission, the statutory date expired on 21st February 2022 and a right to appeal has arisen. Therefore, for this reason, the First Homes policy does not apply to this planning application for outline planning permission.
- 10.8 The proposed development includes provision of 12.5% of all housing provided within the first Phase of Development to be affordable housing, subject to this not falling below a minimum 75 x dwellings. The proposed tenure comprises either Discount Market Rent (DMR) or Discount Market Sale (DMS) intermediate dwellings. No affordable housing is proposed within the later phases unless required by way of viability reviews. The tenure of the proposed affordable homes is to be provided as Intermediate housing, flexibly defined as either a sale-based product (e.g. Shared Ownership, Discount Market Sale, First Homes etc.) or rent based products (Discount Market Rent, Rent Plus etc).
- 10.9 The affordable housing provisions fall well short of the minimum policy requirements and so the applicant has sought to justify the proposals on the basis of the Financial Viability Appraisal (FVA). The Council has appointed an independent consultant to review the FVA in order to validate the conclusions and to advise the local Planning Authority on whether the proposals are providing the maximum reasonable level of affordable housing, or if they are capable of delivering additional affordable housing. The Applicant has tested the illustrative development scheme for the purposes of appraising the viability which Officers and BPS consider to be a reasonable approach noting that the Max office scenario is not considered to generate as much return as the residential development scenario.
- 10.10 The Council's Advisors (BPS) have reviewed the Financial Viability Assessment prepared on behalf of the applicant which concludes that the proposed scheme generates insufficient returns in order to justify providing any additional affordable housing contribution.
- 10.11 Based on the information provided by the Applicant, BPS have concluded that the scheme delivers a marginally improved IRR compared to the Applicant's consultant's conclusion, but this would be still well below the Return target sought and still shows the scheme to be substantially in deficit. The below summary table is included within

the BPS Report and the Applicant's Executive Summary which in summary form, demonstrates the positions of the Developer's consultant (DS2) and the Council's Advisors BPS.

Input	DS2	BPS
Private Residential Values		Agreed
Market sales rate		Agreed
BTR rental value		50p psf increase
BTR Yield	4%	3.75%
Parking	£15,000 / space	Agreed
Affordable Housing		Agreed
Retail Rents	£15-£25 psf	£25 psf
Construction Costs		£8.5m reduction
Developers contingency	3%	Nil
Agents & Marketing fees respectively	1.5%	1%
Other costs		Agreed
Target IRR	15%	14%
Phases 2 and 3 construction duration (months)	36 & 42	30 & 31
BTR & Commercial timing	After void	On completion
Benchmark Land Value	£10,845,000	Nominal
Surplus / Deficit	-£158.6 million	-£81.8 million
Achieved IRR	-0.15%	2.28%

Fig 27: FVA Summary

10.12 The Council's Consultant further advises that:

Clearly from the information provided, the Queensmere Shopping Centre appears to be a deteriorating investment with empty property costs exceeding existing rental income. Its future potential for growth is also impacted by continued loss of traditional retail sales to online competition. The presentation of a partly let centre will act as a deterrent to both prospective new retailers and shoppers alike. Against this backdrop investment in refurbishment or re-modelling would be difficult to justify and only further contributes to the deterioration of the Centre's appeal.

Given this backdrop fundamental redevelopment offers considerable opportunities for not only creating new investments with a positive growth potential but also realising considerable developer profit and value generative potential from a large Town Centre site. Under these circumstances and noting the development's scale it has the ability bring transformative change to the Town Centre which could realistically generate positive net growth in achievable values, which we note are already to some extent incorporated within the assessment of anticipated residential values

10.13 Officers consider that the advice from BPS is clear in that the scheme currently presents a shortfall in affordable housing delivery as well as profitability, but they advise it is reasonable to consider that the prospects of improving both positions should be tied to growth potential which may yield opportunities to review the return

later in the implementation of the development. The Council's Advisor recommends the potential for growth could form the basis for the terms of later stage viability review provisions which would be timed to ensure the Local Planning Authority are able to review the viability during the implementation stages to verify whether there is any early growth within the early phases/development zones and to review the later phases to ensure opportunities for growth in values have occurred.

- 10.14 The Applicant and Council have agreed that it would be fair and reasonable for two x review mechanisms to be secured within the s106 agreement as planning obligations to provide further opportunities to maximise the provision of additional affordable housing. The Review Mechanisms are proposed on an open book basis, with the Local Planning Authority and its advisors having an opportunity to review actual evidence of sale, costs and fees to have arisen following a 'look back' of earlier phases.
- 10.15 In accordance with the Council's Developer Guide, the Council and Applicant agree that the final Development Zone could deliver an above planning policy compliant affordable housing provision (within the final zone) of up to 50% subject to the tenure, design and dwelling mix. It is agreed that the first review (of Phase 1) would translate any surplus (above an agreed target threshold return) into a financial Payment in Lieu of on-site provision. This is acceptable to SBC given the uncertainty over the timing for delivery of the later phases of development.
- 10.16 Subject to viability review, in the Max Office/Min Residential Development Scenario (up to 40,000 sqm office + 950 homes), the late-stage review mechanism (of the final DZ) could result in the provision of up to 19% (approx.) of the total number of dwellings within the development being affordable (subject to review mechanism) on the basis of the indicative quantum in the illustrative scheme.
- 10.17 In the Max Residential/Min Office Development Scenario (up to 1600 homes + 0sqm office) the proposals could deliver up to a 12% (approx.) of the total number of dwellings being affordable (on the basis of the illustrative scheme), subject to the outcomes of the late-stage review (carried out at towards the end of the development).
- 10.18 The Council and Developer has engaged in discussions on the more specific details of the review mechanism fundamentals and re-appraisal form. The nature of these form the basis for on-going discussions to review the viability of the development post permission, if the committee resolves to approve and planning permission is issued and implemented.
- 10.19 In conclusion, notwithstanding the proposals conflict with Core Policy 4 and para 65 of the NPPF, the proposals include provision of a 75 x affordable homes which is over and above what the viability suggests could be supported. This provision is welcomed along with the review mechanisms which grant SBC further opportunities to review the development during construction whilst not deterring the developer(s) from bringing forward the scheme. The proposals could yield a maximum provision of up to 19% affordable housing subject to late-stage review. The reviews would also consider the impact of potential grant/funding in order to realise additional on-site affordable, or off-site financial contributions towards delivery of affordable housing in Slough. Officers consider the affordable housing proposals represent a fair affordable housing offer and this is capable of being afforded some moderate weight in the planning balance, in light of the current reported and verified viability position and therefore their inclusion adds to the sustainable mix of accommodation within the town centre.

11.0 Design and Townscape

Policy Summary and Emerging Design Guidance

- 11.1 Saved Policy EN1 requires development proposals to reflect a high standard of design and must be compatible with, and/or improve the surroundings in terms of layout, scale, height, architectural style and materials. Policy CP1 of the Core Strategy states that the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of use will not be allowed in locations that lack the necessary supporting infrastructure, facilities or services or where access by sustainable means of travel by public transport, cycling and walking are limited. Policy CP8 of the Core Strategy states that all development in the Borough shall be sustainable, of a high-quality design, improve the quality of the environment and address the impact of climate change.
- 11.2 Policy CP8 defines High Quality Design as to: a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable; b) Respect its location and surroundings; c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style. Policy CP8 requires that the design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.
- 11.3 The NPPF (2021) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It advises that decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

National Model Design Code

- 11.4 The NPPF recommends that all Local Planning Authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design

preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design. Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises but may also choose to prepare design codes in support of a planning application for sites they wish to develop.

- 11.5 In the case of the QOPA, the developer has opted to prepare a comprehensive set of Design Codes and Guidelines in accordance with the guidance set out in the NPPF. The NPPF is clear that design codes and guides should reflect local character and design preferences and design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Para 133 of the NPPF supports LPAs utilising Design Review Panels and taking account of the recommendations and outcomes of these processes.

Local Design Guidance and Evidence Base

- 11.6 The Site is identified in the Core Strategy Strategic Site Allocations DPD as site 14 (SSA14). The SSA14 includes a range of key planning and design requirements that redevelopment proposals should follow (as set out earlier in this report).
- 11.7 A number of the SSA14 principles are followed through into the scheme. Some of the design guidelines are considered to be out-of-date for the reasons set out earlier in this report. Some of the principles are in the process of being superseded by the emerging Local Plan evidence base highlighted in the Centre of Slough Interim Planning Framework (2019) and the (SRF) Slough Regeneration Framework (2020) which Slough Borough Council have adopted as evidence in order to provide direction in the preparation of the emerging Development Plan.
- 11.8 The SRF identifies the Queensmere Shopping Centre as part of the wider Observatory & Queensmere Site with the potential capacity for a Minimum of 1,000 residential dwellings, Minimum 50,000 up to 200,000 sq m offices, Minimum 10,000 sq m retail and Minimum 5,000 sq m leisure (inc F&B/cinema). Officers note that the SRF forms part of the evidence base of the Emerging Local Plan, and although informative and evidenced, it does not comprise part of the current adopted Statutory Development Plan for Slough. The status of this document requires the decision maker to afford only very limited weight to the guidance when coming to a view on the proposals. In absence of adopted design or planning guidelines within Supplementary Planning Briefs/Area Action Plans for the site, officers view the design requirements set out in the SRF and Interim Planning Framework as providing informative technical evidence which has informed, rather than led the Council's position in the pre-application negotiations with the Applicant in order to agree on a potentially appropriate form of development, with other statutory and up-to-date design policies and guidance taking precedence. Therefore, some regard (albeit very limited weight) is afforded to this guidance.
- 11.9 The SRF sets out the following design/land use/planning principles **(the bold text identifies the guidance which officers consider to be critical to the proposals)**.
- Establishment of a **mixed-use quarter on this large and prominent site** within Slough's urban core;

- Towards the southern edge of the site development to front onto High Street **defining this main street with retail uses at ground floor but with residential uses above;**
- The east of the site to be established as a **new residential quarter;**
- The **layout of development on the site to be permeable with new south to north links extending Church Street, Park Street and Alpha Street through the site to Wellington Street.** A network of smaller streets, lanes and squares to provide a choice of routes through the area that encourages shoppers to step off the High Street to explore. These streets to have **active ground floors, predominantly with retail use but also including a food and beverage, leisure and cultural offer;**
- **Pedestrian links and connectivity to extend westwards to integrate the site with The Curve and the Church of Our Lady Immaculate and St. Ethelbert.** Further food and beverage uses could be provided in a new space that responds to the eastern entrance to The Curve;
- The **site should include a cinema use** replacing the existing tow cinema in the Queensmere site. The ideal location would be on a publicly visible site on Wellington Street;
- A strong north to south pedestrian route to be established on Brunel Way connecting Slough Central and the wider town centre with the railway station. A direct and broad pedestrian crossing facility should be provided on Wellington Street to facilitate the best possible movement across the street. **The north to south route to extend through the site to High Street and beyond to Church Street;**
- **A new predominantly hard paved Town Square to be provided on this axis.** This 'Civic Square' to provide a space to congregate in the centre and a focus for activities and events in the centre. Active ground floor uses to be provided in the buildings that surround and enclose the space on all edges with potential to establish a focus for food and beverage uses;
- Whilst good visual and spatial links from the space to Wellington Street should be provided proposals should avoid opening up too much of the civic space to the impacts of traffic on the main street. A sculptural element could be used to draw people from the station to the civic square and CBD;
- **Development to respond to the scale, height and massing of its surroundings to the south and west but with the opportunity to establish a new character and scale on the northern part of the site;**
- Along the **northern edge of the High Street buildings should be six storeys in height but with potential to step upwards to heights of typically eight to twelve storeys to the north.** The office buildings on Wellington Street, with their greater floor to floor heights could be of even greater scale (up to 14 office storeys);
- **Building height should step downwards close to the Church of Our Lady Immaculate and St. Ethelbert to respect its setting;**

- The **office buildings should establish a clear building line to Wellington Street** and with office entrances located on the main street;
- The environment throughout the **development to be pedestrian focused** with buildings set in a **high-quality public realm that includes areas of planting and semi-mature tree planting**;
- Opportunity should be taken to utilise the roofscape for amenity with landscaped roof gardens located on the tops of buildings. The general arrangement of building height stepping upwards from south to north means that views southwards towards Windsor Castle can be maximised. A public viewing area should be provided allowing wider appreciation of these views;
- **Car parking should be provided either below ground or with in a multi storey structure.** The site currently incorporates two multi-storey car parks serving the town and some car parking spaces should be provided to serve shoppers in the town. Parking provision for offices should be available for wider use at weekends and in the evening; and
- The impact of car parking and servicing on the streetscape must be minimised and wherever possible.

The Applicant's Overall Vision for the Development

11.10 The Applicant's overarching vision for the QM OPA is set out in the following guiding principles (identified in the DAS);

- Create a genuine point of difference from other Thames valley Town Centres by providing a new heart to Slough that is distinctive and attractive to locals, new residents and visitors alike.
- Adopt a flexible and resilient approach so that future RMAs are able to adapt to future needs & demand.
- Provide a smartly sustainable Town Centre that encourages sustainable modes of transport and incorporates sustainable features.
- Nurture a sense of pride and loyalty by providing a well-designed Town Centre with a strong sense of place that local people enjoy using and are proud to call their home, and;
- Increase confidence in Slough by providing facilities that make the Town Centre a successful and attractive place for commerce that increases spending, investment and the prosperity of the wider town.

11.11 The following site-specific design features have been determined as being fundamental to the success of the development and these design principles are enshrined within the documents submitted for approval within the outline planning application in addition to the various supporting advisory and illustrative documentation.

- Provision of a new strengthened connection to/ from the train station and existing High Street.
- Provision of a new 'Town Square' that is a destination for local residents, visitors and employees at the heart of the Town Centre adjacent to The Curve and Church of Our Lady Immaculate and St Ethelberts.
- Respect and 'key into' existing context.
- Provision of high quality and generous public realm.

- Re-mapping of historic routes.
- Stitching of proposed new streetscape into existing wider urban grain.
- Respect key views towards local assets and along key pedestrian routes.

11.12 It is considered that some of these key masterplanning principles have been taken forward in the Parameter Plans & Design Codes that accompany the application, and some are reflected in the Illustrative Scheme.

11.13 The extent to which these guiding principles are followed through are contingent on the outline planning application setting an appropriate planning framework of design controls for future detailed reserved matters to follow. The above key masterplanning principles are reviewed in the following paragraphs acknowledging the appropriate Development Plan policies in the Core Strategy, Site Allocations Document DPD, Local Plan and guidance set out in the NPPF, National Model Design Code, and where relevant (but appropriately weighted), the emerging Development Plan policy evidence-based studies and interim planning framework.

Outline Form Summary

11.14 A comprehensive description of the form of the application is contained in section 5 of this report. It should be re-stated that the planning application is seeking outline permission for the overall 'principles' of development which would inform the precise details and nature of the individual zones of development to be brought forward at the detailed reserved matters stage. Given the proposed application covers a significant area of the town centre, a comprehensive set of parameter plans have been prepared alongside design codes to enable the Local Planning Authority to assess the overall design principles, in the context of an emerging masterplan for the site. The Applicant and Local Planning Authority have sought to test and review a range of potential development scenarios and the scope of planning controls within the parameter plans, design code and Development Specification Document, including the consideration of an illustrative form of development within the Illustrative Scheme (discussed in section 5 of this report and assessed below.)

11.15 In Design terms, the outline form of the proposals is framed within the maximum parameters in terms of Development Zone maximum heights, maximum DZ boundaries, Balcony Oversailing Zones, Height differentials (within each DZ) and areas whereby splayed corners or viewing corridors are to be safeguarded. The outline form does not cover building typology, building footprint, architectural character or plot widths/frontage articulation or other detailed design matters. Some design guidance is offered on these elements as non-mandatory advice. Mandatory Design codes are proposed to cover the variety of public realm, spaces and routes in order to respond to the character area parameter plans and town centre land use plans. These documents form the basis for approval and set the framework for future reserved matters submissions and detailed design.

11.16 Overall, officers consider the extent of details in the outline application and the future controls has been widened during the course of the submission to respond to officer and DRP feedback. In particular, site wide parameter plans have been proposed which provide further detail on the pedestrian/vehicular movement, access/egress and circulation; minimum areas for the key public spaces (including the Town Square, Local Park, Heart Space and Urban Park) are guaranteed (within a site wide public spaces parameter plan), town centre uses with High Street standard [Category 1] active

frontages are confirmed within the DZs with High Street facades and Town Square facades (whereby no less than 90% should contain town centre uses); other major routes and parts of the site which contain predominantly town centre uses [Category 2] with active frontages occupying no less than 70% of the façade containing town centre uses are confirmed within the parameter plans AND; controls are afforded in parts of the site whereby it is necessary to splay frontages within the corners (as a result of poor pedestrian visibility or in order to safeguard key viewing corridors). The controls which have been secured through the planning process also build in an element of flexibility to allow for the form of development to adapt to the needs at the time, detailed proposals are to be prepared. More measurable design coding is proposed to set higher standards of public realm design and landscaping which is welcomed by officers.

- 11.17 In summary, the outline form of the application and extent of the controls within are considered appropriate for the type of planning permission which is sought (outline). Officers consider, alongside the parameter plans, DSD and design code, that the planning conditions and s106 obligations provide appropriate additional mitigation and planning controls at the reserved matters to control and require the detailed form of development is of a suitable high standard of design. The future phases of development, which would form the subject of reserved matters submissions would require consideration by the Slough Planning Applications Committee (for each DZ, Building or Building(s) and/or External Spaces) due to the scale and quantum of development. The LPA therefore retains sufficient control over the quality of development post outline planning stage.

Design Review Process

- 11.18 The applicant carried out three separate formal presentations of the proposals to Design Southeast which comprises the Berkshire Design Review Panel (DRP). DRPs 1&2 took place prior to submission of the planning application on the 30th March 2021 and 20th September 2021. The third DRP took place on 16th August 2022 after the application had been submitted to the Council once revised plans and information had been lodged.
- 11.19 The Design Review Panel concluded the following points (summarised);
- The scheme has improved since the second Design Review, and we are supportive of the principles contained in the illustrative masterplan. This is a unique opportunity to reshape the town centre for the benefit of future generations. To enable this, the design code should promote positive change where it is needed, for example on Wellington Street. It should build on the principles described in the illustrative material and define the proposal as unambiguously as possible so that the local authority understands what is being proposed.
 - The scheme must provide the authority with the tools it needs to ensure the promise of the proposal is delivered and be sufficiently robust to be used in the assessment of reserved matters applications. Based on the presentation and the examples of the code shown, we think further development is required to deliver a document that meets these objectives.
 - The following details are lacking, and it is recommended (by the DRP) that the Design Code should be strengthened. The DRP would welcome the opportunity to review the design code in full and to be engaged in the review of reserved matters applications. Key recommendations;

- If the local authority remains concerned as to the adequacy of the design codes submitted, agree a mechanism through which a more detailed code can be developed prior to the submission of reserved matters applications and against which they can be assessed.
- Code for places rather than character areas and give more thought to Wellington Street.
- Proactively engage with highways, provide greater clarity on the movement hierarchy and include a technical chapter covering the details that will govern the final character and quality of the streets and public spaces.
- Include sustainable urban drainage and biodiversity strategies and demonstrate how these inform the design code.
- Include a family of sections and palettes to define the character of public spaces and develop an estate wide management strategy.
- Make use of a greater range of parameters to deliver the variety in built form shown in the illustrative material

11.20 The Applicant submitted a Revised set of Design Codes to SBC in September 2022 which seek to address both officer and DRP feedback.

11.21 There is some tension between the application material submitted as part of the design code and parameter plans and the efforts to set design standards to be achieved at the detailed design stage. Officers are aligned with the DRP in terms of the need to code for places, as opposed to character areas or Development Zones and that a more detailed approach to the design codes are required to provide the LPA with the necessary comfort that a high-quality scheme can be delivered at the reserved matters stages. The approach proposed by the Applicant leaves much detail for the reserved matters to solve and this includes important design detail such as architectural forms, building height variations, private/communal amenity space design, frontage rhythm/plot widths, roof set-back forms/designs, entrances, back-of-house/servicing functions, balcony form, street and footway designs etc. The Applicant has not sought to provide this detail at this stage as it considers these measures would unduly constrain the intended flexible approach to the development.

11.22 Broadly, the revised mandatory design codes (submitted in September) provide further detail to assist with the consideration of reserved matters in setting additional design quality standards and controls, particularly in respect of landscaping and public realm. The Design Code needs to be read and implemented alongside the information required within the planning conditions which have been drafted to ensure that where high quality materials, landscaping, public realm design, street furniture, signage, lighting, traffic signs and surface materials are referred to in the outline illustrative/indicative images in the Design and Access Statement and Design Code, these are reflected in the detailed application submissions to avoid the quality being watered down at a later date.

11.23 The design code for the building typologies and architecture does not presently contain some detail that the DRP and LPA are seeking but has accepted that a future Design Review (of the DSE DRP) would take place once a more detailed comprehensive design code is produced post outline stage. It is currently envisaged this would take place in advance of the first reserved matters submission and that the scope of the review would be set out in a s106 planning obligation and detailed planning condition.

It is advised that the scope and content of the subsequent Detailed Design Codes follows the advice provided by DSE as summarised above.

11.24 In summary, officers consider that the levels of control within the application coupled with the planning obligation securing a further Design Review of the detailed Design Code would provide a satisfactory level of planning control for this outline planning application (where all matters are reserved). The Applicant has provided further necessary detail within the parameters which addresses the need for further side wide masterplan principles to be embedded in the consent if it is granted planning permission. In addition, the design codes and supporting design guidance set out in the DAS provide examples which demonstrate how by applying the outline standards set out in the parameter and design coding that a high-quality development is capable of being delivered at the reserved matters stage.

Outline Circulation, Movement and Routes

11.25 It is considered that the proposed linkages and connections that site has with the surrounding context have been significant drivers in the establishment of the masterplan layouts. Proposed pedestrian routes have aimed at stitching together natural desire lines (where possible) from all directions in the surrounding streetscapes. Improvement of north/south connections has been particularly important since the existing shopping centre prohibits a direct route connecting the Station to the High Street. It is proposed that this new connection will be a 'primary route' that complements and enhances the existing primary High Street thoroughfare. Other secondary pedestrian routes will be provided in addition to ensure new residents and the wider community can gain safe and direct access to and from the High Street.

11.26 The movement parameter plan indicated that the scheme would create a clear hierarchy of pedestrian, cyclist and vehicle routes that improve permeability through the site and avoid conflict, prioritise pedestrian movement and minimise vehicular movement.

11.27 The below extract is taken from the DAS which indicates the hierarchy of routes, enshrined within the site-wide movement, composite and land use parameter plans:

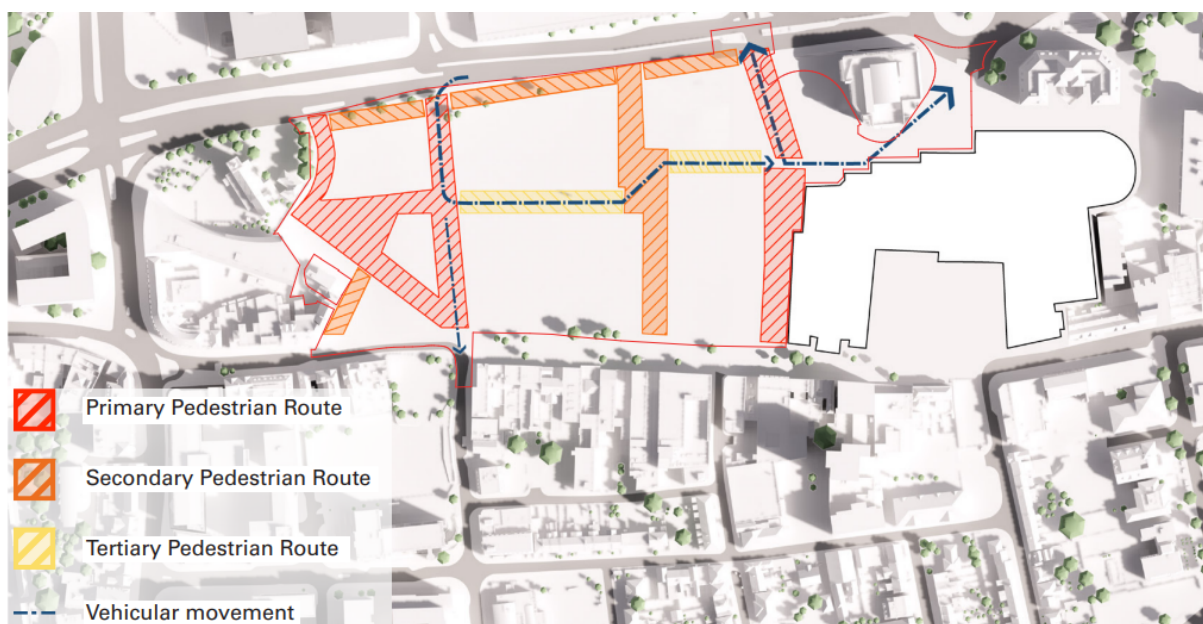


Fig 28: Hierarchy of Pedestrian Routes and Vehicular Routes

- 11.28 It is proposed that cycle routes will stitch into the existing wider network of cycle accessible routes, but within the development it will be limited to shared vehicular and cycle routes only. The outline strategy will ensure that there is not a conflict between cyclists and pedestrians within the network of pedestrianised 'High Street Neighbourhood Quarter' streets. Primary access to the site will enter along Wellington Street opposite Brunel Way, and the route will run along the centre of the site in a west to east direction.
- 11.29 Vehicular routes will also utilise and link into the existing connections of Queensmere Road and the HTC roundabout towards the Northeast boundary of the site. Vehicle egress south towards the High Street and Church Street will be controlled in order to avoid the site being used as a cut through, and to minimise traffic impact on key new pedestrian routes, as well as surrounding pedestrianised areas. This controlled route will only be used by vehicles servicing the relevant adjacent Development Zones. The Indicative Delivery & Servicing Strategy that accompanies the application will provide more detail on these vehicle routes.
- 11.30 Through the design process, the Illustrative Scheme layout has been refined to optimise the North to South route connecting the station and the High Street and provide a successful Town Square that is rooted in the existing Town Centre context. The parameter plans indicate an appropriate minimum width of space within this main route to ensure the spatial experience is generous and open and would serve as a connecting node to other parts of the Town Centre.
- 11.31 Adjustments to the masterplan have been made which provide a more spacious town square adjacent to existing public facilities (Church of Our Lady Immaculate and St Ethelberts and Curve building) and with less significant overshadowing. The town square is considered to be located in an appropriate position within the town centre to respond to the civic area in the western part of the site which is in close proximity to the North-South route and the High Street.
- 11.32 Adjustments to the street layout have opened-up glimpses of important existing features of the Slough townscape and as a consequence are planned to enhance orientation and create a strong sense of place. For example, on approach to the site and from the station, a glimpse of the High Street buildings to the south will be revealed to guide visitors towards it. Views of Church of Our Lady Immaculate and St Ethelberts will also be used as a way of orienting visitors from various parts of the development including from the western end of the High Street and from the central spine road. The town square now sits at the intersection of several key connecting routes and this will ensure that it is a well-used and animated public space.
- 11.33 Officers consider that the outline layout would provide opportunities for a series of uniquely identifiable public realm routes and spaces that are evenly distributed across the site within each 'Character Area' as a means of ensuring variation in the public realm and achieving public spaces within each zone of the development as it progresses. It is proposed that the site will be largely permeable with most spaces between the buildings being part of the public realm and dedicated public realm spaces positioned at the intersection of the routes.



entifying key public realm elements (areas outside red line application boundary are not part of the QM OPA)

Fig 29: Public Realm Spaces

Outline Scale, Massing and Height

11.34 The maximum parameter plans could permit up to 19 storeys (at the highest point). The heights of the buildings in the illustrative Scheme range from 3 to 18 storeys. These heights have been configured to form an arced profile that rises to a high point at the centre of the site and then falls again moving from west to east (or the inverse). In the north to south direction the heights step down towards the existing High Street to respect the existing lower context and rise towards the generously scaled Wellington Street and the existing CBD buildings such as the Porter Building and Future Works. This tapering principle was established early in the design process and refined through testing of wider townscape views as well as illustrative views in the immediate surrounding streetscape such as views along the existing High Street. The maximum building heights within each DZ are identified in the indicative 3D massing plan below.

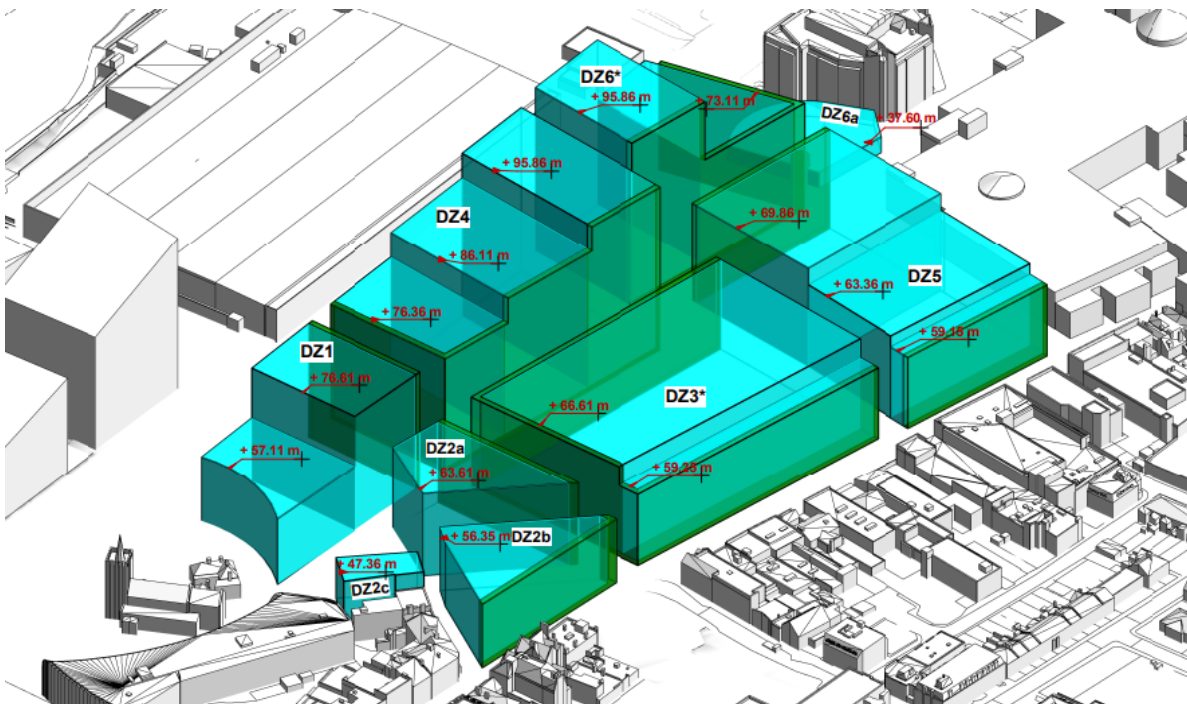


Fig 30: 3D Maximum Parameter Massing of Development Zones

(NB: these do not comprise building heights or building massing/form)

11.35 An illustrative parameter plan is provided which demonstrates a 3D approximation of the maximum height parameters of the development. In reality, the shape, form and architecture of the detailed development would not be built to this scale as the maximum floorspace provisions do not allow for this. Notwithstanding this, the maximum parameters have been assessed within the Townscape and Visual Impact Assessment (TVIA) included as part of the Environmental Statement. This includes an assessment of the scheme in relation to the nearby heritage assets including Windsor Castle, St Ethelberts and Slough Rail Station. This is covered in the following section of this report.

11.36 The proposed development would not be acceptable in the form suggested by the maximum heights and massing as illustrated in the maximum parameters plan above. However, it is acknowledged that this could not be permitted by way of the outline application as the massing could not be delivered within the tolerances of the floorspace schedule set out in the DSD. The illustrative scheme demonstrates that there could be, in principle, an acceptable site wide massing delivered within each DZ by breaking up the massing with internal courtyards and designing around internal space requirement specific to the land use. The indicative scheme has been designed to sit within the maximum parameters.

11.37 In order to provide some assurances on the potential height and scale of development which could be brought forward the illustrative scheme is defined by the below heights.

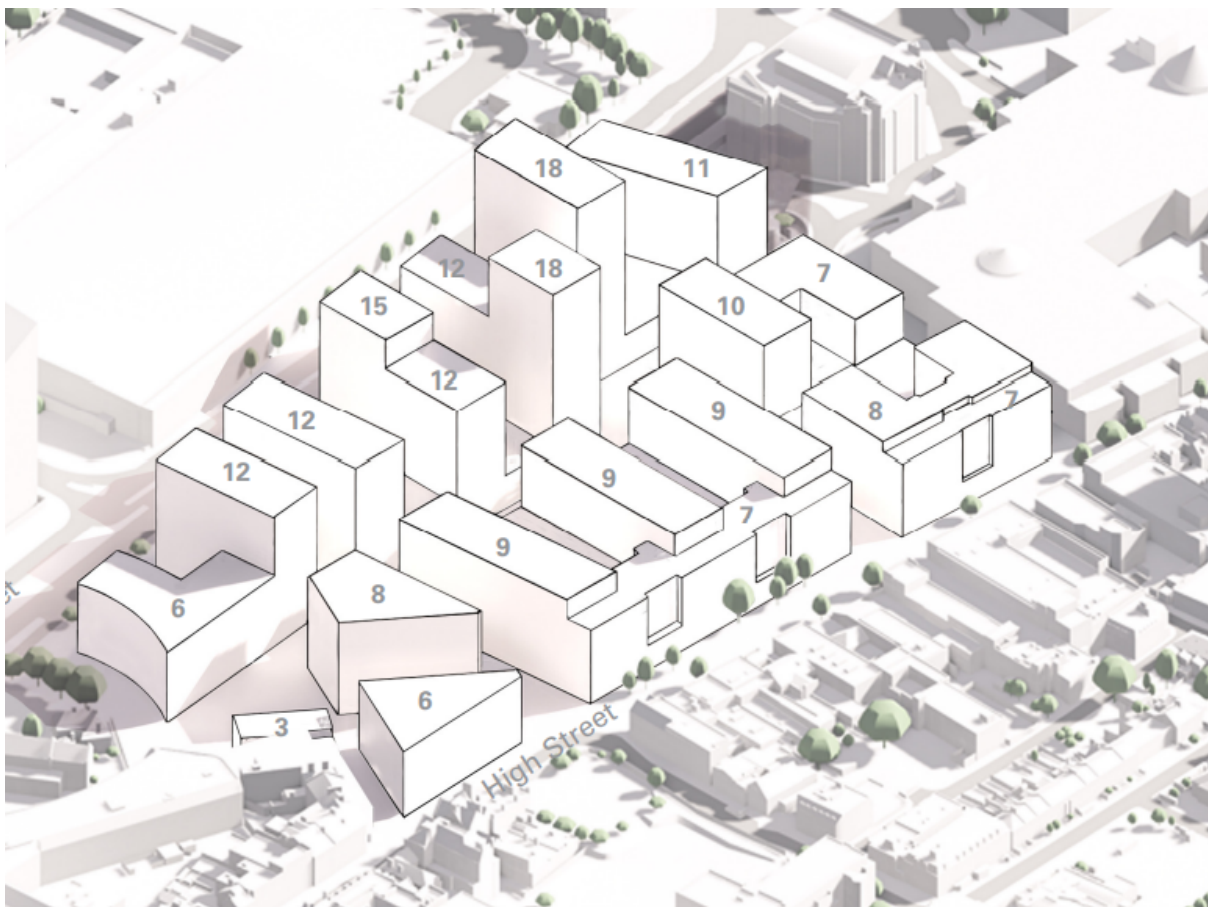


Fig 31: Illustrative Building Storey Heights

11.38 The illustrative scheme suggests the development could comprise of buildings between 6-7 storeys with additional single or two storey setbacks adjacent to the High

Street. The Town Square is addressed by a 3 storey infill block (DZ2C) added to the flank wall of the Mackenzie Street and 6-8 storey blocks DZ1 and DZ2A. The North to South route connecting the High Street with the A4/Wellington Street contains buildings which range from 6-9 storeys at the southern High Street end rising to 12 storeys adjacent to the A4/Wellington Street. The illustrative scheme indicates that the central spine road could be addressed by buildings between 2 and 18 storeys with variations in height. Likewise, the tallest parts of the development are proposed in the illustrative scheme in DZ4 and DZ6 adjacent to the A4/Wellington Street. The northern part of DZ5 rises to 7-10 storeys in the illustrative scheme adjacent to the spine road. These heights are reflected in the Parameter Plan heights with an additional allowance for rooftop plant and lift overruns

- 11.39 In design terms the lower parts of the illustrative scheme are considered to satisfactorily relate to the context which ensures an adequate stepping down of height, in particular with regards to the High Street and the Curve/St Ethelberts.
- 11.40 The heights are broadly consistent with recent approved and emerging developments on the High Street which comprise of developments which range from 5-7 storeys (204-206 High Street (approved), Old Library Site, High St (approved and implemented), 190-192 High Street (approved) and 132-144 High St/Buckingham Gateway (emerging)).
- 11.41 The Illustrative tapering to the site perimeters and heights are considered to allow some scope for refinement to ensure public realm spaces and internal courtyards and public routes/streets are not heavily overshadowed and that the proposed residential apartments and/or upper floor level office uses receive good levels of daylight and sunlight.
- 11.42 The tallest elements of the development are sited in the most appropriate parts of the site next to the A4/Wellington Street acknowledging these settings are less sensitive in terms the urban grain and these areas can take greater building mass and height to respond to the wider open urban setting. It is also considered taller residential blocks could maximise high level views south towards Windsor and North towards Buckinghamshire.
- 11.43 Subject to the taller buildings being designed to achieve a high standard of architecture and subject to the provision of appropriate mitigation measures integrated into the design to ensure residential apartments benefit from good quality outlook and levels of daylight and sunlight and adverse wind conditions are minimised, the principle of tall buildings is consistent with the urban location in the town centre.
- 11.44 The approach to tapering of heights would be permitted in the parameter plans by virtue of the maximum vertical limits set. Ideally, the overall parameters should have been designed with more refinement of the building massing and heights to ensure that any podium courtyards would be designed with acceptable dimensions and to enable a more comprehensive assessment of wind microclimate and daylight/sunlight and overshadowing. The spacing between buildings above courtyard/podium level has not been provided in the plans which is disappointing and could result in a sub-standard interpretation of the maximum parameters. The Applicant has not addressed this matter fully within the submission and therefore, the reserved matters will need to comprise more detailed assessments to demonstrate how an acceptable standard of design could be delivered within each Zone, building or block.

11.45 The applicant has drawn up an indicative massing model of DZ4 and DZ6 if these blocks come forward as offices (with residential) on DZ4 and an MSCP on DZ6. The resulting massing of DZ6 as an MSCP appears imbalanced within the emerging townscape as the building would be restricted to a significantly lower height than DZ4 and DZ5. The varying scale of buildings appear at odds with each other and piecemeal.

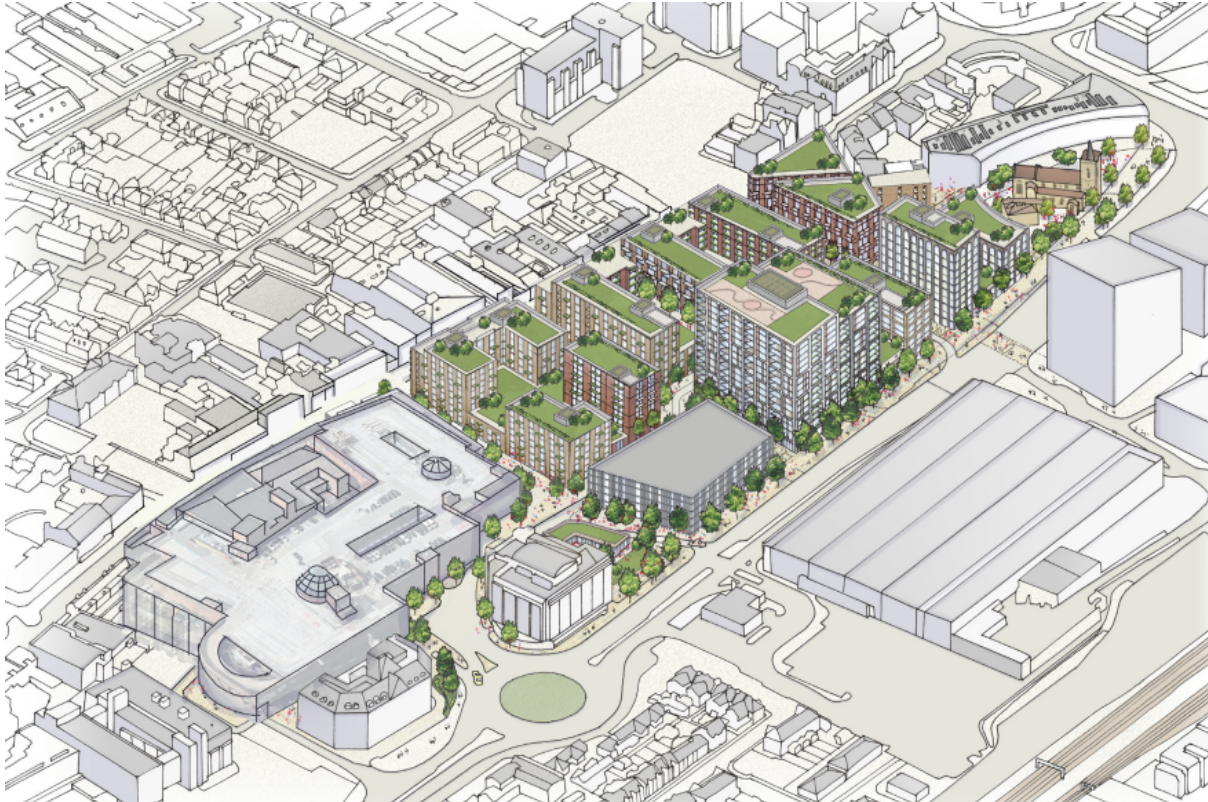


Fig 32: Illustrative Scheme (with DZ4 as Offices/Residential and DZ6 as an MSCP)

11.46 It is considered that the MSCP block could benefit from a more appropriate scale and height to relate better to DZ4 if this was constructed with a taller building facing Wellington Street. Given scale and design is not a matter for consideration of this outline proposals, this concern would not constitute a reason for refusal of the application, but officers would consider DZ6 could benefit from a more dynamic approach to the design if it was developed as an MSCP, potentially containing additional land uses above the Car Parking.

11.47 Overall, the approach to scale and massing is broadly supported and it would be consistent with the capacity study within the Slough Regeneration Framework in which a high-level assessment of building heights within the Town Centre were considered by the consultant/authors. The SRF indicated buildings up to 14 storeys could be acceptable with the taller elements situated adjacent to the A4 which is in a highly prominent location in the town centre.

Outline Architectural Form/Design

11.48 The Applicant has not sought to consider detailed architectural form in their approach to the outline planning application. This is primarily out of a need to provide maximum flexibility and avoid over prescription at this stage in the planning process. This has led to some criticism of the scheme by officers (as well as from the DRP) that the high-quality aspects of the illustrative scheme including landscape strategies are open to

different interpretations of the scheme parameters at the reserved matters stages which could result in the design qualities being significantly watered down and value engineered out. Therefore, onus is set on the role of the Design Code to assist provide the LPA with further assurances over the controls at the reserved matters stage. The DRP advises that the Design Code “*should build on the principles described in the illustrative material and define the proposal as unambiguously as possible so that the local authority understands what is being proposed*”. The DRP also advise that “*it (The Design Code) must provide the authority with the tools it needs to ensure the promise of the proposal is delivered and be sufficiently robust to be used in the assessment of reserved matters applications*”.

- 11.49 The Design Code is discussed further in the below section of this report. However, to address the above concerns, the Applicant has agreed to be bound by way of a planning obligation and planning conditions that a more detailed design code (and further technical studies) is required in advance of the reserved matters stage. This will enable the authority a further stage of design refinement, prior to the reserved matters being submitted and considered by the Local Planning Authority and the Planning Applications Committee.

Outline Landscape Strategy and Public Realm

- 11.50 The outline landscaping proposals for the open spaces of the proposed development aim to create a public realm network that offer a variety of space typologies with different functions, scales, atmospheres and treatments. The DAS confirms that the key design aspiration is to create an attractive and unique environment focused on re-energizing the town centre. Landscape design seeks to restore the Town Centre environment back to the public with generous and linked new open spaces, green routes, views and a new Town Square that will greatly improve the setting of the adjacent civic buildings. The new public realm spaces have been located within the masterplan to offer connectivity with key destinations within the existing context through their placing on primary circulation routes. This approach, successfully integrated, will ensure the proposal for the new development regenerate an active part of central Slough. The key public spaces are:
- (1) The Town Square (in DZ1& DZ2),
 - (2) Local Square (in the centre of the site);
 - (3) Heart Space to the east of DZ5 and
 - (4) Urban Park within DZ6A (unless this comes forward as a nursery).
- 11.51 Wellington Street, the Central Spine Road and north-south link which intersects the Local Park also comprise other important public routes with landscape potential.



Fig 33: Town Square, Local Square, Heart Space & Urban Park

- 11.52 The Design and Access statement contains a well-constructed and clear set of precedent studies which highlight the ‘intended’ broad principles and indicative approach to the site wide landscape strategy and how it can be implemented in alignment with binding and recommended items in the Design Code. Any future RMAs will accord with the mandatory elements of the Code and should reflect the broad principles and approach of the outline landscape strategy within the DAS. The DAS notes that the outline strategies have helped to inform the illustrative landscape design and create the public realm identity for the development. Officers consider this statement indicates a firm commitment in the outline landscape strategy which sets a standard/quality requirement for future applications. All landscape related conditions will be required to follow the mandatory design code in addition to the condition reasons being framed to ensure that the quality standards set out in the DAS will met.
- 11.53 The landscape and public realm strategy principles comprise opening up the monolithic and inhibiting existing condition through the creation of a series of new routes and spaces. The landscape design of these new routes will be required (in the Design Code) to create unique journeys within and through the development and public realm spaces of varying sizes and functions will offer new destinations at key intersection points. The parameter plans have been prepared to facilitate the design of new open spaces within the development to prioritise pedestrian journeys and create a walkable town centre as an extension of the pedestrianised High Street. These open spaces aim to create a public realm network that offer a variety of space typologies with different functions, scales, atmospheres and treatments. The key design aspiration is to create an attractive and unique environment focused on re-energizing the town centre.
- 11.54 The DAS identifies a number of ‘Landscape Strategies’ which focus on the following aspects:
- Movement and access
 - Water management and sustainability
 - Urban greening and biodiversity
 - Playspace

- Community and events
 - Roof level landscape
- 11.55 The Applicant has prepared an Illustrative Landscape Scheme which proposes a consistent sitewide landscape character (although this is not for formal approval). The strategies have informed the design and detailing of key spaces and routes. Details of the mandatory and recommended design aspects for each of these strategies are explained in the Landscape and Public Realm Chapter of the Design Code. It is recommended that a site wide landscape strategy is submitted for approval in advance of the reserved matters submissions and the specific DZ, Building or Public Realm/Highways zones are required to demonstrate broad compliance with this site-wide strategy. The site wide landscape strategy will need to demonstrate how the quality benchmark of the illustrative scheme can be delivered through a consistent site wide approach to the soft and hard landscaping and public realm.
- 11.56 The Illustrative Scheme proposes spaces that cater to the needs of all user types and that are easy to navigate, attractive and diverse in character. Current best accessibility practices are applied across the site for all pedestrian routes, these are designed as step free, accessible routes with gradients not exceeding 1:20 and are generally shallower. Surface materials will be durable, firm and slip resistant throughout the development. Loose paving material will be avoided to ensure surfacing does not present difficulty to people with disabilities. These minimum standards are set out in the Mandatory Design Codes for approval, and where not, they will be conditioned accordingly.
- 11.57 All Primary, Secondary and Tertiary routes both within north-south links and along the service spine route are designed to have a minimum 2m clear width for comfortable and unobstructed circulation in line with recommended Design Guidelines within the Design Code. As part of the Illustrative Landscape Scheme, primary pedestrian north-south routes are designed to include generous and wide paths. North-south routes are designed to include main pedestrian footways with a minimum 3m width in accordance with the Design Code/Condition.
- 11.58 The Heart Space and Green north-south routes also include the potential for more informal and indirect footways that meander through the soft landscape to create opportunities for more leisurely circulation and dwelling within the space. The Design Code Sections and plans demonstrate there are sufficient dimensions for landscape and street furniture elements to be positioned to sit outside of movement routes to support a busier feel while keeping footways free of clutter and obstruction.
- 11.59 The Illustrative Scheme provides the opportunity to incorporate a sustainable drainage and water management strategy as a key component of the landscape design. During early assessments and development of landscape concept, green north-south links were identified as suitable locations for Sustainable Drainage Systems (SuDS) to be incorporated into public realm design in form of vegetated swales and rain gardens. Permeable paving and attenuation cells can also be incorporated in the design during detailed stages to contribute to any subsequently approved SuDS strategies for the development. Details of the SuDS strategies will be conditioned as per a site wide requirement which each reserved matters will need to be consistent with.
- 11.60 The DAS refers to the desire for more soft landscaping within Slough Town Centre being one of the key outcomes from consultations with the public to create a more inviting town centre. The Illustrative Landscape Scheme for the development includes

a rich network of potential soft landscape in varying typologies and densities appropriate to their public realm setting across the site.

11.61 The Illustrative Landscape Scheme includes:

- Street tree planting to soften and frame vistas, provide shade and enclose public spaces within the Town Centre Character Area,
- Large feature trees that will add character to key public spaces, aid natural wayfinding and assist in grounding the new development,
- Generous areas of soft landscaping integrated into the design of north-south links within the eastern development zones which also creates opportunities for more informal and intimate public spaces,
- A large Urban Park is being proposed at the north-eastern edge of the site to offer a unique and softer atmosphere to the otherwise urbanised town centre

11.62 The outline scheme does not guarantee the detailed provision of these elements, but the design guidance suggests these provisions would be highly beneficial to the scheme. As stated in the above section of this report, it is recommended that the further measurable landscape details including tree planting specifications and soft landscape measures shall form the basis of a more detailed design code for the relevant part(s) of the site, given these aspirations are not guaranteed under the illustrative scheme.

11.63 The Illustrative scheme indicates how play elements could be sensitively integrated to create playable space within the public realm. Nature play components such as timber logs, boulders and steppingstones are suggested as part of the play-on-the way strategy spread across the development which in turn enhance the journey and promote the pedestrian experience. Designated play areas are included in the green north to south public realm areas and will create active nodes in a natural enclosure while also providing doorstep play for the residents. In addition to the areas designed to include play components, new public realm spaces also create opportunities to organize pop-up events and installations to support play strategy. At podium level the residential gardens could potentially include a more private play experience for the residents, this is likely to be targeted as doorstep play for the youngest age groups. Detailed play strategies will be required as part of the detailed submissions at reserved matters stages, and an overall landscape and play site wide strategy will be conditioned.

11.64 The illustrative scheme has been designed with an indicative palette of materials for the selected carefully to complement materials used elsewhere in Slough public spaces and ensure the proposal is stitched into adjacent streetscape finishes. The DAS proposes that public realm materials selection will form part of future Reserved Matters Applications and will require further coordination with relevant stakeholders and groups prior to any RMAs that will come forward for the development.

11.65 All material used within the public realm must be durable, robust, ethically sourced and will have low embodied energy where possible. Materiality and detailing of public realm spaces will need to be developed to provide safe and inclusive access for all throughout the scheme. A detailed design code will be secured by planning condition which is recommended to ensure that the materials selected follow through on this intent.

- 11.66 For the Town Square, lanes and streets within the Town Centre Character Area, a robust natural stone paving palette is suggested to offer a high-quality finish which will have the durability required for the high footfall expected for this area. Use of natural stone surface finishes in the adjacent High Street and refurbished open space by the Curve is continued in this Character Area to highlight its civic quality. Paving unit sizes vary in line with the function of each space within the public realm and areas with vehicle overrun should be detailed appropriately to afford access requirements in further detailed design stages. It is recommended that a detailed design code will develop this material palette further, to ensure the materials proposed match or exceed the quality within the outline illustrative landscape strategy in the DAS. This will be required prior to submission of the reserved matters.
- 11.67 A palette featuring high quality exposed aggregate concrete paving, clay brick pavers, resin bound gravel for pedestrian areas and asphalt with rolled chippings for service road carriageway is proposed for secondary squares, parks and Green North-South routes within the Residential Neighbourhood Quarter illustrative design. Concrete paving is proposed as the primary surface finish material and main pedestrian thoroughfares while brick paving is used as accent paving in activity nodes. Rubber play surface is used in designated play spaces within the Heart Space. High quality exposed aggregate concrete paving is suggested for the service spine footpaths and loading bays to create a neat and pared back finish. Paving will be made good or match existing along Wellington Street footpath and High Street Neighbourhood open space interfaces. It is recommended that a detailed design code will develop this material palette further, to ensure the materials proposed match or exceed the quality within the outline illustrative landscape strategy in the DAS. This will be required prior to submission of the reserved matters.
- 11.68 Subject to the provision of a site wide landscape and public realm strategy being secured by condition which requires the landscaping scheme to demonstrate the same (or higher) qualities as the illustrative scheme in addition to a more detailed and precise design code which informs the site wide strategy, the proposals are capable of delivering a high-quality public realm with a good standard of landscaping in accordance with the adopted Local Plan policy EN1 and EN3 and Policy 8 of the Core Strategy.

Mandatory Design Code & Design Guidance

- 11.69 The Council's Design Advisor considers that overall, the Queensmere Design Code and supporting documents and plans are a useful tool for embedding design quality. There are parameters which together will create a comprehensive approach, but also allow for innovation in the future. However, there are several deficiencies within the design code as it stands today. Some of these are inevitable given the long timeframe of this project and the amount of design work that is being deferred to later stages. It is considered that it is possible to deal with outstanding areas of design development through planning conditions, which should be written to include requirements for design coding around public realm, landscape, building materials, and detailed built form.
- 11.70 The Design Advisor considers that due to both the structure and the wording of the design code, it is likely to be a difficult document to use when assessing proposals. It is recommended that care should be taken when using the current document to ensure that all code requirements have been met for each proposal, as some requirements

may be missed due to them being placed in parts of the document that designers might not realise are relevant to their project.

- 11.71 The Design Advisor draws attention to the importance of the balance between guidance (how designers should approach a particular design issue), and design code (how designers must respond to a particular design issue). Due to the outline stage of the planning process, this is tipped heavily in favour of guidance and therefore further mandatory codes within future documents need to be produced that fill the gaps left within this code in a way that still creates a cohesive development. Officers consider that detailed design codes need to be prepared for parts of the development, prior to the preparation of reserved matters which themselves may contain specific coding building on the principles of the outline Design Code. This can be secured by condition, and it is recommended that a further Design Review Panel (DRP) is held to ensure the overall detailed design coding is capable of delivering appropriate control in advance of the submission of reserved matters. The DRP will be secured under a planning obligation.

Boundary/Edge Conditions

- 11.72 The proposed site lies adjacent to a number of existing town centre buildings which include the Observatory Shopping Centre, HTC Office building and Verona Apartments (to the east) and The Curve, St Ethelbert's Church and Presbytery (to the west) alongside the retained commercial units on Mackenzie Square. These create some challenging boundary conditions for the development to respond to such as:
- Level changes adjacent to the HTC office and car park which are higher than the site level;
 - The east facing façade of DZ5 lies in close proximity to the retained Observatory Shopping Centre building side flank which would be exposed post demolition.
 - The existing public link to the Curve between the High Street and Wellington Street passes exposed rear elevations of the Mackenzie Square/High Street properties which back onto the Curve.
 - The north-western boundary of DZ1 lies adjacent to the Presbytery wall and fence which would back onto the new Town Square.

- 11.73 It is considered that these design challenges will need to be addressed at the detailed design stages in reserved matters submissions. An updated Design Code will be prepared to provide further design guidance and direction to how these conditions should be addressed. In design terms, the parameter plans indicate that there is scope for public art within the flank wall of the Observatory Shopping Centre (adjacent to the eastern boundary of DZ5) which is within the Owner's control to implement in order to create an acceptable temporary environment with Observatory Shopping Centre being retained.

Comprehensive Development

- 11.74 The Site Allocations Policy (SSA14) covers the Queensmere and Observatory Shopping Centres. The reasons for the allocation are stated as -
- To establish the principles for the comprehensive redevelopment and/or reconfiguration of the Queensmere and Observatory shopping centres.

- To ensure that the future development of the shopping centres positively contributes to the wider regeneration proposals for the town centre particularly the Heart of Slough.
- To support development proposals that will encourage further retail investment in the town centre.

11.75 Officers consider the Allocations Policy permits both redevelopment and reconfiguration of the shopping centres and there is nothing in the explanatory notes which suggests or requires both shopping centres to come forward for development.

11.76 Early pre-application iterations of the development were prepared on the basis of a larger comprehensive development which included the Observatory Shopping Centre alongside the Queensmere part. The layout of blocks, streets and spaces within the indicative proposals suggested that both Queensmere and Observatory Shopping Centres are capable of coming forward separately, or together. The indicative masterplans for the larger (combined) sites are presented in the DAS with one potential massing model (this is not presented for approval).

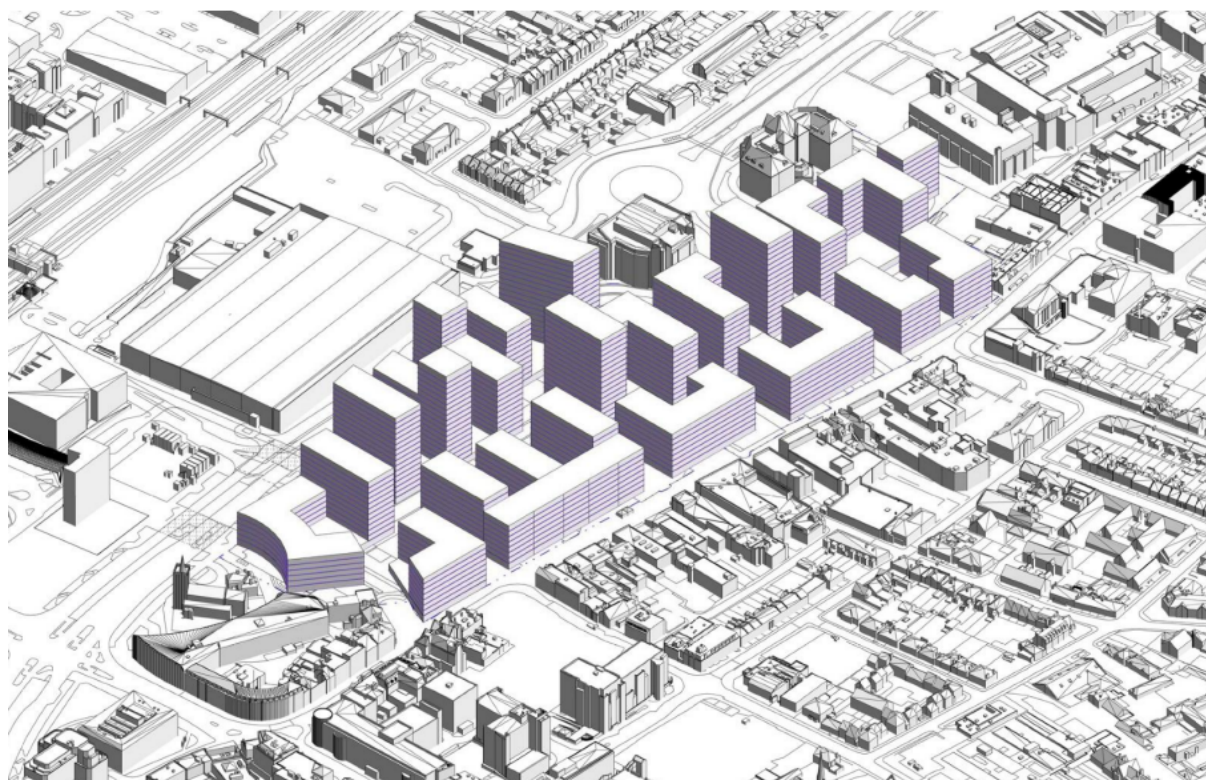


Fig 35: Illustrative Initial Massing sketch (from DAS showing potential comprehensive development ie: including Observatory Shopping Centre)

11.77 It is considered that the current application complies with the principle of planning for comprehensive redevelopment which would be integrated with the Heart of Slough regeneration, particularly in relation to The Curve and St Ethebert's Church.

Townscape and Visual Impact

11.78 A summary of the townscape and visual impacts are set out in the ES Chapter of the committee report which reports the findings and conclusions of the Townscape and Visual Impact Assessment (TVIA). The TVIA forms Volume 3 of the ES and this document identifies how the proposed development will affect townscape character, views and visual amenity in the surrounding area. The TVIA is considered

comprehensive and detailed and provides an important technical document to assist with assessing the visual impacts of the development upon visual receptors (ie: users) and townscape character areas (defined by buildings, spaces and roads).

- 11.79 The TVIA includes a series of assessments on the existing townscape and has been through a scoping process to identify key viewpoints through a Zone of Theoretical Visibility, desk top review and site visits. The TVIA considers that the surrounding area is generally of a low sensitivity and low value and there are few heritage features of note whereby the development would be seen against. The heritage assessment considers the impacts on the setting of the key assets as discussed in this report in part 13. It is also noted that the town centre has been and continues to be the subject to major change in character through the implementation of a number of major developments which point to a larger scale of buildings and more varied higher quality modern architecture. The new development at The Curve, Moxy Hotel (former Library Site), Future Works (Building 1), The Porter Building, The Bus Station and Horlicks Factory are recent examples of more modern large-scale development which defines the emerging character of the town centre. The development north of Slough Station also includes taller buildings which contribute to the changing urban character.
- 11.80 The TVIA considers the impacts on 8 townscape character areas surrounding and including the site (see Fig 24 of this report) and considers the following 30 viewpoints in the study.

View	Location
RV1	Slough Train Station at Brunel Way looking south.
RV2	Grand Union Canal Walk at Bower Playing Fields looking south.
RV3	St Johns Road, a residential road looking south.
RV4	Junction of Leith Close and Wellesley Road, a residential road looking south.
RV5	Junction of A412 Uxbridge Road and A4 Wellington Street, looking west.
RV6	Junction of Chichester Close and Sussex Place, a residential road looking west.
RV7	Junction of Sussex Place and A412 Yew Tree Road, looking west.
RV8	Saint Laurence Church, looking north
RV9	Entrance to car park of Upton Court Park, looking north west.
RV10	Pavilion at Agars Plough Playing Fields, looking north east.
RV11	Pedestrian bridge within Herschel Park, looking north.
RV12	A412 Albert Street at the entrance to Upton Hospital, looking north.
RV13	Junction of Hencroft Street North and Hencroft Street South, a residential road, looking north.
RV14	Junction of Osbourne Street and Park Street, a residential road, looking north.
RV15	Junction of Alpha Street North and Alpha Street South, a residential road, looking north.
RV16	A412 Albert Street at the entrance to St Mary's Church looking north.
RV17	A332 Windsor Road, looking north.
RV18	Junction of A332 Windsor Road and A4 Wellington Street, looking south-east.
RV19	A4 High Street, looking east.
RV20	Public Right of Way within Salt Hill Park, looking south-east
RV21	Stoke Park House fountains and gardens, looking south.
RV22	Stoke Park House second floor terrace, looking south
RV23	Public Right of Way within Langley Park near to George Green, looking south-west.
RV24	Open space within Ditton Park, looking north-west.
RV25	North Terrace of Windsor Castle, looking north.
RV26	The Copper Horse within Windsor Great Park, looking north.
RV27	The Long Walk within Windsor Great Park, looking north.
RV28	Queen Anne's Ride within Windsor Great Park, looking north
RV29	Open space within Dorney Common, looking north-east.
RV30	Junction of Stoke Road (B416) and Elliman Avenue, looking south

Fig 36: Representative Viewpoints taken from TVIA

- 11.80 In local to medium range views of the development, the viewpoint analysis suggests that there will be a major change to the scale and massing of development within the town centre. The High Street and immediately surrounding viewpoints illustrate that the development could be designed (within the max parameters) to respect the site edges with lower rise blocks addressing the existing context. The taller buildings have limited impact on the High Street and Residential Character Areas to the south which are considered more sensitive to change. The townscape impact to Wellington Street character area is more pronounced due to the proximity of the housing to the taller buildings at the northern edge of the site. Other selected viewpoints from longer range, including the more sensitive locations at Windsor Castle, the Great Park and Stoke House indicate that the skyline silhouette of Slough Town centre will appear more prominent and visually distracting. This is not necessarily considered to result in any demonstrable harm to the visual receptors (users) from the viewpoints.
- 11.81 The TVIA includes a wireline of the maximum extent of the parameters plotted with the illustrative massing rendered as a guide to indicate the nature of detailed design and mitigation required at the reserved matters stages. The illustrative scheme suggests that any buildings proposed within the Development Zone boundaries will need to be articulated to minimise the overall massing and scale of the development and to ensure adequate spacing and separation between buildings or within blocks. The TVIA indicates that in short range views of the development, to mitigate the urban impact of the greater scale of the buildings, the edges, podium spaces, routes and public realm spaces will require softening through landscaping and tree planting.
- 11.82 The detailed design of the buildings will be particularly important in terms of ensuring the roof profiles are articulated at the tops and lift over-runs and plant structures are integrated to the architecture of the buildings. The Design Code does not set out mandatory coding as to how these measures should be secured. The non-mandatory design guidance in the Design Code includes some useful examples to address the above but none of this is code and therefore, the approach is not enshrined within the outline application.
- 11.82 The TVIA indicates the need for further detail on the materials and architectural form in connection to the buildings immediately adjacent to St Ethelberts and the Presbytery to ensure the setting of the heritage assets are safeguarded and protected as much as they can be. This is also a matter for the detailed design code which as noted above, will be required by a condition. In longer range views the building tops and design of the taller elements to the scheme need to consider materiality to ensure the skyline is not over-dominant particularly in views from Stoke House, the Copper Horse and the Great Park in Windsor.

Design Summary

- 11.83 The proposals are considered (in their outline form, with all matters reserved) to be capable of demonstrating broad compliance with the adopted Core Strategy and Local Plan design policies alongside the Site Allocations design principles. It is also considered that the proposals are informed by the high-level development principles in the emerging guidance in the SRF and IPF which form evidence to the emerging spatial strategy (although of very limited weight in planning terms).
- 11.84 The proposed outline form of development and building typology, façade treatment and architecture is lacking at this stage, but with appropriate planning controls (detailed

design code, conditions and 106 obligations) it is considered adequate for the current scheme.

- 11.85 The proposed movement and circulation principles set out in the parameter plans are considered to be broadly acceptable at this outline stage subject to detailed coding and condition details being followed through into the reserved matters applications.
- 11.86 Officers consider that although the Scale and Massing proposes a significant change in scale to the lower rise High Street properties, the approach to tapering the height within the parameters is considered acceptable broadly and would be consistent with the scale of emerging regeneration development within Slough Town Centre. Officers consider the proposed parameters show blocks/zones which lack articulation of roof levels and do not provide any specific code or limits to the courtyard spaces or building types. This hinders assessing environmental factors at this stage such as wind microclimate, sunlight and daylight and townscape.
- 11.87 The proposed indicative outline Landscape Strategy demonstrates a high quality vision within illustrative scheme, but this is capable of being watered down unless further detailed design controls are secured between the outline and reserved submission stages. Further controls are required by condition, design code and a site wide strategy to set standard comparable with illustrative scheme.
- 11.88 At this outline stage (and incorporating the above controls both as part of any outline consent and at the detailed design stage), the proposed development is considered to comply with Local Plan policies EN1, EN3 and EN5, Core Policy 8 and guidance contained within the NPPF and Site Allocations DPD. Significant weight is attached to these policies in the assessment. The proposed development has also considered the emerging design guidance within the Council's evidence base documents submitted with the Spatial Strategy (although very limited weight must be attached to these documents).

12.0 Heritage

- 12.1 Core Policy 9 sets out that new development will not be permitted unless it protects and enhances the historic environment and respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations. This is inconsistent with the NPPF insofar as it does not provide the need for a public benefits test and a balance to be carried out in concluding on the level of harm and whether this is outweighed by the public benefits.
- 12.2 Saved Policy EN17 sets out that special attention will be given, in the exercise of the development control function, to the retention and enhancement of locally listed buildings and their setting.
- 12.4 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 provides that in considering whether to grant permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As a consequence the desirability of preservation must be given considerable importance and weight in the decision making process.

- 12.5 The NPPF (2021) requires a consideration of the impact that Development Proposals could have on designated heritage assets. Paragraph 199 of the NPPF sets out that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the assets, 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 significant”. This makes clear that the starting point should be to conserve designated heritage assets, and as Paragraph 200 states, any harm to a designated heritage asset should require clear and convincing justification. Paragraph 202 states “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”.
- 12.6 Chapter 14 of the ES assesses the impact of the Development Proposals on the Built Heritage which has been reviewed by the Council’s Heritage Advisor BEAMS and Historic England. The heritage assessment in the ES concludes that the completed and operational development would have a ‘permanent, long term and indirect impact’ on the assessed heritage receptors, ranging from ‘minor to negligible adverse’, or ‘no change’. On this basis, the ES chapter concludes that the Development Proposals would likely have no significant effect on any of the designated and non-designated heritage assets (in ES Terms).
- 12.7 The Built Heritage Statement (BHS) identifies that the Development Proposals are likely to result in ‘less than substantial harm’ to the following three designated heritage assets.
- Grade II Listed Building Group: Church of Our Lady Immaculate and St Ethelbert, and St Ethelbert’s Presbytery.
 - Grade I Listed Building & Scheduled Monument: Windsor Castle Including All the Buildings within the Walls.
 - Grade I Registered Park and Garden: The Royal Estate, Windsor: Windsor Castle and Home Park
- 12.8 The Council’s Advisor agrees with the assessment in regards to the level of harm.
- 12.9 The ES heritage assessment also correctly identifies the range of all other designated and non-designated assets which comprise a number of Grade II Listed Buildings, Locally Listed Buildings and Local Areas of Special Character (shown in the below map taken from the ES). The development is not anticipated to result in any harm to these assets as confirmed in the ES.

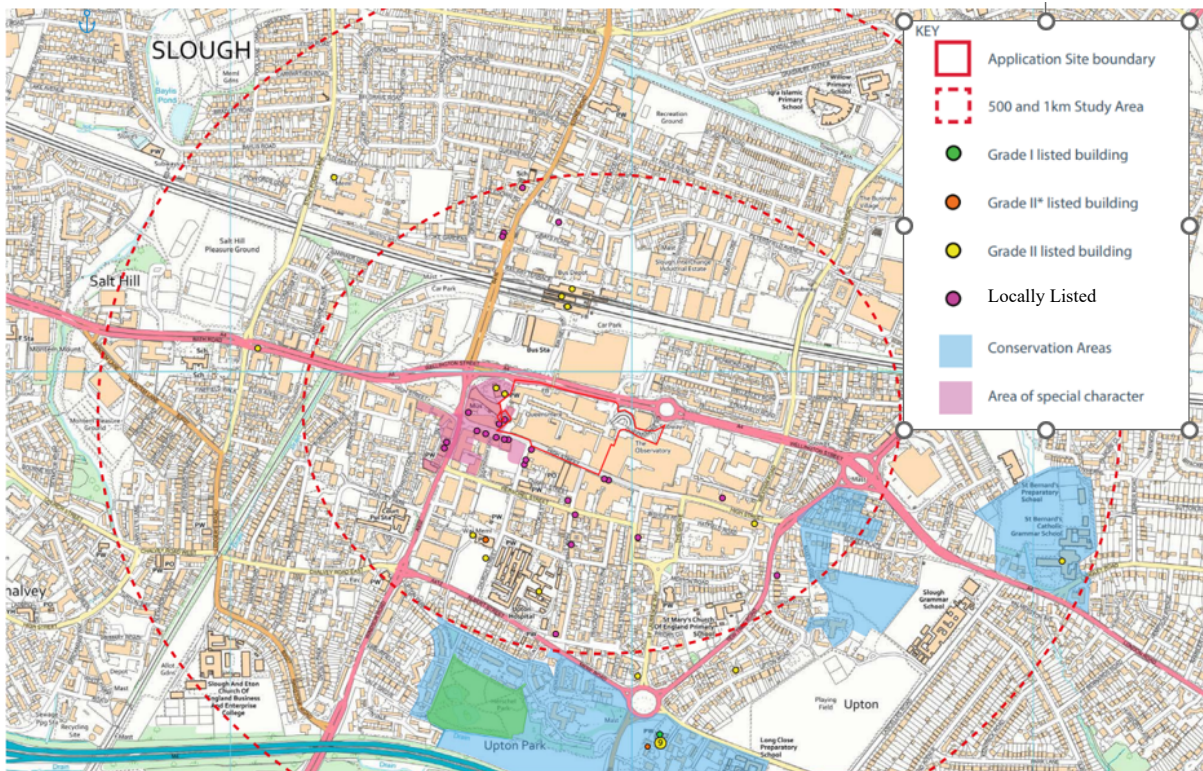


Fig 37: Designated and Non-Designated Heritage Assets

12.10 The Built Heritage Statement (BHS) has identified ‘Less than substantial harm’ as a result of the potential visual impact of the overall height, scale and massing of the Development Proposals in the views to and from the 3 x cited heritage assets. The Council’s Heritage advisor agreed with the conclusions in the Built Heritage Statement which finds that the scale of harm is within the ‘less than substantial harm’ category, at the lower end of the scale.

Church of Our Lady Immaculate and St. Ethelbert

12.11 The grade II listed Church of Our Lady Immaculate and St. Ethelbert and associated grade II listed presbytery are adjacent to the west end of the Queensmere Shopping Centre. The Roman Catholic Church was built in 1909-10, in the Perpendicular style of flint with stone dressings. The church spire makes it a prominent landmark building when travelling along Wellington Street. Views of the Church are principally achieved from Wellington Street (the main A4 road) on approach from either direction. The Curve has been constructed directly adjacent to St Ethelbert’s church; it’s curved elevation and relatively modest height successfully frames the church and forms a reasonably sympathetic backdrop to it. It is considered that the church will become better connected to the new development and the High Street with the main route through the site and the newly created town square allowing for views of the church – which is welcomed.

12.12 The Council’s Heritage Advisor ‘BEAMS’ acknowledges that Slough now contains several tall buildings and consent for further tall buildings in the vicinity of the church which reflects the declining prominence of churches which started to change during the 20th century with the construction of taller buildings becoming more commonplace in urban areas.



Fig 38: TVIA view of Grade II Listed St Ethelbert's (with development in background)

12.13 The proposed part of the Queensmere development closest to the church has a curved façade which reflects and follows the line of The Curve however its massing and the massing of the development behind rises in height and is significantly greater than the existing development in this position. This is demonstrated within the Townscape and Visual Impact Assessment – with the view towards the church from the junction of Windsor Road and Wellington Street, looking south-east (page 180 – 182). The Council's Advisor notes that the design and material construction of the new built form closest to the church will be key to ensuring it sits comfortably in relation to the church and presbytery. Nevertheless, the immediate backdrop to the church would be altered and its prominence locally further reduced. BEAMS considers this will detract from the setting of the Church, resulting in 'less than substantial harm' to its significance. The NPPF (para. 202) 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 securing its optimum viable use". The ES also concludes a noticeable loss of daylight at the Presbytery which adds to the harm to the setting.

Windsor Castle (Grade 1) and Windsor Great Park (Grade 1 Registered Park)

12.14 The potential impact on the grade I listed and Scheduled Windsor Castle and the surrounding grade I registered Windsor Great Park has been addressed within the Heritage Statement. The most sensitive view of the Castle is from the 'Copper Horse' with views aligned along the Long Walk, it emphasises the scale and grandeur of both the Castle and Windsor Park – the castle has a nationally and internationally recognised silhouette.

12.15 The Townscape and Visual Impact Assessment (view 27) illustrates the likely visual impact – the development would be sited to the right of the Castle so will not alter its existing silhouette. Also, the development does not look to break the skyline. BEAMS view is that the substantial massing of the Queensmere development is likely to 'draw the eye' and visually distract from views towards the Castle. Appropriate materials and sympathetic overall design / appearance should aim to reduce its visual intrusion and ensure it fades into the background in views from the Copper Horse and does not visually distract from the Castle. These matters can be incorporated into the detailed design code (post outline stage) but the outline Design Code contains some guidance on materials and architecture which provides further comfort that the development is capable of responding to the setting.



Fig 39: TVIA view from Copper Horse Statute of Windsor Castle (with development in background)

- 12.16 BEAMS considers the harm to the significance of Windsor Castle (through development within its setting) to be 'less than substantial' (NPPF, para. 202).

Grade I Registered Park and Garden: The Royal Estate, Windsor: Windsor Castle and Home Park.

- 12.17 The BHS noted that Windsor Castle is c. 4km south of the QM OPA site, and as such there are long-range views from the Castle and grounds to the Site. The BHS considers the impact of the Development Proposals on the heritage significance of this designated heritage asset and historic landscape is closely related to those on the significance of Windsor Castle. As such, similar to the effect on the Windsor Castle buildings, the Development Proposals make no contribution to the significance of this registered park and garden, but the Development Proposals could have an effect indirectly on how that significance is experienced within its setting and some shared longer distance views. The BHS considers the presence and landmark status of this heritage asset would not overall be challenged, and the intrusion of additional built form of a discernibly larger scale to the wider background of this and other recognised key views could be seen to be visually distracting, all of which (in their judgement) amounts to less than substantial harm at the lower end of the scale.

- 12.18 In summary, the proposal is considered to lead to 'less than substantial harm' in relation to the impact upon the significance of Windsor Castle, the Royal Estate Home Park and St Ethelberts Church and Presbytery. This view is also shared by Historic England who raise no objections. In accordance with the NPPF and the Council's duty under the Listed Buildings Act 1990, considerable weight is attached to this harm arising in respect of each of the assets.

Locally Listed Buildings and Old Town Character Area

- 12.19 The development is also adjacent to locally listed buildings in the High Street and the Old Town Special Character Area which are identified in the below map and in the Built Heritage Statement. The impact on the setting of these non-designated assets is considered in the Built Heritage Statement by assessing the impact on various building groups.

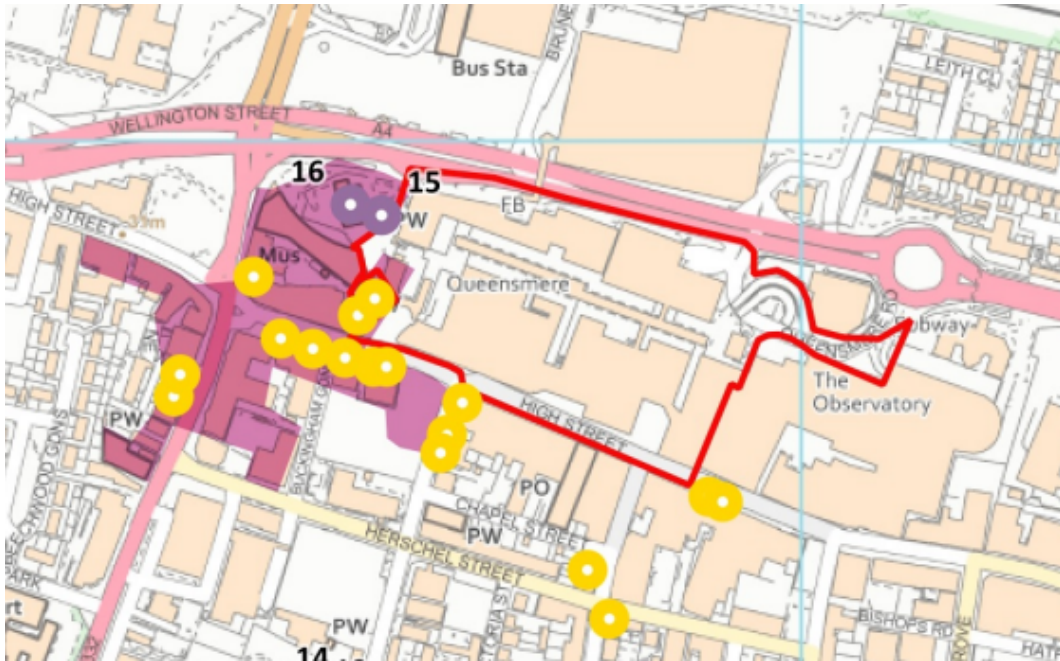


Fig 40: Non-Designated Assets (Locally Listed Buildings & Old Town Character Area)

12.20 There are no adverse impacts on the setting of these locally listed buildings reported in the Built Heritage Assessment and the impacts are reported to be neutral i.e. their settings are preserved. Officers are in agreement with the assessment set out in the Built Heritage Assessment.

Public Benefits

12.21 As 'less than substantial harm' to designated heritage assets has been identified in the assessment, Paragraph 202 of the NPPF is engaged and states that it is necessary to weigh this harm against the public benefits of the Development Proposals. This balancing exercise is required to be carried out on an asset by asset basis. The public benefits arising from the proposal are set out below.

Economic Benefits:

- Reversing the decline of the existing over-sized and out-dated shopping centre with provision of new, modern and flexible commercial floorspace to support a wider range of functions equipped to support current retail/business needs appropriate to provide for Slough's needs and in the interim through implementation of a successful Meanwhile Use Strategy;
- Increase in the town centre population within the new living accommodation (within the development) increasing expenditure in the local facilities and services, stimulating the local economy;

Social Benefits:

- Providing a substantial number of new homes to meet a growing demand for housing in Slough and to address local housing needs;
- Provision of some affordable housing within the development and opportunities to increase the provision on or off-site subject to review mechanisms;

- Provision of a legible series of connected streets and urban spaces to encourage social mixing including re-providing a Town Square in the heart of the town centre contributing to a sense of civic pride in upgrading the image of the town;

Environmental Benefits:

- Provision of green and biodiverse streets and publicly accessible urban pocket parks and spaces;
- Biodiversity Gains relating to the provision of green landscaping within the ground levels and podium courtyards and from the additional tree planting (on-site) which is capable of increasing the biodiversity factor.
- Improvements to the pedestrian and cyclist accessibility by virtue of the creation of more walkable direct routes across the site, including improved linkages to the local public transport nodes (Slough Bus Station and Rail Station) and connections (Bus Stops).
- Re-use/Redevelopment of Brownfield/Previously Developed Land instead of building on undeveloped green fields.
- Protection of Suburbs by virtue of developing in the town centre and most sustainable/accessible location

12.22 The above list indicates that the proposals have the potential to deliver a substantial number of public benefits, which together provide economic, social, and environmental benefits to Slough. It is considered that, overall, the range of substantial benefits identified would outweigh the 'less than substantial harm' to each of the designated heritage assets referred to above. Accordingly, Paragraph 202 of the NPPF is satisfied.

12.22 Notwithstanding this, it is acknowledged that the development results in a conflict with an element of Core Policy 9 which requires new development to protect and enhance the historic environment. However, the Core Strategy policy is inconsistent with the NPPF guidance in this respect because it does not permit a balancing exercise to be carried out pursuant to which any identified harm is weighed against public benefits. Accordingly, only limited weight is given to this conflict with the Core Strategy policy. Limited adverse harm is applied to the heritage impact in the planning balance due to the less than substantial harm to heritage settings including the loss of daylight to the Grade II listed Presbytery as reported in the ES.

13.0 Playspace and Amenity

13.1 With respect to the playspace and amenity provision across the proposed outline scheme, this has predominantly been indicatively shown through the Illustrative Scheme. This section predominantly focuses on playspaces, private amenity and small public amenity spaces outside the four key public realm spaces.

13.2 As discussed previously within the report, the Illustrative Scheme does not seek approval for the detailed treatment of this areas but, instead, presents an example of how the scheme could be implemented.

13.3 The Design Code contains guidelines as to how playspace and amenity areas could be implemented. Key elements of this coding with respect to the above is discussed below. With respect to playspace provision The Design Code identifies the Heart Space as an opportunity area to provide playspaces alongside a variety of other uses as set out in G5/45. Criteria for details coming forward for signeted playspaces within the podium terraces is also set out in G6/17 which outlines requirements for landscape

proposals within the podium terraces, and M6/42 to inform the placement of playspace features.

- 13.4 With respect to private amenity space, the SWPR Parameter Plan provides indicative locations for private amenity space within the Development Zones (for reference Development Zones 1, 3, 5 and 6). Design Codes M5/1 sets out the requirement for the delivery of these within the locations set out in the plan, to coordinate with each other and their related street networks. Green links also play an important part as part of the natural visual amenity, and the incorporation of this with the public realm is underpinned by G5/1. Differentiating between amenity spaces and public realm spaces is also considered to be an important element of the design and character of each zone. G5/24 provides criteria for this to ensure different plant typologies should be used to help with this differential, and G5/42 also includes the requirement for a provision of an amenity lawn within the heart of the Urban Park.
- With respect to private amenity space, G6/1 states that cluster building typology will provide amenity space within the associated podiums and/or ground level landscaped areas. G6/16 also states a requirement for new building within new building should be provided with amenity space with ground floor defensible space and a distinction between public and private amenity space.
 - Roofscape areas are also used as consideration for accessible planted amenity space as highlighted within G6/6.2 and 3.
 - Public Art is also considered as part of the amenity strategy within the development. G5/20 sets out the requirement of a Public Art Strategy to be provided during the Reserved Matters stages, with some image examples of possible interventions provided.
- 13.5 With respect to the Illustrative Scheme, the Design and Access Statement provides diagrams which indicatively show the location of public incidental play spaces and informal public play spaces, and play spaces within the way routes are identified within the Development Zone 6a (should an urban park be developed in this zone), Green North-South Link (linking Wellington Street to the Local Square to the High Street) and Heart Space (predominantly focused within the Residential Neighbourhood Character Area). Locations of private roof/podium gardens/terraces level play areas are also indicated within Development Zones 1, 3, 4, 5 and 6 for use by residents. Roof level amenity green space is located on the roofs of the building blocks within all Development Zones. These are designed to provide garden-like amenity spaces.
- 13.6 As part of the assessment of this element of the scheme, comments have been provided by the Arboricultural Team. Officers have noted that details in relation to the public and private amenity space are to be submitted subject to subsequent approval at a later stage through the Reserved Matters applications. Notwithstanding this, the Parameter Plans and Design Codes identify the key public spaces within the Site. The comment from officers note that the new public realm spaces and green routes would provide an attractive and unique environment which would re-energise the Town Centre. Officers have also noted the illustrative landscaping design process has demonstrated elements of roof level landscaping, play and social spaces and urban greening.
- 13.7 Policy H14 of the Local Plan discusses Amenity Space. It states that:
- The appropriate level will be determined through consideration of the following criteria:*
- a) 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*

13.8 Policy OSC5 (Public Open Space Requirements) states:

Within new housing developments of two hectares and over, public open space with equipped play area(s) will be required.

The design, layout, and equipment specification of playspaces are to be in accordance with the requirements of the Borough Council.

13.9 Policy EN9 (Public Art) states:

The provision of public art is encouraged either as part of a comprehensive development proposals or as “off-site” works. The positive contribution and impact made by either temporary or permanent public art forms upon the proposed development scheme and/or surrounding area will be a material consideration in determining planning applications.

13.10 Part of Core Policy 2 (Green Belt and Open Spaces) of the Core Strategy states that:

“Existing private and public open spaces will be preserved and enhanced. Where exceptionally it is agreed that an open space may be lost a new one, or suitable compensatory provision will be required to be provided.”

13.11 Paragraph 7.39 states that “new development will be expected to contribute to the provision of, or improvements to, the quality of open spaces, playing fields, play areas, allotments and green spaces in accordance with the provisions of Planning Policy Guidance Note 17 – Planning for Open Space, Sport and Recreation (PPG17) and Core Strategy Policy 5 – Infrastructure.” PPG 17 has now been replaced by the NPPF (2021) but the principles set of in the former Guidance Note and the Core Strategy remain broadly the same.

13.12 Provision of Public Open Space is largely provided through 4 key Public Realm spaces. The assessment of this is predominantly covered within Section 11 of the report. With respect to the play spaces provided, officers note that at this stage, details of the design, size and implementation of these mechanisms throughout the scheme are yet to be finalised, and will be subject to assessment under the reserved matters applications. Notwithstanding this, the design codes offer some guidance, setting out criteria on how the playspace and amenity spaces should be implemented.

13.13 It is indicated that playspaces should be provided within the Residential Character Area of the Development, through the Heart Space and North-South Green Routes. The codes set out provisions of how the amenity spaces can be provided through the Development Zones and Parameter Plan SWPR sets out potential locations. The provision of podium garden spaces, and private amenity spaces within the aforementioned Development Zones would provide much needed amenity space for future residents within the Town Centre which currently lacks sufficient provision of public and private amenity spaces. Whilst the Development Plan does not set out a specific amenity space size requirements per person in major developments, it is noted

that the private amenity provision would offer a unique opportunity to provide green amenity space within a restrictive town centre setting.

13.14 In this respect, the Parameter Plans and Design Codes broadly comply with Policies H14, EN9 and OSC5 of the Local Plan and Core Policies 2 and 8 of the Core Strategy.

13.15 It is noted by Officers that detailed proposals with respect to amenity space and play space provision have not provided, only indicative details with regards to potential locations. Details with respect to the above are to follow in subsequent Reserved Matters applications and subject to the attached conditions. This approach is acceptable by Officers when weighing up the public benefits of the proposals in the planning balance. Therefore the proposal would be considered acceptable subject to conditions to deal with the following matters; Condition 11 (Site Wide Landscape and Public Realm Strategy), Condition 29 (Public Art), Condition 52 (Hard and Soft Landscaping), and Condition 69 (External Surfaces).

14.0 Trees

14.1 As part of the proposed scheme, tree planting across the Site is indicatively proposed as part of the public realm and landscaping scheme. Whilst specific locations and species have only been indicatively shown through the Illustrative Scheme and Design and Access Statement. Although it has been noted that the Illustrative Scheme is not offered a mandatory document, it is an important context to the application, to provide context as to how the scheme could come forward within its maximum parameters. The Illustrative Plans provide an indication of the location, size and potential footprint of trees across the site, as shown on the Sitewide Illustrative Landscaping Plan.

14.2 Further to this, the Design Codes offer some criteria for Tree Planting across the Site:

- G5/14 Guidelines for planting design
- M5/17-25, specifically:
- M5/18 Mature canopy size of trees must be considered to determine spacing of trees as well as their offset distance from building facades and street edges.
- M5/19 Street planting must be coordinated with servicing and vehicle access strategies and trees must be set back from road edges to minimise the risk of being struck by high sided vehicles.
- M5/34 Medium to large street streets must be planted where L5 & L6 interfaces with the High Street to assist natural way finding.

14.3 It is noted that whilst no details are provided offered for consent with regards to tree species, through M5/21, minimum planting sizes for different tree characters are set out and M5/22 sets out minimum tree rooting volumes for specific tree sizes (small to large).

14.4 Furthermore, the Applicant has submitted a Tree Survey Report prepared by Watermans. The report provides drawings to indicate which trees are to be retained and removed as part of the outline scheme. The report states in relation to proposed tree planting that are not fixed at the outline stage however, through the illustrative scheme, there is potential to include a rich network of soft landscape in varying typologies and densities appropriate to the public realm setting. To strengthen the public's connection to nature and deliver the softer town centre aspiration. The scheme outlines this to be provided through the following ways:

- street tree planting to soften and frame vistas, provide shade and enclose public spaces within the Town Centre character area
 - large feature trees that will add character to key public spaces, aid natural wayfinding and assist in grounding the new development.
 - generous areas of soft landscaping integrated into the design of north-south links within the eastern development zones which also creates opportunities for more informal and intimate public spaces
 - a large urban park is being proposed at the north-eastern edge of the site to offer a unique natural atmosphere to the otherwise urbanised centre of the town.
- 14.5 Recommendations for tree protection are also provided, however the report advises that the detailed design of these Development Proposals will be progressed through Reserved Matters Applications, as with the above details secured through a Arboricultural Method Statement. As a part of the assessment of this element of the scheme, the Trees Officer has been consulted for comments. The removal of the trees was considered acceptable to officers, on the proviso of that a condition is provided for replacement trees to be provided within the landscaping scheme. The officer has advised that tree rooting areas need to be planned and implemented in joint enterprise with providers in order to incorporate SuDS swells and drainage schemes. Rooting volumes have been discussed as part of the Design Codes, and further details will be provided at the Reserved Matters scheme.
- 14.6 Core Policy 9 of the Core Strategy states that development will not be permitted unless it enhances and preserves natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features. It is considered by officers that the proposed tree strategy for removal and replacement of trees to re-provide trees around the Site would enhance the appearance and quality of the Town Centre Area. The illustrative scheme is not submitted for approval but is submitted to provide a scenario of how the scheme could potentially progress.
- 14.7 It is accepted by Officers that further and final details in relation to location, size, species and tree protection will be provided at the Reserved Matters stage, given that there would not be sufficient enough detail in this regard during the outline stages (to determine compliance with the Local Plan policy), given the site massing is not definitive or final at this point. Notwithstanding this, minimum tree planting sizes by way of Design Code M5/21 as mandatory coding is considered to be useful to allow Officers some control for assessing future applications. The Parameter Plans and Design Codes are considered as broadly acceptable with regards to Core Policy 9 of the Core Strategy, as the proposal would enhance the natural habitat and biodiversity within the Town Centre. In order to ensure a detailed proposal at reserved matters stages are provided, a Sitewide Landscape and Public Realm Strategy (Condition 11), Design Code details (Condition 26), and Tree Protection Strategy (Condition 51), are secured by condition to be provided at a later stage during reserved matters and pre commencement within the relevant Development Zone.
- 15.0 Ecology & Impact on Local Protected Habitats [including Burnham Beeches Special Area of Conservation]**
- 15.1 Paragraph 179 (b) of the NPPF requires new development to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue

opportunities for securing measurable net gains for biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features. Saved Policy EN22 sets out that special account will be taken of nature conservation interest when determining proposals for development which would be detrimental to land which contains features of ecological importance. Ecological appraisals are required where proposed development is likely to threaten any nature conservation interest. The suite of policies and intent of which are broadly consistent with each other although the NPPF para179 requires measurable biodiversity net gains to be secured.

- 15.2 A Preliminary Ecological Assessment (PEA), Biodiversity Net Gains Assessment (BNG), Shadow Habitat Regulation Assessment (HRA) and Shadow Appropriate Assessment (AA) have been submitted with the planning application.
- 15.3 The PEA has been reviewed by the Council's advisors Atkins and they have confirmed that the assessment has been undertaken with reference to current guidance with the data valid for a period of 18 months.
- 15.4 The PEA report notes that a group of trees outside of the original application boundary is now included in the scheme and was not subject to a PRA for bats. Atkins advise that given the location of the trees within a strongly urban environment with little connectivity and significant noise and light disruption so that, as a matter of their professional judgement, it is unlikely that bats will use these trees to roost. The building roofs were unable to be accessed for the preliminary bat roost inspection due to the COVID 19 restrictions being in place. The PEA confirms that whilst the roofs could not be accessed, they were viewed from ground level to inform the assessment. Atkins noted, as a matter of their professional judgement, that as the location of the buildings is within a strongly urban environment, with little connectivity and significant noise and light disruption, it is unlikely that bats will use these buildings to roost.
- 15.5 The PEA report concluded that the scheme provides opportunities for enhancement of biodiversity on the site through:
 - The protection of retained trees;
 - The use of native species or species of benefit to wildlife within any proposed landscape scheme;
 - Provision of enhanced green infrastructure providing connectivity to adjacent off-site habitats;
 - Possible creation of additional habitat utilising roof top space such as the provision of living roofs; and
 - Creation of artificial habitats for bats, bird and invertebrates.
- 15.6 The report notes that the completion of a Biodiversity Net Gain assessment of a minimum of a 10% Net Gain for biodiversity will be provided as part of the scheme design. Atkins advise that the applicant has submitted a provisional BNG assessment which indicates a biodiversity net gain of 0.77 which comprises a 500% increase to the existing site condition. Planning conditions are secured which requires a recalculation of the BNG when more precise detail is known and that the net gains should be a minimum of 10%.
- 15.7 Subject to conditions requiring a bat survey of the roofs, an updated PEA and securing biodiversity net-gains by conditions through detailed design (when the design of the

buildings and spaces are known), the proposals are capable of demonstrating compliance with elements of the Local Plan policy EN22, Core Policy 9 and the NPPF with regards to the ecological impact.

Impact on Burnham Beeches SAC and Review of Shadow Habitat Regulations Assessment & Appropriate Assessment

- 15.8 Under the requirements of the Conservation of Habitats and Species Regulations 2017 ('The Habitats Regulations') it is necessary to consider whether the proposed project may have significant effects upon areas of nature conservation importance designated/classified under the Directives (Habitats Sites). In this case the proposed development is entirely within a 5.6 Km buffer zone of Burnham Beeches Special Area of Conservation (SAC) located to the northwest of Slough outside the borough boundary.
- 15.9 The Habitats Regulations place a duty upon 'Competent Authorities' i.e. Slough Borough Council to consider the potential for effects upon 'Habitats Sites' (Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar) prior to granting consent for projects or plans.
- 15.10 The applicant has undertaken a Shadow Habitats Regulations Assessment and Appropriate Assessment of the proposed mitigation scheme as part of the above planning application. The Shadow HRA outlines the Habitats Regulations context, the project, the relevant designated sites, screening of potential effects and consideration of potential effects resulting from public access/ recreation. The Shadow Appropriate Assessment comprises an assessment of whether the Likely Significant Effects on the integrity of Burnham Beeches SAC can be adequately mitigated.
- 15.11 This HRA Screening Report of Likely Significant Effects (LSE) has assessed the Development Proposals in terms of any potential impact upon relevant European designated sites and concluded that Likely Significant Effects cannot be ruled out in relation to the potential for increased recreational disturbance from new residents on Burnham Beeches SAC European Site.
- 15.12 An Appropriate Assessment (Stage 2) must be undertaken and completed by Slough Borough Council to assess whether the LSE on the integrity of Burnham Beeches SAC can be adequately mitigated. The Applicant has submitted a Shadow Appropriate Assessment to inform the Council's own assessment.
- 15.13 The Council and Natural England have agreed in principle that an appropriate strategic solution to mitigating the cumulative impacts on Burnham Beeches from development (within the Burnham Beeches SAC buffer zone within Slough) would comprise improvements towards Upton Court Park to the south of the Borough. Council's draft Mitigation Strategy and the Upton Court Park Master Plan identifies a range of biodiversity/natural habitat improvements in Upton Court Park and identifies the Park as a suitable alternative natural greenspace. The 68 ha. park has the carrying capacity for more residents to use it. Its size, accessibility, substantial areas of existing semi natural habitat and walking routes means visitors can enjoy walks amongst nature away from development. It is already used for dog walking providing an alternative to Burnham Beeches. Implementation of some projects in the Mitigation Strategy/Master Plan will enhance its attractiveness to visitors and provide mitigation for the completed and fully occupied development. The Park as it is, provides mitigation associated with the occupation of the early phases of the development.

- 15.14 The potential mitigation projects for Upton Court Park, which have been agreed (in-principle) by Natural England and SBC include:
- Creation of wetlands/wetland restoration and improvement projects.
 - Creation of a spiral viewing mound.
 - Screening of the M4.
 - Creation of new gravel and reason bound paths (no tarmac).
 - General biodiversity improvements across the site (wildflower meadows, bee corridors, community orchards and foraging trails, tree planting etc)
 - Creation of seating, provision of bins and infrastructure at the park entrances
- 15.15 The Mitigation Strategy identifies work priorities in Slough to address the Council's duty under the Habitat Regulations regarding reducing visitor pressure on the Burnham Beeches SAC sensitive habitat as a result of new residential developments within the zone of influence. The aim of creating alternative recreation spaces is to attract visitors who might have otherwise travel to Burnham Beeches SAC and also to improve biodiversity generally in the area. Section 106 contributions would apply to residential developments within 5.6km of Burnham Beeches SAC with the requirement for a contribution being set in a guidance document, and subsequently in a Supplementary Planning Document.
- 15.16 In advance of formally adopting this policy guidance, and recognising the evidence in place at the time, the Applicant has agreed to make s106 contributions on the basis of a rate of £570 per additional dwelling towards the above projects. This would be calculated based on the residential quantum within each Development Zone, or to be triggered by development blocks within a Development Zone. Although this sum differs from the Bucks CC Burnham Beeches SPD, this SPD is only afforded limited weight to the consideration of the proposals as the mitigation proposed in the SPD is specific to sites in Buckinghamshire which have been costed in the document evidence base. SBC is preparing its own mitigation SPD and is relying on evidence collected for mitigation to be spent on projects in Slough including on-going maintenance. It is understood that this amount is sufficient to enable the phased implementation of mitigation works (set out in the Upton Court Management Plan) as agreed in principle with Natural England and any further suitable greenspaces within Slough which may form part of the Council's emerging strategy which may be agreed with Natural England in due course.
- 15.17 Natural England currently expect alternative natural green space to meet a standard of 8ha/1000 population relating to the carrying capacity for visitors being able to enjoy the space. Taking account of existing use of Upton Court Park, it has been assumed but not verified, that the Park has 50 % carrying capacity. Natural England have agreed that Phase 1 of Upton Court Park has a capacity [to mitigate up to] 1719 dwellings within Slough. The outline application seeks approval for up to 1600 homes which falls under this capacity. However, should other developments come forward in advance of, or at the same time as later parts of the Queensmere development, the carrying capacity may be exceeded in the future.
- 15.18 Natural England considers the current capacity at Upton Court Park is 1195 dwellings (assuming that at least 524 homes are built out under 2 x current applications with contributions secured). Natural England have accepted this pending a review when

visitor survey results are known and a review of the 8ha standard for urban populations. This work is being carried out by SBC and officers have been advised that the carrying capacity is anticipated to go up after the review. Therefore, further s106 contributions will be required to identify further projects and initiatives within Upton Court Park and/or alternative natural green spaces within Slough or elsewhere to be funded by the contributions. The Applicant considers the provision of mitigation measures costed at the agreed rate (per dwelling) is sufficient and fair mitigation for the Council to implement measures elsewhere, if the carrying capacity is exceeded at some point in the future, either as a result of this development or other development schemes coming forward.

- 15.19 At this stage, it is not possible to confirm whether the other applications will be implemented and therefore the proposed mitigation agreed with the Applicant under this outline application is considered to be a reasonable solution to secure contributions towards the current agreed list of improvements to Upton Court Park, and/or other suitable alternative greenspaces to be identified by Slough by way of financial contributions. Should the carrying capacity be clarified in advance of a decision on the Queensmere application, the additional projects will be included within the obligation definition within the s106 agreement and Natural England will be notified in advance of the decision in accordance with the Determination Statement (which will also confirm the Council's conclusions from its Habitat Regulations Assessment and Appropriate Assessment).
- 15.19 Subject to this agreement being in place as part of any reserved matters application progressing, it is considered that the Development Proposals would not have adverse effect on the integrity of Burnham Beeches SAC. As such compliance with such planning obligations (Section 106 contribution) would provide certainty of no adverse effect on site integrity subject to the conditions or obligations being secured.
- 15.20 On the basis that the principles of the proposed mitigation set out are agreed with SBC and Natural England for the outline application, the Appropriate Assessment for Burnham Beeches SAC will be completed, in advance of issuing planning permission, if the committee resolves to defer and delegate for approval. At the reserved matters stage when the precise number of residential units is known, the details of the mitigation and the mechanism for its delivery will be finalised with SBC and Natural England.
- 15.21 Prior to determination of the planning application, the Council will complete its own Appropriate Assessment under the Habitats Regulations regarding determination of the planning application for the residential development project referred to above and in relation to effects on Burnham Beeches SAC. The Assessment will set out the agreed scheme of mitigation measures in addition to those in the applicant's Assessment. The Assessment will be required to take account of the completed Section 106 planning obligation and planning conditions relevant to mitigation that will be applied to any grant of planning permission. It also takes account of the Council's control of the Upton Court Park, its proposals for enhancing the Park re biodiversity/natural habitat for informal recreation use within a Park Master Plan and a draft Mitigation Strategy to deal with the impact of future residential development in Slough upon Burnham Beeches.

16.0 Planning Assessment - Transport and Highways

- 16.1 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 vehicles, cyclists 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 of Slough's Core Strategy.
- 16.2 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'*.
- 16.3 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.
- 16.4 The applicant has prepared a Transport Assessment to consider the transport and highways impacts of the development. A review of Highways and Transport information has been completed by Origin Transport Consultants and Slough's Highways Team.

Vehicle Access and Street Layout

- 16.5 The application seeks approval for the location of the key access points to the site in the context of the surrounding existing highway network. The precise alignment of the internal highway network can only be defined once the associated Development Zone layouts are fixed through subsequent reserved matters applications.
- 16.6 The Illustrative Scheme includes a new entry only vehicle access on the westbound lane of the A4 Wellington Street, opposite the junction with Brunel Way. This would be a left-in only junction from the A4 Wellington Street, and would provide a one-way entry route for all vehicular traffic accessing the Site, refer to the illustrative access plan below (extracted from Indicative Delivery & Servicing Strategy):

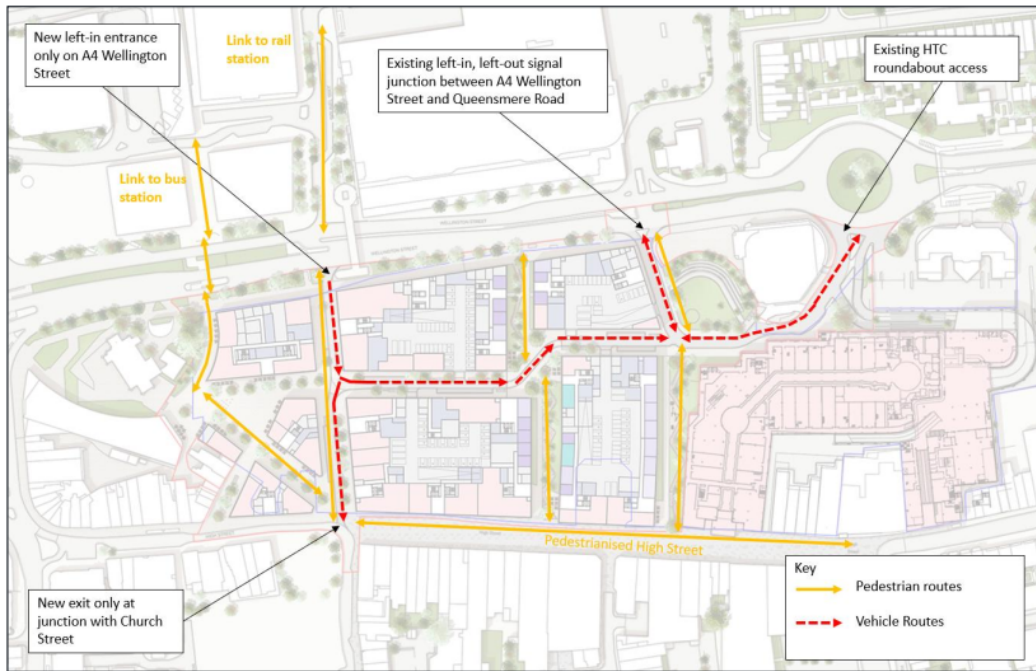


Fig 41: Illustrative Accesses

- 16.7 The Illustrative Scheme also includes a new vehicle access point at the junction between the High Street and Church Street. The proposed vehicle access will be exit only for all delivery vehicles accessing buildings in DZ2 subject to restriction/access control. To avoid the Site becoming a through-route, the exit-only section will be managed (via a range of suitable measures which will be secured at RMA stage) as such that only permitted vehicles, using this route for servicing, can pass through the Site on to Church Street.
- 16.8 The Site will include a one-way Spine Road running through the Site. Vehicles accessing DZ1, DZ3, DZ4, DZ5 and DZ6 will enter the Site via the left-in only access on the A4 Wellington Street, driving southbound between DZ1 and DZ4. The vehicles would then turn left around the corner, heading eastwards along the one-way Spine Road (east) to exit the Site via the HTC roundabout junction.
- 16.9 Vehicles accessing DZ2a, will enter the Site via the new left-in only access on the A4 Wellington Street, driving southbound between DZ1 and DZ4. If permitted, through the use of a suitable access control arrangement, the vehicles would then continue south along the one-way Spine Road (south) and exit the Site via a new exit only point at the south edge of the Site, at the junction with Church Street and High Street.
- 16.10 The one-way Spine Road will be the main route for vehicles across the Site and is split into three different zones. Zone DZHA will run from the HTC roundabout up to the western ends of Development Zones 3 and 4 and will facilitate access to Development Zones 3, 4, 5 and 6. Past this point, the route becomes the highway zone within the DZH1, which divides the DZWS and leads south to the DZs 1, 2 and 4. The retained access between the A4 and Queensmere Road will be DZHB. The majority of the Spine Road route will be a one-way carriageway approximately 3.7m in width. The carriageway located in Development Zone 1, 2 and 4 will be one-way southbound only.
- 16.11 Based on the strategy identified within the Indicative Delivery and Servicing Strategy, the majority of service and delivery vehicle loading / unloading will take place within the curtilage of each building. However, the Development also includes loading pads

along the edge of the new oneway Spine Road route for delivery and servicing activity, specifically to accommodate HGVs.

- 16.12 The LHA have confirmed that the indicative access strategy is acceptable in principle, but detailed drawings of the new site access junctions and internal site road will need to be provided and approved at the RMA stage which will be secured via condition. A detailed servicing management strategy will also need to be secured to show how access to the loading pads and restricted sections of the site access roads will be controlled and managed.

Pedestrian Movement & Access

- 16.13 Once complete, the Development will provide a highly permeable scheme and will enhance connectivity across the Site. Footways will be provided on both sides of the one-way Spine Road. The vehicle access points on the A4 Wellington Street will also provide footways on both sides of the carriageway and will enable access from the north. Additionally, the scheme has been designed to provide landscaped areas with footpaths between each Development Zone. These will provide north-south pedestrian connections between the A4 Wellington Street and High Street. Furthermore, pedestrian friendly public realm will be provided at the western end of the Site and next to the HTC building.
- 16.14 The TA states “*A key improvement associated with the proposals will be an improved connection between the site and Brunel Way. The proposals seek to improve the pedestrian crossing arrangement on Wellington Street, which is currently a two stage arrangement, meaning that people crossing the road are required to wait on an island in the middle of the road....The proposals will re-align the pedestrian crossing to the east of the junction with Brunel Way to provide a single stage at-grade crossing, which removes the need to wait in the centre of the A4. Realigning the crossing also has the benefit of improving the desire line between the site and the Station and the attractiveness of the crossing.*”
- 16.15 The above is supported by the LHA and these works will be included in the Section 106 agreement. It should also be noted that SBC is also seeking the rationalisation of crossing points on A4 as there are currently two in close proximity. The new straight across crossing would replace both the current crossing near Brunel way and the crossing a short distance to the west.

Indicative Delivery and Servicing

- 16.16 The indicative delivery and servicing strategy is for each building to be serviced individually, with each Development Zone operating as a stand-alone entity from a delivery and servicing perspective. Figure 42 shows an indicative plan that illustrates the delivery and servicing (extracted from the Indicative Delivery & Servicing Strategy).

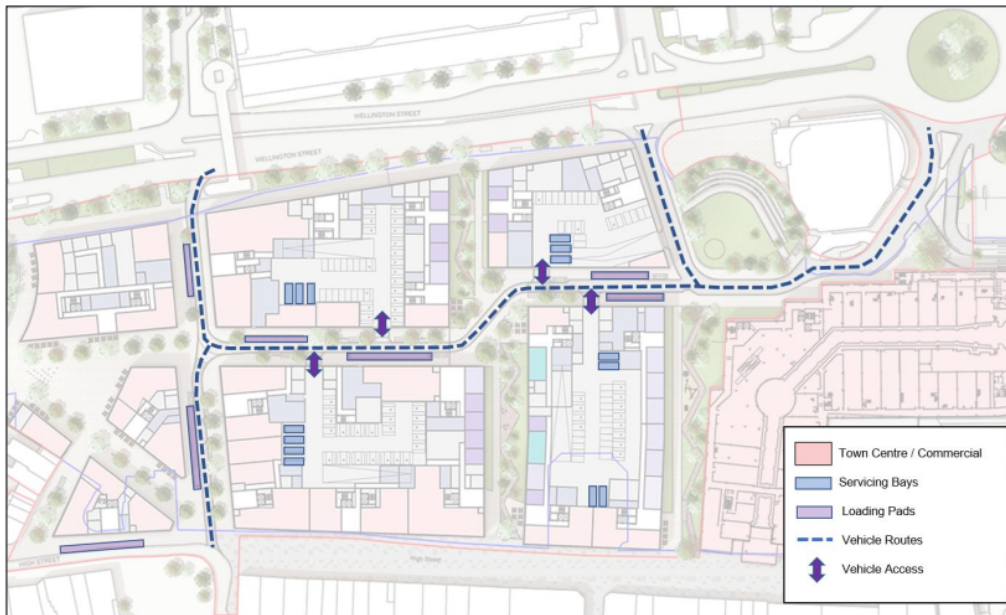


Fig 42: Indicative Delivery and Servicing

- 16.17 With the exception of Development Zone 1 & 2 on the west edge of the Site, each building will provide internal ground floor loading areas for smaller / medium-sized vans (i.e. up to a 7.5T box van) to undertake deliveries to the proposed residential units and commercial uses within the building. With regard to larger deliveries i.e. 10m HGVs and waste collection vehicles, which need to service the buildings, these will use the proposed loading pads provided on either edge of the one-way carriageway of the Spine Road route. The loading pads can be used by HGVs and waste collection vehicles accessing both the residential units and the commercial uses. However, the loading pads could also be used by smaller vans accessing the commercial units, where the loading pad would be close to the commercial frontage. All delivery and servicing vehicles would enter the Site via the new left-in entry only access on the A4 Wellington Street and exit via the HTC roundabout, with the exception of vehicles accessing buildings in Development Zone 2, which would exit the Site via the new controlled exit only access route which exits on to Church Street.
- 16.18 Development Zone 1 & 2 will not have internal car parks, therefore delivery and servicing for this Development Zone will be on-street via adjacent loading pads. As set out above, vehicles accessing DZ 1 will enter the Site via the new left-in entry only access on the A4 Wellington Street and exit via the HTC roundabout. Vehicles accessing DZ 2 will enter the Site via the new left-in entry only access on the A4 Wellington Street and exit via the new exit only access on Church Street. Development Zone 2 includes three Development Blocks, DZ2a will be accessed via a loading pad the one-way Spine Road South section of the internal road. DZ2b will be accessed via a loading pad on the High Street, therefore vehicles would not enter onto the site, instead accessing the building DZ2b loading pad via William Street. DZ2c can either be serviced from the loading pad on the High Street or from the loading pad on the one-way Spine Road South section of the internal road.
- 16.19 The LHA have confirmed that the indicative Delivery and Servicing Strategy is acceptable in principle, although further information concerning the access control arrangements and detailed drawings of the new access and servicing arrangements will need to be provided and approved at the RMA stage and this will be secured via condition which will also seek to ensure that servicing trips do not take place during

the peak hours. The details will also need to include a servicing management strategy to show how deliveries and the availability of the loading pads will be managed.

Cycle Parking

- 16.20 The TA states *“A long-stay cycle parking ratio of one space per residential unit has been discussed with SBC at pre-application stage. The Illustrative Scheme indicates that residential long-stay cycle stores will be provided at ground floor, and for some Development Zones on first floor, in the form of two-tiered cycle racks. Short stay cycle parking for visitors is also proposed.”*
- 16.21 The LHA have reviewed and stated that residential cycle parking will need to be located in secure communal stores for each building on the ground floor or located next to large lifts if stores needed to be provided on upper floors as well as ground floors. A centralised store with extra capacity and space for visitors should also be provided. No information has been provided on the ratio of cycle parking for the office uses on the site. One cycle space per 125m² is required, in line with the SBC Transport and Highway Guidance Developer’s Guide Part 3 Interim Document (November 2008) and this will be secured via condition.

Car Parking

- 16.22 The majority of dwellings are expected to be car free, with residents able to walk to the facilities within the Town Centre and relying on Slough Railway Station and Slough Bus Station which are 300 metres (4 minutes’ walk) from the site. The most recent adopted SBC Parking Standards are presented in the Slough Developer’s Guide: Part 3: Highways and Transport (2008). The parking standards allow for nil provision for residential developments within the highly accessible Town Centre area where there are a range of facilities and shops within walking distance and where public transport accessibility is greatest within the borough. The proposed office parking will be private parking associated with the additional employment uses. It will not be public parking.
- 16.23 SBC’s current adopted parking policy states maximum parking ratios for office space as one space per 40sqm for office and that residential developments would be “considered on merit”. However, to reflect emerging sustainability objectives, it was agreed during pre-application discussions with SBC to apply a car parking provision for the residential element at a ratio of 0.3 car parking spaces per unit and/or one space per 100sqm office space. This overall parking provision includes 5% of the total capacity allocated as accessible parking spaces for people with reduced mobility and 20% of the parking provided with Electric Vehicle Charging Points. This is in line with the SBC’s targets to ensure there is no increase in car parking within employment generating development. SBC have previously completed modelling exercises for Local Plan Growth which demonstrate a restrained approach towards car parking is required for Town Centre developments to avoid congestion of the road network. The results of this modelling inform SBC’s approach to low parking provision in the Town Centre Area.
- 16.24 A Car Park Management Plan is required for both the office and residential uses on the site, to explain how the parking will be enforced and to demonstrate that any reduced parking will simply not displace parking off site. It is proposed that a condition or planning obligation to secure a Car Park Management Plan will be included.

Public Transport Access

- 16.25 The TA refers to Phase 2 of the Slough Mass Rapid Transit (SMaRT) and states “*The Queensmere OPA Site will benefit from Phase 2 of SMaRT, with the route passing along the north edge of the Site, providing an excellent service for residents and visitors to the Site, as well as improving public transport access to the wider town centre area.*”
- 16.26 It should be noted that plans for Phase 2 of SMaRT are currently on hold and the proposed development can therefore not rely on these improvements.
- 16.27 The TA explains that the Slough rail station will provide access to Elizabeth Line services which will extend across London from east to west, extending to Reading in the west, and Shenfield and Abbey Wood in the east. The Elizabeth Line will also provide direct services to Heathrow Airport. The section of the Elizabeth Line between Reading and London Paddington is currently operational, with the remainder of the line across London up to Shenfield and Abbey Wood to be completed in 2022.
- 16.28 There are a number of measures proposed to improve and encourage access to public transport which are listed within the mitigation section below.

Trip Generation

- 16.29 Two separate assessments and net trip generation forecasts have taken place, comparing the trip generation associated with the existing use at Queensmere Shopping Centre.
- 16.30 It can be seen that for the maximum office scenario an increase of 103 vehicle movements can be expected in the AM peak hour and a reduction of 342 vehicle movements in the PM peak hour. The maximum office scenario is therefore forecast to generate a total of 832 (residential and non-residential) two-way serving movements across a typical day. This equates to approximately 70 two-way vehicle movements per hour based on a typical 12-hour day (0700-1900).
- 16.31 In the maximum office scenario there is forecast to be an increase of 293 rail trips in the AM Peak Hour and a reduction of 118 rail trips in the PM peak hour can also be expected.
- 16.32 It can be seen that, for the maximum office scenario, an increase of 103 vehicle movements can be expected in the AM peak hour, which includes an additional 11 vehicles accessing the site and an additional 92 vehicles leaving the site. In the PM peak hour a reduction of 342 vehicle movements is expected. In the maximum office scenario, there is forecast to be an increase of 293 rail trips in the AM Peak Hour and a reduction of 118 rail trips in the PM peak hour can also be expected.
- 16.33 For the maximum residential scenario an increase of 61 vehicle movements can be expected in the AM peak hour, which includes an increase of 190 vehicle movements exiting the site in the AM peak hour and a reduction of 129 trips accessing the site. This shows a change in the tidal direction of movements to and from the site compared to the existing situation. In the PM peak hour, a reduction of 386 vehicle movements is expected.

Traffic Modelling

- 16.34 The highway impacts associated with the Maximum Office scenario and the Maximum Residential scenario have been determined using a cordon of Slough Borough Council's Multi-Modal Model (hereafter referred to as "SMMM17"), which extends to the Slough urban area. The SMMM17 is a SATURN model and is validated to a base year of 2017 and has a forecast year up to the end of the Plan Period in 2036. A detailed review of the strategic modelling output and the individual junction capacity assessments revealed that the A4 bus lanes were not included in the Do Minimum and Do something strategic model runs in the TA. The traffic flows from SATURN and trip generation data from the applicant was input to specific models of local junctions using LINSIG, ARCADY and PICADY software.
- 16.35 The development has been found to have a material impact on the following junctions: A4 Wellington Street / A412 Uxbridge Road signalised roundabout, A4 Wellington Street / Wexham, A4 Bath Road/Stoke Poges Lane/Ledgers Road signalised junction, The following junctions were assessed and forecast to operate with spare capacity and did not need mitigation: A4 Wellington Street/Wexham Road, Windsor Road / Herschel Street Junction, Windsor Road/ Albert Street/ Chalvey Road, A4/London Road/Sussex Place/Langley Road, A4 Wellington Street / William Street.

Mitigation

- 16.41 SBC have agreed a Section 106 contribution of £3.5 million with the Applicant towards sustainable highways and transport improvements identified in the Strategic Transport Infrastructure Plan. Origin have advised that capacity improvements or signals optimisation are unlikely to resolve the impact on queueing and it is noted that three junctions operates over-capacity in the baseline and assessment years. Improvements to public transport and active travel are considered the most effective form of mitigation to move people sustainably and reduce the number of vehicles on Slough's roads. The S106 financial Contribution within Slough Town Centre/Square Mile and within the immediate vicinity of the will be used towards infrastructure including but not limited to:
- Consulting, preparing and making traffic regulation orders (TRO where necessary);
 - specified local highways mitigation and public realm improvements to enhance and improve the walking, cycling (refer below) and public transport infrastructure and improve safety, manage capacity/flows and improve the environment;
 - initiatives to improve local public transport services such as (but not limited to) improvements to accessibility, Real Time Displays, Bus Services capacity/routes (including Secondary School Services), EV charging bus infrastructure & promoting the rapid transit schemes; and/or
 - the review of existing controlled parking zones within the vicinity of the Development and associated TRO
 - EV Infrastructure towards Ultra Low Emission Vehicle Recharging Infrastructure; Town Centre EV Car Club, EV Car Club Subsidisation Scheme; and Taxi EV Infrastructure.
- Measures aimed at improving cycle connectivity, towards which the transport contribution could be used include:
- A contribution towards improvements to north south connectivity along Brunel Way between the railway station and the site.

- Measures to improve access to public transport, to which the transport contribution could be used include:
 - Provide bus stop wayfinding scheme (“where to catch your bus”) at Bus Station / Wellington Street / Brunel Way / High Street / Windsor Road (north end).
 - Reposition bus stops in Wellington Street as needed to allow: i) buses to serve stop in Wellington Street before turning right into Brunel Way or Stoke Road; ii) lining up with new pedestrian access points to and from the development and crossing points to the rail station and bus station; this may enable consolidation of the existing two westbound stop sets into one, or could mean splitting the existing eastbound single stop set into two sets.
 - consolidate existing eastbound bus stop in High Street near western end of site by removing redundant bus shelters.
 - Ensure all bus stops in Wellington Street, High Street and Windsor Road (north end) have real-time information screens.
 - Provide CCTV at all bus stops in Bus Station / Wellington Street / Brunel Way / High Street / Windsor Road (north end)
 - Revenue contribution (for x years) to enhanced Sunday and evening bus service to ensure 20-min (core network) / 60-min (secondary network) headways and last bus at least around midnight on all routes serving the development.

16.42 In addition to the above STIP measures covered by a S106 financial contribution (in paras 16.41), it is proposed that the following physical works are required and delivered by the applicants as part of the development. These could be delivered via a S278 Highways Agreement and to improve site connectivity,

- The upgrading of the footway/cycleway provision along the A4 site frontage to provide a minimum 3m wide footway/cycleway (S278)
- The provision of a new straight across toucan crossing to connect the site to Brunel Way and replace the existing staggered crossing (S278);
- The removal of the existing signalised crossing a short distance to the west of Brunel Way on the A4 to concentrate the desire line and improve the operation of the A4.
- A new toucan crossing on Queensmere Road (S278);
- Improvements to the pedestrian crossing of the southern arm of the HTC roundabout (S278)

16.43 The Applicant and LPA have agreed that a minimum contribution of £2.7m is secured towards the above items in both residential or office scenarios with an additional £800,000 of contribution secured to mitigate the impact of the offices (in this scenario only). The additional contribution would be calculated on a pro-rata basis which relates to the quantum of office floorspace to be constructed. It is considered that the impact of the offices would place some additional burden on public transport and pedestrian/cycle connections therefore it is necessary to mitigate this effect through the additional contributions. Up to £3.5m is therefore secured in phased payments towards sustainable transport infrastructure in the max office scenario.

- 16.44 In addition to the contributions towards STIP measures, SBC and the applicant have also agreed to non-physical mitigation in the form of a Car Parking Management Plan for both the office and residential elements which explains how the office and residential parking will be enforced and demonstrate that any reduced parking will not displace parking off site and a Delivery and Servicing Management Plan which will set out the control measures for controlling delivery and servicing movements on site. Furthermore, Travel Plans (for residential, nursery and flexible town centre, office and sui generis land uses) and monitoring will also be included as a planning obligation.
- 16.45 Subject to the provision of detailed information and compliance with the aforementioned conditions and planning obligations, the proposals are considered to be broadly compliant with the relevant saved transport and highways policies in the Local Plan (T2, T8 and T9) and the Core Strategy Policy 7, and the NPPF (2021) and would not result in severe impacts.

17.0 **Sustainability and Energy**

- 17.1 As a part of the Environmental Statement (ES) submitted by the Applicant and prepared by Watermans, an Indicative Sustainability and Energy Strategy has been submitted.
- 17.2 As outlined within the ES section of the Report, the Indicative Sustainability and Energy Strategy outlines that the Development could be all-electric, utilising zero-emission technologies, with no combustion sources proposed. It should be noted that though the strategy analyses both office-led and residential led scenarios, the document is indicative.
- 17.3 Within Chapter 10 of the ES, Greenhouse Gases (GHG) are discussed. As summarised within the ES section of the report, consideration has been given to anticipated effects of GHGs and other receptors sensitive to climate change. For both the enabling/construction phase and operational carbon emissions predicted for the Development (considering both development scenarios), the anticipated impact has been identified as negligible, insignificant effect. Within the ES review section of the report, a series of mitigation and enhancement measures have been outlined to be reviewed as part of the RMA design to further reduce the magnitude of significance of CO2 emissions during enabling, construction, complete and operational development to further reduce CO2 emissions.
- 17.4 As part of the assessment of the application, consultation comments have been provided by the Special Projects Officer in relation to Energy, Sustainable Design and Construction, and initial comments provided by the Carbon Compliance Officer.
- 17.5 No objections have been received and it is noted that the carbon emissions would be better than the SBC planning guidance standards and energy policies (Developers Guide Part 3 updated Sept 2017 page 15 (15%) and Interim Town Centre Regeneration Framework (19%)) which are higher than 2013 Building Regulations as it currently standards. With respect to the use of low carbon/renewable energy the indicative strategy outlines a performance better than 10% as outlined in the Council's published guidance and BREEAM targets. It is recommended by officers that a condition to commit to an improved percentage performance of this 10% target through future applications. It is also hoped that improvements to the current minimum standards though future applications, given the aims of "Build net Zero now" and that new Building Regulations could come into force in 2025.

17.6 In relation to ventilation and overheating, a mitigation study is recommended to be provided by condition.

17.7 Core Policy 8 (Sustainability and the Environment) states that:

All development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change.

17.8 In relation to sustainable design and construction Core Policy 8 (Sustainability and the Environment) states that:

17.9 *All development should, where feasible, include measures to:*

- *Minimise the consumption and unnecessary use of energy; particularly from non renewable sources;*
- *Recycle waste*
- *Generate energy from renewable resources;*
- *Reduce water consumption; and*
- *Incorporate design and construction techniques, including the use of recycled and energy efficient building materials.*

17.10 Officers note that from the findings of the Indicative Energy Strategy the impact of the development in both flexible scenarios (office or residential-led) could be negligible subject to measures being incorporated into the design. However, as the strategy is indicative, a mitigation package is required for the development for all the outlined phases of development. Further comments in relation to this have also been made within the ES section of the report.

17.11 Therefore, whilst officers accept that the proposal does not yet demonstrate compliance with Core Policy 8 of the Core Strategy or the targets set out within Developers Guide Part 3 updated September 2017 and Interim Town Centre Regeneration Framework, the potential measures outlined in the initial strategy demonstrate that the proposals are capable of demonstrating compliance at the reserved matters and conditional stages. Conditions are proposed to be attached to deal with the following matters and to ensure the relevant mitigation and enhancement measures are provided for assessment for future Reserved Matters applications: Condition 10 (Energy and Sustainability), Condition 36 (Whole Life Carbon Assessment), Condition 37 (Energy Statement Compliance (Residential)), Condition 38 (Energy Statement Compliance (Non-Residential)), Condition 39 (BREEAM Very Good for non-residential uses), Condition 40 (Overheating Analysis).

16.1 Crime and Prevention

16.2 With respect to the prevention of crime through design, the outline scheme provides some guidance in the Design Code illustrated with potential examples in the Design and Access Statement. Detailed design has not been provided at this application stage and will be provided and secured through the Reserved Matters Stage. It is also noted that the Parameter Plans do not cover specific details in relation to designing out crime, with respect to street/building design and landscaping as that the final building forms within each zone have not yet been finalised.

- 16.3 With respect to the documents offered for approval, the Design Code outlines methods of strategic control and rules for design.
- 16.4 G5/61 outlines that the design should maximise activity from placement of seating and play/socialising areas within key public spaces to provide natural surveillance to deter against crime and anti-social behaviour. Diagrammatic examples are also provided within the code.
- 16.5 With respect to the Illustrative Scheme, the Design and Access Statement outlines 7 key aspects from Secured by Design for securing sustainable communities:
- Access and Movement,
 - Structure,
 - Surveillance,
 - Ownership,
 - Physical Protection,
 - Activity, and
 - Management and Maintenance.
- 16.6 The Design and Access Statement shows illustrative plans for identifying residential lobbies and entrances on primary and secondary routes.
- 16.7 Core Policy 12 of the Core Strategy discusses Community Safety and states that:
- Developments to be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime.*
- 16.8 Policy EN5 of the Local Plan discusses Design and Crime Prevention and states that:
- All developments schemes should be designed to reduce the potential for criminal activity and anti-social behaviour.*
- 16.9 Paragraph 130 (f) of the NPPF also states that:
- Planning decisions should ensure that developments:*
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 16.10 Consultation comments have been provided by Thames Valley Police and Community Safety.
- 16.11 Thames Valley Police:
- 16.12 No specific objections were raised to the outline proposal, however a series of comments in relation to the use, access, surveillance and design of the podium gardens as residential amenity space, defensible space, counter-terrorism surveillance measures and bike and bin stores were provided for consideration for subsequent applications as the design and applications evolve.

16.13 Community Safety:

- 16.14 In meetings with Officers, no specific objections again were raised to the outline application, however general comments were provided in relation to the scheme. It is noted that details of security management, street protection through design (bollards, kerb heights), street furniture, CCTV, access to and from the High Street, active frontages, site wide pedestrian movement and route accesses all need to be considered with respect to the scheme going forward with future Reserved Matters applications. It is noted therefore that discussions with regards to community safety and security should be on going throughout the development of the scheme to ensure concerns can be addressed during the appropriate stage in the process.
- 16.15 It is noted by Officers that detailed design in relation to crime and community safety at this point has not been provided, given the stage and nature of the outline submission with no finalised building forms provided at this point. The outline scheme at this stage provides limited detailed information with respect to design interventions to be undertaken to minimise crime and anti-social behaviour. Compliance with policy EN5 of the Local Plan or Core Policy 12 of the Core Strategy has not been demonstrated yet through the detail provided in the submission. However, Officers acknowledge that it is not possible to confirm compliance until final building forms and landscaping plans/strategies are in place. To satisfy Paragraph 130 (f) of the NPPF, the following conditions are proposed to be secured by the permission to ensure that sufficient details are provided through the Reserved Matters applications in order to ensure the development as a whole is a safe, inclusive and accessible place where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience: Condition 11 (Site Wide Landscape and Public Realm Strategy), Condition 15 (details of Access), Condition 16 (Inclusive Accesses), Condition 26 (Design Code), Condition 27 (Secure by Design), Condition 28 (Lighting), Condition 30 (Wayfinding, Signage and Street Furniture), Condition 62 (Laminated/Attack Resistant Glazing).

19.0 **Environmental Issues**

- 19.1 This section includes a planning assessment of the following topics, including topics scoped into the EIA.

- **Noise and Vibration**
- **Air Quality**
- **Ground Contamination**
- **Sunlight & Daylight & Overshadowing**
- **Wind Microclimate**
- **Flood Risk, Water & Drainage**
- **Archaeology**
- **Socio-Economic**

Noise and Vibration

- 19.2 Notwithstanding the ES section on noise and vibration, given the outline nature of this application and land use locations cannot be confirmed at this stage, the Council's Environmental Quality Officer has recommended that a detailed noise impact

assessment and mitigation design report is undertaken at RMA. Detailed comments have been provided in terms of the scope of what would be required within the assessment, for example it would need to consider the noise impacts from existing and new sources such as road, rail and aviation traffic and plant noise (mechanical plant associated with commercial units, building ventilation, and power generation, sub stations etc) on existing and future noise sensitive receptors of the development.

- 19.3 The assessment will include a noise mitigation scheme which will demonstrate how the design, orientation, internal layouts and additional mitigation measures will minimise adverse noise impacts and provide an acceptable level of amenity for future residents. The scheme will include detailed specifications for any acoustic enclosures, screening, glazing, ventilation and cooling that are identified as necessary to protect the future residents.
- 19.4 The measures set out in the approved mitigation scheme will be fully implemented in the construction of the residential development and retained in good working order at all times in the future and the following should be noted:
- *Internal Noise Level Criteria:* To assess site suitability, comparison will be made to internal noise levels criteria. Internal noise levels are expected to not exceed recommended noise levels of 30dB in bedrooms and 35dB in living rooms.
 - *External Noise Level Criteria:* External amenity space will be expected to comply with the 50-55dB noise level recommendation, where possible.
 - *Plant Noise:* Any future plant noise will be limited to 5dB below the background noise level recorded at each long-term measurement location.
 - *Glazing and Ventilation:* Detailed façade acoustic performance requirements are required at the reserved matters application stages to optimise the façade design. Although the outline application noise report recommends double glazing (Rw+Ctr 37 dB) and ventilation, this will be a minimum standard and will be confirmed as each reserved matters application comes forward.
 - *Deliveries:* Night-time deliveries (between 2300-0700) must not exceed 5 per night.
- 19.5 Subject to the recommended conditions and appropriate mitigation, the Environmental Quality Officer raises no objections to the proposal. It is considered that subject to sufficient information being provided to satisfy the conditions at RMA stage, that the policy requirements of Core Policy 8 would be met and the LPA are satisfied that there are sufficient controls by virtue of the noise assessment condition which would seek to protect the amenities of existing residents surrounding the Site and the Development itself.

Air Quality

- 19.6 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 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.
- 19.7 The Council has adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic, requiring electric charging points, and low

emission boilers within new developments. The Low Emission Strategy is a material planning consideration but it does not form part of the current local development plan.

- 19.8 No objections are raised in respect of Air Quality impacts subject to the implementation of development including a number of mitigation measures. These measures include contribution towards the air quality monitoring network, rapid electrical vehicle charging bays, car club for on and off-site use and will be discussed further in the S106 contributions section below. The other measures listed can be secured by condition where relevant and as a result no objections are raised in this respect.
- 19.9 In addition to the list above, the Council's Environmental Lead has requested that the Air Quality Assessment accords with the Institute of Air Quality Management (IAQM) '*Guidance on the assessment of dust from demolition and construction*', 2014 (updated 2016) and include mitigation outlined within Appendix 9.3 of Environmental Statement - Volume 4 Appendices. Furthermore, that the once full details of the construction onsite plant are available, an assessment of exhaust emissions from on-site plant (also known as non-road mobile machinery or NRMM) and site traffic should be submitted to the Council and approved in writing. There would also be a requirement for a clear and complete record to be kept for the materials and resource used on site, imported and exported, including any waste produced, and this information must be included in the final validation reports for each phase, together with full details of items and tasks mentioned in the Environmental Protection section of the EA assessment should be accompanied by a Dust Management Plan (DMP) produced in line with the Institute of Air Quality Management (IAQM) '*Guidance on the assessment of dust from demolition and construction*', 2014 (updated 2016) and include mitigation outlined within Appendix 9.3 of Environmental Statement - Volume 4 Appendices.

Ground Contamination

- 19.10 Paragraphs 183 of the National Planning Policy Framework require a site to be decontaminated so that it is suitable for its proposed use. Core Policy 8 (Sustainability and the Environment) of the SBC's Core Strategy Document states that development shall not 'cause contamination or deterioration in land, soil or water quality' nor shall development occur on polluted land unless appropriate mitigation measures are employed.
- 19.11 The Council's Land Contamination Officer has not raised any concerns for the proposal. A Phase 2 Intrusive Investigation Method Statement, Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy and Remediation Validation are recommended as conditions. No objection is raised to the application in respect of contamination impacts, but a condition is recommended for further investigative works prior to development is required.

Sunlight, Daylight and Overshadowing

- 19.12 Core Policy 8 requires new development proposals to reflect a high standard of design and to be compatible with and / or improve the surroundings in terms of the relationship to nearby properties. The NPPF at paragraph 125 states that 'local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'
- 19.13 The application is accompanied by an Internal Daylight and Sunlight Assessment and Guidance for the proposed development itself. It should be noted that the daylight,

sunlight and overshadowing effects to neighbouring properties are stated with the ES section of this report.

- 19.14 The ES includes an assessment of Vertical Sky Component (VSC) and No-Sky Line (NSL) effects (for daylight), Annual Probable Sunlight Hours (APSH) for sunlight effects and Sun path analysis for Overshadowing impacts in respect of the impacts on existing properties surrounding the site. The following paragraphs summarise the planning considerations.

Daylight (Impacts on surrounding properties)

- 19.14 The ES reports that 60 of the 65 buildings identified would not experience a noticeable alteration in the levels of daylight that they receive with the completed Development in place and therefore the effects to these buildings are considered negligible in ES terms (of the 999 windows assessed for VSC 937 (93.7%) would meet BRE criteria which is considered a very high percentage of properties meeting the BRE targets. Of the 705 rooms assessed for NSL, 684 (97.0%) would meet BRE criteria).
- 19.16 Of the buildings whereby BRE transgressions are reported, the Church of Our Lady Immaculate and St Ethelbert Nave is reported to experience a negligible to minor adverse daylight effect and two properties (presbytery building of the Church and 186-188 High Street) are considered to experience minor adverse daylight effects. One residential building, 146-148 High Street - Butler House would experience major adverse daylight effects to the seven windows affected by the proposed Development. However, all other windows at this property overlooking Church Street would be unaffected by the proposed Development.
- 19.17 The new BRE Guide identifies that the Guidance and Standards may be applied flexibly in high density locations (such as town centres). Applying the BRE Guidance flexibly is also often required whereby it is necessary to increase housing supply and optimise use (and re-use) of brownfield/previously developed land (in accordance with the NPPF). Officers accept that that some divergence from the standards in the BRE Guidance is justified for this development given the low number of properties which do not meet the BRE guide and the overall high level of compliance within an urban town centre location.
- 19.18 In the cumulative scenario, with adjoining developments in situ, the ES reports no noticeable additional daylight effects would occur to 64 buildings, and therefore the overall effect is unchanged from the Development scenario. The Church of Our Lady Immaculate and St Ethelbert Presbytery, would experience noticeable additional effects in the cumulative scenario, and the effect is therefore considered to increase to a long term, local, adverse effect of moderate significance i.e. significant. It is understood that this building is not of primary residential tenure and as such is of lower sensitivity.

Sunlight Impacts

- 19.19 In relation to sunlight, the ES reports that 43 of the 44 buildings identified would not experience a noticeable alteration in the levels of sunlight that they receive with the completed Development in place and therefore the effects to these buildings are considered to be in accordance with the BRE guidance whereby no significant noticeable effect on sunlight would occur. Church Of Our Lady Immaculate and St Ethelbert Presbytery is considered to experience negligible to minor adverse effects in ES terms and therefore some noticeable change is expected to this property, although it is not considered to result in substantial harm.
- 19.20 In relation to sunlight, all 42 buildings identified would not experience a noticeable alteration in the levels of sunlight that they receive in the cumulative scenario and

therefore the effects to these buildings are considered to remain as reported for the Development scenario in isolation.

Overshadowing:

- 19.21 The overshadowing effect of the Development on the surrounding amenity areas was also assessed to the Church of Our Lady Immaculate and St Ethelbert Yard. The ES reports the impacts are considered long term, local, adverse of minor significance, however these impacts must be balanced against the significant new areas of public realm including the town square and local square which provide opportunities to improve on the quality of the current urban environment.
- 19.22 Given the outline nature of this scheme, a condition will be included for a daylight and sunlight assessment during the RMA stage, this will take into consideration the detailed design and provide a robust assessment of the site circumstances as they come forward to ensure that where possible the impacts in terms of daylight, sunlight and overshadowing can be appropriately mitigated.

Light Within Assessment

- 19.23 The Internal Daylight and Sunlight Assessment and Guidance ascertains the potential for the proposed buildings to offer acceptable daylight and sunlight amenity for the enjoyment of future occupants and provides guidance to be used at the detailed stages to ensure that the emerging designs make the most of the daylight and sunlight available on site.

Daylight Within Assessment

- 19.24 The methodology and criteria used for these assessments is provided by the Building Research Establishments guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011) and the British Standard document BS8206. The BRE guidelines are the accepted methodology used by local authorities for assessing daylight and sunlight levels.
- 19.25 The guidance sets out the primary methods of assessing daylight to existing buildings – the Vertical Sky Component (VSC). The VSC is measured from a single point, at the centre of the window, the quantum of sky visible taking into account all external obstructions. However, this assessment has been undertaken without any balconies in place as this will be resolved as part of the detailed design at the RMA for each phase.
- 19.26 The BRE Guidance states that the VSC assessments would result in the following levels of daylight:
- VSC levels above 27% conventional window design will usually give reasonable results
 - VSC levels from 15-27%, special measures are required;
 - VSC levels from 5-15%, adequate daylight can only be provided with very large windows;
 - VSC levels below 5%, it is often impossible to achieve reasonable levels of daylight.
- 19.27 The illustrative scheme has been modelled and the levels of VSC are listed below with design guidance to improve the daylight conditions:
- 47.3% of the façades (30,386 sqm) see levels of VSC of 27% or above, and therefore acceptable daylight levels indoors can be expected with a conventional design of internal layouts and façades;

- 32.7% of the façades (21,724 sqm) see levels of VSC below 27% but greater or equal to 15% and therefore acceptable daylight levels indoors can be achieved with slightly enlarged fenestration and shallower layouts;
- 19.8% of the façades (13,121 sqm) see levels of VSC below 15% and greater or equal to 5%. Adequate daylighting can be achieved in these areas provided there is no further obstruction of the sky and special measures, such as shallow layouts, enlarged fenestration and a careful positioning of balconies, are implemented;
- Only 0.3% of the facade area (167 sqm) sees levels of VSC below 5%. In these areas, bedrooms with maximised fenestration can still achieve acceptable daylighting, whilst living areas would struggle to achieve compliance.

19.28 In terms of daylight, it is evident from the above that courtyard configurations are typically challenging owing to the façades facing one-another, and lower levels of daylight availability can generally be seen on the lower floors. In consideration of this, the assessment states that the proposed courtyards have been designed with a north-south layout and generous proportions which aid daylight in reaching the lower floors. The majority of courtyard façades see VSC levels in excess of 15% meaning that acceptable daylight can be achieved indoors with the use of daylight design strategies. Any internal corners tend to see slightly lower levels of daylight potential and care will be needed in the design of flats within the areas.

19.29 Lower levels of daylight availability can be seen on the lower floors of façades along streets where two linear blocks face one-another. This block configuration is common in developing the urban grain within a regenerative masterplan but here it is expected that the ground floors of many streets will be given up to non-residential uses such as shop fronts, other commercial uses and so the effect to the lowest floors is likely less significant than presented here.

19.30 The report states that the vast majority of façades have the potential to offer good daylight amenity indoors. Whilst areas of limited daylight availability are typical of an urban context, and generally unavoidable in schemes of this size, these can be addressed at the detailed design stage to ensure that adequate daylight levels are achieved within the residential accommodation. The daylight ingress within the rooms can be maximised in several ways, the most relevant of which are summarised below:

- Enlarging fenestration to help maximise the daylight ingress, with raised window-heads being particularly effective to optimise the distribution of light within the rooms.
- Bay windows or pop-out windows would help capturing peripheral light on the façades that are most obstructed by the massing opposite.
- Balconies and overhangs significantly reduce the light entering windows below them and this is exacerbated if there are large obstructions opposite. As daylight is generally regarded as most important in living areas, balconies obstructing windows serving living areas should be avoided in the areas of lowest daylight potential. Should balconies in front of living areas be unavoidable, at least one unobstructed window should be provided.
- Dual-aspect living areas would enjoy greater levels of daylight as well as enhanced views.
- Keeping room depths to a minimum would allow light to reach the rear of the rooms, thus ensuring a uniform daylight distribution.
- light-coloured exterior and interior finishes would ensure that light is reflected off the lighter surfaces and distributed evenly within the habitable rooms.

Sunlight Within Assessment

- 19.31 The BRE guide considers the critical aspects of orientation and overshadowing in determining the availability of sunlight at a proposed development site. The guide proposes minimizing the number of dwellings whose living room face solely north unless there is some compensating factor such as an appealing view to the north, and it suggests a number of techniques to do so. Furthermore, it discusses massing solutions with a sensitive approach to overshadowing, so as to maximize access to sunlight.
- 19.32 To quantify sunlight access for interiors where sunlight is expected, it refers to the BS 82606-2 criterion of Annual Probable Sunlight hours (APSh). APSh is defined as *“the total number of hours in the year that the sun is expected to shine on unobstructed ground, allowing for average levels of cloudiness at the location in question.”* In line with the recommendation, APSh is measured from a point on the inside face of the window, should the locations have been decided. The BRE guidance states the following:
- “In general, a dwelling or non-domestic building which has a particular requirement for sunlight, will appear reasonably sunlit provided that:*
- *At least one main window faces within 90 degrees of due south, and*
 - *The centre of at least one window to a main living room can receive 25% of annual probable sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March.”*
- 19.33 The 3D computer model was also used to ascertain the APSh levels that would be enjoyed by the residential façades within the outline element of the proposed development. As per the VSC assessment, the façades are split in tiles, the colour of which represents the APSh value achieved at that location. Two maps are produced from each viewpoint, one showing the levels of annual PSh and one showing the levels of winter PSh. The BRE’s recommendations on APSh are that windows see 25% APSh total throughout the year with 5% of that being during the winter months.
- 19.34 The assessment concludes that 88% of the facade area meets the BRE recommendation of 25% for APSh and 93% meets the recommendation of 5% for WPSH, 85% of the facade area meets both criteria. As such, good levels of sunlight can be achieved within the vast majority of living rooms facing within 90° of due south when the plots are designed in detail. Care will be needed in the isolated areas and this can be assessed at the time of the RMA stage.

Overshadowing

- 19.35 The BRE guidance in respect of overshadowing of amenity spaces states the following:

“Sunlight in the spaces between buildings has an important impact on the overall appearance and ambiance of a development. It is valuable for a number of reasons:

- *To provide attractive sunlit views (all year)*
- *To make outdoor activities, like sitting out and children’s play more pleasant (mainly during the warmer months)*
- *To encourage plant growth (mainly in spring and summer)*
- *To dry out the ground, reducing moss and slime (mainly during the colder months)*
- *To melt frost, ice and snow (in winter)*
- *To dry clothes (all year)”*

- 19.36 In urban areas, the availability of sunlight on the ground is a factor which is significantly controlled by the existing urban fabric around the site in question and so may have very little to do with the form of the development itself. The BRE document states that:
- “It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March”.*
- 19.37 The sun hours on ground assessment of the town square shows that 79% of its area will receive direct sunlight for two or more hours on the equinox (21st March), easily exceeding BRE’s recommendation of 50%. The sun exposure assessments also demonstrate that the vast majority of the town square will receive at least three hours of sunlight on the equinox and six or more hours of sunlight on the summer solstice (21-June).
- 19.38 The streets themselves offer additional ground level amenity space to be enjoying throughout the year. Overall, the streets and the smaller squares found at their junctions are narrower and between the blocks so see lower levels of sunlight but greater levels of light can still be seen, particular on those streets aligned north-south as is to be expected.
- 19.39 The north-south alignment of the Illustrative Scheme significantly aides sunlight penetration and this can be seen in the summer months in particular. This north-south alignment most significantly benefits the proposed courtyards though and the levels of levels of sunlight are much higher in the courtyards than are often found and all but two of them see over the 50% recommended.
- 19.40 The two courtyards not achieving this level of sunlight are that in Zone 1 which is a small space looking north and the eastern courtyard of Zone 4 owing to it being slightly narrower than the western courtyard (achieving over the 50% recommended). Given the excellent performance of the courtyards overall and the north-south alignment of routes supporting pedestrian movement and accommodating desire lines, two of the smaller courtyards seeing slightly lower levels of light is considered acceptable on balance.
- 19.41 Overall, the assessment has demonstrated that the scheme would offer acceptable daylight and sunlight amenity overall when designed in detail. As with any large-scale central urban regeneration scheme, there are areas that are likely to experience slightly lower daylight and sunlight potential where greater levels of obstruction occur, however with consideration given to the internal layouts, fenestration and balcony strategy, at the reserved matters stage for each plot, the levels of light indoors are expected to be acceptable for a scheme of this scale and density.
- 19.42 The RMA for each phase of the development will include a full detailed assessment of sunlight, daylight and overshadowing once details are known of room layouts and fenestration and this will be conditioned. As the BRE guidance has been revised, the assessment undertaken at RMA will need to be in accordance with the updated BRE guidance. On this basis, the proposals accord with Core Policy 8 and the NPPF.

Wind Microclimate

- 19.43 Core Policy 8 requires new development proposals to reflect a high standard of design and to be compatible with and / or improve the surroundings in terms of the relationship

to nearby properties. One of the principles set out within the NPPF is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future users of land and buildings.

- 19.44 As discussed within the ES section of this report, a detailed assessment of wind microclimate has not been undertaken given the nature of this outline application. A condition has been proposed which would require a detailed wind assessment and appropriate mitigation for each development zone prior to any commencement coming forward at the RMA stage to ensure that the microclimate is suitable for the intended users of the spaces. For example, the microclimate of the town square and main commercial streets, needs to be satisfactory to invite and retain footfall, ensuring that a sustainable place is created which has an acceptable comfort level for people to experience.
- 19.45 As the detailed design of the scheme would have evolved and become more defined overtime with further information known on matters such as layout, height, orientation, entrance location, seating areas, landscaping treatment, public spaces, land uses, wind would be appropriately assessed at that stage of the development. The Council's consultant's BRE have reviewed the wording of the condition and confirmed that it would be acceptable. Thus, as wind could be addressed as part of the RMA stage, this element is not considered to be in conflict with principles set out within the NPPF and Core Policy 8 subject to the imposition of conditions.

Flood Risk and Drainage

- 19.46 Core Policy 8 states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality. Sustainable Drainage Systems (SUDs) are an effective way to reduce the impact of urbanisation on watercourse flows, ensure the protection and enhancement of water quality and encourage the recharge of groundwater in a natural way. The National Planning Policy Framework states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Advice from the lead local flood authority should be taken into account
- 19.47 Parts of the Site are located within Flood Zone 1, identified as land assessed as having a less than 1 in 1000 year annual probability of river/tidal flooding. The Site is therefore considered to be at little or no risk of fluvial or tidal/coastal flooding. It should be noted that parts of the Site are at a high risk of surface water flooding. However, these are generally localised areas which coincide with the lower levels of the Site or where water ponding could occur. Refer to the map below:



Fig 43: Flood Zone Map

- 19.48 A Drainage Strategy and Flood Risk Assessment has been produced by Arup. As a summary, the potential sources of flooding which could affect the Illustrative Scheme have been considered and assessed as follows:
- The risk of surface water is considered to be medium;
 - The risk groundwater is considered to be low;
 - The risk of sewer flooding is considered to be low;
 - The risk of fluvial and tidal flooding is considered to be low; and
 - The risk of flooding from artificial sources is considered to be very low.
- 19.49 The Flood Risk Assessment states that finished Floor Levels (FFLs) of 300mm above the general ground level are recommended to account for the 'medium' surface water flood risk in the application site. This shall result in most areas having FFLs set 300mm above the level of the external drainage pathways in accordance with the guidance, particularly for the 'more vulnerable' residential uses where the internal levels and damp-proof course shall be set 100 to 150mm above the external levels which will be in turn 150mm above the drainage pathway based on a standard kerb. Further ground investigations are required to understand groundwater below The Site in more detail. This is due to the proposed basements that may be incorporated into the design and deep excavations likely during construction works to demolish existing basements.
- 19.50 The Drainage Strategy states that the Development proposals and associated storm drainage strategy will be designed to manage and control any potential surface water flooding in extreme storm events to acceptable levels where possible. Furthermore, that any flooding that occurs during such an event will be managed as not to avoid any flooding of properties and that green infrastructure elements such as raingardens and swales will be utilised across the development where possible.
- 19.51 The Lead Local Flood Authority have been consulted with regards to the submitted flood risk assessment and drainage strategy. The LLFA have stated that the general principles for the surface water drainage proposals are acceptable and have recommended further information as part of the RMA stage which has been conditioned. Overall, it is considered that as flood risk and drainage arising from the development will be designed to minimize impacts in a sustainable way, subject to conditions, the proposals are considered to comply with Core Policy 8 and the NPPF

Archaeology

- 19.52 Paragraph 205 of the NPPF (2021) 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.'*
- 19.53 The Site extends to approximately 4.82 ha and the applicant has submitted an Archaeological Desk-Based Assessment to Berkshire Archaeology which concluded the following:
- "The desk study submitted alongside the application contains historic mapping which clearly shows the site has been developed multiple times across the whole area. This action will have likely had a serious negative impact on the potential for archaeological remains to survive at the site. Therefore, in this instance, Berkshire*

Archaeology is satisfied that the development should not be subject to any scheme of archaeological mitigation works should it be permitted.”

- 19.54 As Berkshire Archaeology has not raised any objection to the development, the proposals are considered to comply with the requirements set out in the NPPF paragraph 205.

Socio-Economic

- 19.55 The NPPF seeks to achieve healthy, inclusive and safe places, promoting social interaction, safe and accessible development and support healthy life-styles. This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way, and designation of local spaces.
- 19.56 The ES identifies that the proposals are anticipated to result in impacts and demands on employment during demolition/construction and operational phase, housing provision, schools, GPs and open space and recreation facilities as a result of the development proposed. Officers consider that this demand could be suitably mitigated via financial contributions secured by the section 106 agreement.
- 19.57 To address the possible impacts, the applicant has provided a range of measures to cater in part for the needs of the development in addition to proposing financial contributions towards off and on-site infrastructure for both the commercial and residential use. As set out in heads of terms, and in consultation with the relevant department contributions will be secured by way of a Section 106 planning obligations towards the following infrastructure:
- Affordable housing provision
 - Education provision
 - Sustainable transport and air quality improvements and off-site highway works (s278)
 - Burnham Beeches SAC mitigation (within SBC)
 - Travel Plans
 - Employment and Training Initiatives
 - Meanwhile Use Strategy
 - Town Centre Open Space Operations Management Plan
 - Local Employment, Skills and Training Plan
 - Town Centre Leisure Use Marketing Requirements
 - Scheme for Public Art
 - Car Park Management Plan
- 19.58 In terms of healthcare provisions, 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.
- 19.59 The NHS's 'Find a GP' online search tool indicates there are 9 GP surgeries within 1 mile. These surgeries are staffed by an aggregate total of 30.8 FTE GPs and have a total of just over 78,300 registered patients. Whilst these GP surgeries are accepting new patients, there is an overall aggregate ratio of 1 FTE GP per 2,542 patients, which is above the recommended benchmark of 1 FTE GP per 1,800 patients.

- 19.60 Notwithstanding, Crosby House Surgery located 1-mile to the northwest has a ratio of 1,545 patients per GP. As such, there is indicatively surplus capacity for an additional 1,910 patients against the recommended benchmark ratio.
- 19.61 There are 7 dental surgeries within 1 mile of the Site. Whilst some of these dental surgeries are accepting new patients, the Development Proposals include flexible Class E and Class F floorspace which could accommodate a new practice for new and existing residents should there be a requirement, and subject to the relevant RMA assessments.
- 19.62 The local hospital is Upton Hospital which is located 0.5 miles south of the Site. It provides a range of healthcare services including dietetics, sexual health and community nursing. Wexham Park Hospital is located 2 miles to the north and includes an Accident and Emergency department, as well as maternity, general surgery and rheumatology services.
- 19.63 Based on the proximity of local facilities in the area, and the phased nature of the development being brought forward over time, it is considered the additional demand for healthcare provisions would generate an impact on existing facilities but this can be planned for as part of the wider Town Centre regeneration strategy and the Local Plan process which seeks to enable the provision of adequate healthcare provision to cater for the new development. It is considered that there is sufficient provision of local services and infrastructure serving the development in order to plan for healthy communities in accordance with the NPPF.

20.0 Fire Safety

- 20.1 The Department for Levelling Up, Housing and Communities (DLUHC) published additional national guidance on 1st August 2021 relating to fire safety and high-rise residential buildings. The guidance introduces additional measures to ensure fire safety matters are incorporated at the planning stage for schemes involving a relevant high-rise residential building. The requirements apply to applications for planning permission made on or after 1 August 2021 as a result of the Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021 ("the 2021 Order").
- 20.2 The Government made a commitment in 'A reformed building safety regulatory system: government response to the 'Building a Safer Future' consultation' to introduce 'Planning Gateway One' which has two key elements:
- to require the developer to submit a fire statement setting out fire safety considerations specific to the development with a relevant application for planning permission for development which involves one or more relevant buildings, and
 - to establish the Health and Safety Executive as a statutory consultee for relevant planning applications
- 20.3 In accordance with this national requirement, the Applicant has submitted an Outline Fire Statement and has consulted HSE (Gateway One) and the Local Fire Services.
- 20.4 The Outline Fire Statement identifies the fire safety guidance, BS 9991:2015 and BS 9999:2017 will be applied to form the fire strategy for all residential and non-residential buildings at the development. These have been superseded by the Approved Document B which came into effect June 2022. As such, it will be necessary for the developer to ensure the appropriate fire safety measures are incorporated into the

detailed design which comply with the up-to-date standards at the time of submission, approval and/or construction.

20.5 An indicative road layout has been included in the Outline Fire Statement to illustrate the principles of the potential approach to Fire Service access which could be implemented at the site. The Outline Delivery and Servicing Strategy has also been tested for larger emergency vehicles. Further details will be provided at the reserved matters stage to enable the fire service vehicles can access all parts of the site.

20.5 The Outline Fire Statement makes a commitment to adhere to the relevant fire safety standards by stating:

“This statement will demonstrate the overall fire safety strategy for the scheme as it develops, however it is noted that more specific fire safety items, as set out within the formal Gateway One fire statement, will be addressed at the point of submitting the reserved matters applications for relevant phases of the development”.

20.6 Therefore, as there is presently insufficient fire safety information available with this outline planning application, the HSE raise no objection subject to a condition requiring the submission of a satisfactory fire statement with any reserved matters application, and that HSE is consulted in conjunction with the Local Planning Authority’s consideration of any reserved matters application. In response, a condition is included which will require a fire statement with all relevant reserved matters applications. The HSE will be formally consulted on these submissions.

21.0 Equality - Equality Considerations

21.1 The Council is subject to the Public Sector Equality Duty in section 149 of the Equality Act 2010, which (amongst other things) requires the Council to have due regard to the need to eliminate discrimination/harassment/victimisation, advance equality of opportunity between people who share (and do not share) a protected characteristic and foster good relations between people who share (and do not share) a protected characteristic.

21.2 Having due regard to the need to advance equality of opportunity between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

21.3 Having due regard to the need to foster good relations between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) tackle prejudice; and (ii) promote understanding.

21.4 The protected characteristics referred to in the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The PSED is a continuing duty to have regard to the objectives identified in the Act as opposed to requiring the Council to achieve any particular outcome.

- 21.5 Throughout this report, due regard has been had to the needs of individuals with these protected characteristics, as required by the Act in order to understand the likely impact of the development proposal on them. Given that the duty is an ongoing one the Council will continue to have regard to it throughout the detailed design stage of this development proposal in due course. The application has been publicised in the local newspaper and a number of site notices were placed, inviting representations, following a review of the consultation process, matters raised have been adequately addressed within the relevant sections of the report and have been taken into consideration as part of the decision-making process. As noted within the recommendation, the LPA is awaiting a response from The Garden Trust and any comments received will be taken into consideration and should there be an impact to any protected characteristics, these will be addressed accordingly.
- 21.6 Conditions have been recommended to ensure the layout, accessibility provisions and design quality is secured which will provide commercial and residential accommodation suitable for individuals. There will also be a condition for both the construction and operational phase of the development to ensure that there is natural surveillance, active frontages, lighting and secure routes to make the development safe and secure, therefore considerate of all individuals with protected characteristics.
- 21.7 It is considered that there will be temporary (but limited) adverse impacts whilst the development is under construction. 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. However, measures can be incorporated into the demolition method statement and construction management plan to mitigate the impact and minimise the extent of the effects.
- 21.8 The provision of a nursery on the site provides facilities for people with younger children and the access to this facility should be designed with the needs of visitors in mind eg: level accesses and ramps are provided with storage for push chairs/prams.
- 21.9 As detailed design is not known, an accessibility condition will be included to ensure level threshold access where possible within the Development, for example to individual and communal entrances to the dwellings, commercial units, nursery are accessed by way of ramps and level thresholds which considers the needs to people with characteristics such as those with disabilities, pregnancy/maternity or age characteristics.
- 21.10 There will be the loss of the existing shopping centre, its associated car park and some residential units which currently provides a range of different uses and there will be an adverse impact to individuals that visit the shopping centre. During the construction phase, a Meanwhile Use Strategy has been conditioned to provide some uses on a temporary basis, the exact land uses are not known at this stage and the RMA will undergo an Equality Impact Assessment (EqIA) to ensure that the uses meet the needs of individuals with protected characteristics when assessing the uses, temporary routes, accesses and parking provisions. It should also be noted that the Observatory Shopping Centre will remain open and this still provides a number of uses to cater for people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors which is adjacent to the Site. In terms of operational uses, there is a minimum requirement to provide range of land uses including town centre uses ranging from retail, leisure, community, food and beverage uses, financial institutions etc that will be lost and this re-provision will be assessed in accordance with the Equality Act at the RMA stage once further information is known.

- 21.11 A planning condition will be secured to ensure that external ground surface materials contain tactile paving where appropriate in order to delineate the pedestrian and cycle routes, and the vehicular routes.
- 21.12 In relation to the car parking provisions and due to the loss of some existing car parking in the existing Queensmere MSCP, there are potential adverse impacts on individuals within the pregnancy/maternity, disability and age protected characteristics if the occupier/individual does not have access to a car parking space in the development, or off-site in the CPZ. Furthermore, the car park which forms part of the Queensmere will be demolished and this could result in adverse impacts on individuals within the pregnancy/maternity, disability and age protected characteristics, however there are a number of public car parks in close proximity to the site and the car park for the Observatory will remain operational which is adjacent to the site. It is considered, as a matter of judgement, that throughout both the construction and operational phases of the development there would be an acceptable provision of car parking (within and outside of the development) to serve those who would be most disadvantaged by any loss of existing on-site car parking. A justification for the level of car parking within the new development is provided in the transport section of this report to demonstrate compliance with the NPPF and transport planning policies in the Local Plan/Core Strategy and this will set out the appropriate provisions for fully accessible parking bays (no less than 5% of the total number of spaces).
- 21.13 The development provides opportunities within all Development Zones for a substantial level of new Class C3 residential accommodation including up to 20% as Class C2 extra care/care home. No less than 75 x homes will be built as affordable within Phase 1, and potentially addition affordable housing will be delivered in later phases subject to viability reviews. This enables the development to provide a range of new accommodation which would be available to all individuals with the protected characteristics, resulting in a betterment in accommodation at the existing site. The reserved matters applications will include details of layout, scale, design, landscaping and access which will enable the needs of individuals with protected characteristics to be fully considered at this detailed stage.
- 21.14 The recommendation includes satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act. In conclusion, it is considered that the needs of individuals with protected characteristics have been considered by the Local Planning Authority to appropriate level at this outline stage in the planning process, exercising its PSED in accordance with the 2010 Equality Act.

22.0 Planning Obligations

- 22.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructures must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.
- 22.2 Detailed discussions have been held between the Council and the applicant regarding measures that are to be picked up in a proposed Section 106 Agreement (this is in addition to controls that would be secured by planning conditions). It is agreed that the following obligations would form part of the Agreement, each of which is considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 i.e. 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.
- Provision of **12.5% Affordable Housing in Phase 1** comprising 100% Intermediate Dwellings (for sale or rent). This will be no less than **75 x homes**.
 - Viability Review Mechanism comprising **2 x post commencement reviews** to determine whether additional affordable housing/Payment in Lieu (P.I.L) could be provided if a surplus is reached.
 - The **First Review** will determine whether a **Payment in Lieu (towards additional affordable housing in Slough)** is generated from the surplus and will be carried out at the end of the First Development Phase.
 - The **Second Review** will determine whether **additional housing** can be provided within the **final Development Zone capped at 50%** of the housing within this Zone, if it is generated from any surplus. The review will be carried out prior to the submission of reserved matters of the final Development Zone as a late-stage review.
 - To deliver the **Town Square, North to South Route between High Street and Wellington** Street and connect the Spine Road to the existing HTC Junction.
 - Commitment to **actively market the site** to secure provision for **Town Centre Leisure uses of up to 1,500sqm**.
 - Provision of **on-site EV car club for up to 16 spaces** and delivery of infrastructure, power supply and charging points.
 - Requirement to submit for approval a **Public Realm/Operations Management Strategy and Community Safety Plan** setting out a Strategy for management and maintenance of public realm (within the site), including community safety provisions and the participation and collaboration in Stakeholder Forums with local businesses, SBC, BID, LEP, Retailers, Resident Groups, Police, Accessibility Groups etc.
 - Strategy for the provision of **Public Art** within the QM OPA site (including Boundary edges within Land Ownership).
 - Requirement to participate, co-ordinate and attend a **Post Decision Design Review Panel** to review the Detailed Design Code Document (secured by way of condition).
 - **Site-wide strategy for Meanwhile Uses** to include a cleared site strategy; temporary meanwhile uses(s) and routes, accesses, parking provisions, public art, events, locations and spec for structures and facilities, and method of funding, managing and promoting the temporary uses.
 - **Sustainable Design and Construction Measures** securing agreement of BREEAM framework requirement for future RMAs.
 - Provision of **on-site cycle and pedestrian routes**;
 - Financial Contribution (of **£100,000**) towards **employment and training initiatives** in the borough including (but not limited to):

- a) Establishment of and participation in a Local Construction Academy in partnership with local education institutions;
 - b) Establishment of a Town Centre Innovation Hub for start-up businesses and local companies;
 - c) Affordable Workspaces in the Borough;
 - d) other local training schemes.
- Submission for approval of a **Local Employment, Skills and Training Strategy** to promote local construction and operational jobs in the development.
- Financial contribution of **£220,000 towards air quality monitoring** within the town centre, in the vicinity of the site.
 - New equipment approx. £50K over 10 yrs
 - Maintenance approx. £100K over 10 yrs
 - Repairs approx. £60K over 10 yrs
 - Approx. 30 tubes = £10K
- Financial Contribution of up to **£4.898,494 (less the 'actual' costs** of the construction and fit out of a **Nursery** if DZ6A comes forward for this use) **towards education** (based on standard formula in Developer Guide). The contribution would be paid in instalments depending on the quantum and types/sizes of residential housing planned and constructed.
- Financial Contribution of up to **£912,000 towards providing precautionary measures reducing recreational and visitor pressure on Burnham Beeches SAC** including but not limited to improvements to Upton Court Park, and/or towards management and maintenance of visitor facilities within Upton Court Park and other suitable alternative green spaces in Slough as deemed appropriate by SBC in consultation with Natural England. Contributions derived from basis of £570 per additional dwelling to be calculated based on the quantum of housing coming forward within each phase or zone;
- Financial Contribution of up to **£3.500,000 towards Sustainable Transport Improvements within Slough Town Centre/Square Mile** and within the immediate vicinity of the site (subject to the provisos in item (f)) including but not limited to:
 - (a) costs incurred in connection with consulting, preparing and making traffic regulation orders following a review of Controlled Parking Zones (CPZ) in and around the town centre;
 - (b) specified local highways mitigation and public realm improvements [including but not limited to those projects identified in the Emerging Transport Vision, LCWIP, STIP or other document] to deliver on the policies set out in the Core Strategy and NPPF to enhance and improve the walking, cycling and public transport infrastructure and improve safety, manage capacity/flows and improve the environment;
 - (c) initiatives to improve local public transport services such as (but not limited to) improvements to accessibility, Real Time Displays, Bus Services capacity/routes (including Secondary School Services), EV charging bus infrastructure & promoting the rapid transit schemes; and/or

- (d) the review of existing controlled parking zones within the vicinity of the Development and costs incurred in connection with consulting, preparing and making traffic regulation orders following such review;
 - (e) EV Infrastructure comprising South East Town Centre - Ultra Low Emission Vehicle Recharging Infrastructure (£175K); Town Centre EV Car Club (£150K), EV Car Club Subsidisation Scheme (£100K); and Taxi EV Infrastructure (£75K).
 - (f) A minimum contribution of £2.7m is secured if no significant office scheme is brought forward (ie: for up to 1600 homes plus other town centre uses). The Offices will incur a proportional contribution of up to £800,000 if up to 40,000 sqm is proposed and implemented, and pro-rata contributions related to the floorspace delivered.
- **Travel Plans** (for residential, nursery and flexible town centre, office and sui generis land uses) and monitoring
 - **S278 on and off-site highways works** which could comprise some of the below measures [*This list of measures is indicative and to be agreed between the Local Planning & Highways Authority and the Applicant post resolution*]:
 - A commitment to upgrading the footway/cycleway provision along the A4 site frontage to provide a minimum 3m wide footway/cycleway;
 - A new straight across toucan crossing to connect the site to Brunel Way and replace the existing staggered crossing;
 - The removal of the existing crossing a short distance to the west of Brunel Way on the A4 to concentrate the desire line and improve the operation of the A4.
 - A new toucan crossing on Queensmere Road;
 - Improvements to the pedestrian crossing of the southern arm of the HTC roundabout
 - **Car Park Management Plan** which requires:
 - allocation of spaces (including accessible spaces) for offices and to particular Dwellings, or group of Dwellings and the letting of parking spaces to residents living in those Dwellings;
 - control of visitor spaces;
 - the locations of the EV Charging Points, Rapid Charging points, Phase Car Club Spaces;
 - the management and maintenance of the EV Car Club Spaces and method of delivering passive provision to facilitate/convert to active chargers without invasive works;
 - appropriate and related public liability insurance
 - provision for the approved management plan to be revised or replaced from time to time with the further approval of the Council;
 - Requirement to enter into **supplemental S106 Agreements** to bind in any land in relevant Development Zone not bound at date of S106 Agreement.

23.0 CONCLUSION

- 23.1 The application has been evaluated against the Development Plan and other material considerations including the NPPF. The Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development” for which there is a presumption in favour (per paragraph 11 of the NPPF).
- 23.2 The report identifies that the proposal complies with some of the relevant saved policies in the Local Plan and Core Strategy, and it identifies where there are some conflicts with the Development Plan, namely the loss of town centre leisure floorspace, a lack of affordable housing provision and (less than substantial) harm to heritage assets. As a whole, it is considered the proposals are compliant with the Development Plan. However, there are important policies in the development plan which are out of date, and, in applying a presumption in favour of sustainable development (as required by paragraph 11), this means that part (d) of Para 11 of the NPPF is triggered which provides that planning permission should be granted unless: (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the proposal; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. In this context, the below paragraphs set out a summary of the overall planning balance.
- 23.3 By virtue of the provision of between 950-1600 new homes in a highly sustainable location within Slough Town Centre and on brownfield land, the development would make a significant positive contribution to the **housing supply** in the Borough to **which substantial positive weight** is afforded in the planning balance. The provision of a small quantum of affordable housing (above what is supported in the viability appraisal) is also welcomed and is a further added benefit to be weighed in the balance even though it is less than required by policy 4 of the Core Strategy. The NPPF makes it clear that boosting the supply of housing is a key policy objective nationally and locally and the development will make a significant contribution to Slough’s Housing Needs.
- 23.4 There will be some economic benefits in terms of the construction of the development itself and benefits associated with the resultant increase in population to which moderate positive weight should be attached. The loss of town centre retail, leisure and office floorspace potentially could amount to a significant adverse impact on the economy and vitality of the town centre, post demolition and in the event no offices, town centre retail and minimal town centre leisure uses are delivered as part of the redevelopment. This weighs against the scheme. However, it is considered the continued decline of the town centre will be exacerbated if the site would remain currently as it is. Therefore, officers consider the s106 obligations and flexible approach to the town centre uses will enable the new development to revitalise the town centre with new land uses including the potential provision of new employment opportunities to mitigate the loss of existing employment floorspace and reduction of town centre and leisure uses. There will also be social benefits arising from the potential provision of new nursery, community and town centre leisure uses alongside an appropriate level of new commercial facilities and in addition to the uplift in the population and the role in the community in adding vitality and investment in the town. Officers consider that the proposed new town centre floorspace and additional employment opportunities from a substantial office element will result in a **moderate positive effect (on building a strong competitive economy and ensuring the vitality of the town centre)**. However, if the provision or introduction of new leisure facilities and offices is not brought forward through the development proposals, this

would reduce the weight to be afforded to this benefit to a **limited positive effect** in the balance.

- 23.5 There will be some less than substantial harm both to the setting of the listed buildings located adjacent to the development and to the setting of Windsor Castle (and its related Registered Park and Garden). The less than substantial harm to the setting of each of these designated heritage assets (as identified earlier in the report) is at the lower end of the scale. Nevertheless, considerable weight should be attached to this harm having regard to the requirements of the NPPF and the statutory duty to give special regard to the preservation of these assets. **Limited negative weight** is afforded in the planning balance (to **conserving and enhancing the natural environment**).
- 23.6 Having identified some heritage harm, it is necessary to weigh this harm (in respect of each asset) against the public benefits of the proposal (per paragraph 202 of the NPPF). In this respect, officers consider that (on an asset by asset basis) the harm would be significantly outweighed by the public benefits of the proposed development that are identified in this report. Accordingly, pursuant to paragraph 11c of the NPPF the application of heritage policy in the NPPF does not provide a clear reason for refusing the proposals.
- 23.7 The maximum height and scale of the development as indicated on the parameter plans would cause some harm to wind microclimate conditions in the public realm adjacent to the site and sunlight and daylight within existing properties adjacent to the site. However, the application contains sufficient further controls within the design codes and Floorspace Schedule to ensure that these maxima will not be built out to these limits. Further testing of these impacts is secured by way of planning conditions. The **wind microclimatic** and **sunlight/daylight impacts** will also be assessed fully when further details of the development are known and so at this stage where matters of scale, layout and design are reserved, these factors are **afforded neutral weight**.
- 23.8 The design of the development is based around a set of parameter plans with mandatory design codes with supplementary design guidance which lay an urban design framework for future reserved matters applications to be considered against. The current design code does not currently go far enough or provide the level of control which would secure an exemplar scheme, and the design controls require some refinement prior to the reserved matters stage in order to set the benchmark quality required by the NPPF and NPPG in terms of achieving well designed places. Nevertheless, officers are satisfied that the proposed plans and codes demonstrate that the site is capable of being brought forward as a high-quality well-designed part of the new town centre which would create an attractive and functioning heart to the town with a variety of urban spaces, mixture of new town centre uses, legible routes through the area and a connection to the rest of the town. The proposals will substantially increase the number of people living within the town centre which would further add to the vitality of the environment and support a range of ground floor uses. In coming to a view on the overall design, the low-quality deteriorating appearance of the existing site buildings and environment sets a very low bar for which the new proposals are set against. Therefore, although it is not yet possible to conclude that the detailed design of the development will constitute a moderate or substantial benefit, the outline parameters do indicate that the resulting scheme will improve upon the design of the existing condition, subject to reserved matters approval/conditions. It is therefore considered that some **limited benefit/positive weight** is afforded in terms of **achieving well-designed places**, in line with the NPPF guidance.

- 23.9 As the application is in outline form, full compliance with some of the other environmental objectives of the NPPF has not yet been demonstrated. However, with a comprehensive range of planning conditions and planning obligations setting appropriate standards for future development to be assessed against, it is considered the proposals are capable of demonstrating full compliance at the reserved matter stages. Therefore, in terms of **conserving the natural environment** (safeguarding protected sites), **preserving existing residential amenities, promoting sustainable transport, meeting the challenge of climate change and flooding** and **making effective use of land indicating an absence of harm** (or which in the case of **flood risk** are expected to demonstrate an absence of harm) weight in the balance should be attributed **neutrally**.
- 23.10 Flexibility is permitted within the range of approved town centre uses to provide healthcare facilities in order to mitigate the increased need for these facilities to arise out of the increased population. However, as no minimum provision of healthcare facilities is secured within the application, there remains a residual risk of the impact not being mitigated through the development. In the absence of mitigation, the **shortfall of healthcare facilities** would be afforded **limited adverse weight** which could be neutral in the planning balance if on-site provision of healthcare facilities and/or contributions were provided towards C.I.L compliance committed healthcare related projects.
- 23.11 The proposals are capable of demonstrating a significant **biodiversity net gain** which is considered to be afforded **limited benefit/positive weight** in the planning balance.
- 23.12 With regards to transport impacts, the proposals are afforded some limited negative weight in the planning balance as the Transport Assessment indicates that the development will result in additional vehicular trips at two local junctions which are currently over-capacity and are expected to worsen in the assessment year of 2036. However, the development would provide sustainable levels of car parking (in an accessible location) alongside integral improvements to the local environment and local walking and cycling infrastructure, public transport improvements and with in-built mitigation measures encouraging modal shift away from the use of the motor car. With these measures secured in appropriate planning obligations the impacts are capable of being minimised and the **transport impact on the local highway** as a result of the development is not anticipated to be severe (in accordance with the NPPF) and is therefore afforded **limited harm/negative weight** in the planning balance.

Topic	Substantial Benefit/Positive Weight	Moderate Benefit/Positive Weight	Limited Benefit/Positive Weight	Neutral (absence of Harm)	Limited Harm/Negative Weight
	+++	++	+	N/A	-
Provision of Housing	Yes				
Economic/Social and Regeneration		Yes (with offices/town centre leisure)	Yes (with no offices or town centre leisure)		
Well Designed Places			Yes		

Biodiversity Net Gains			Yes		
Flood Risk, Noise, Ground Contamination, Sustainability & Energy				Yes	
Daylight/Sunlight & Wind Microclimate				Yes	
Healthy Communities					Yes
Heritage					Yes
Transport					Yes

23.13 Weighing all of the factors into the planning balance, and having regard to the NPPF as a whole (that is afforded significant weight), and all relevant up-to-date policies (that are afforded significant or full weight) in the Core Strategy and Local Plan, the proposals are supported. It is recognised that the development conflicts with Core Policy 4 (Affordable Housing), elements of Core Policy 6 (Retail, Leisure and Community) and an element of Core Policy 9 (Built Environment – Heritage which is inconsistent with the NPPF) and Local Plan policies S8, S9, S11, S12, S14 and S16 (which cover town centre policies but are generally out of date with the exception of S16 (town centre leisure)). However, given the level of compliance with the remaining policies in the Development Plan, including the direction given in the Site Allocation Document to support comprehensive redevelopment in the town centre, it is considered the proposals are in accordance with the Development Plan, as a whole. Accordingly, the proposals benefit from the presumption in favour of the development plan as set out in section 38(6).

23.14 Nevertheless, it is recognised that some relevant important policies in the development plan are out-of-date (including because the Council is unable to demonstrate a five year housing land supply) and/or inconsistent with the NPPF against which the proposals have also been assessed. In carrying out the overall balance, therefore, it is also necessary to assess the proposal against the NPPF, which is an ‘other material consideration’ within the meaning of section 38(6) and to which significant weight is attached. The redevelopment of a major site within the town centre will deliver a significant quantum of housing at a time when the Council cannot demonstrate a 5 year supply of housing including a small amount of on-site affordable housing and this will make a major contribution towards Slough’s Housing Needs. The proposal also has the potential to deliver major town wide environmental, community/social gains and economic benefits which could assist in the regeneration of the town centre and wider area and reverse the decline of the town centre and this also weighs heavily in favour of the development. In applying the tilted balance set out in paragraph 11 (d) of the NPPF, it is considered that the adverse impacts listed in this report will not significantly and demonstrably outweigh the benefits of the proposals. To the contrary, they are very clearly outweighed by the identified benefits. Therefore, not only do the proposals comply with the development plan as a whole, they also accord with the NPPF which serves only to reinforce the case for granting planning permission (upon an application of section 38(6)).

23.15 Officers recommend that the application should be approved subject to s106 agreement and conditions, in accordance with the Recommendation in Part 1 of this report.

PART C – RECOMMENDATION

24.0 Having considered the relevant policies of the Development Plan along with all other material considerations set out below, and the representations received from consultees and the community, in the case of Recommendation Parts A and B it is recommended the application be delegated to the Planning Manager and Chair of the Planning Committee for:

Recommendation A: Approval subject to:

- (i) the satisfactory completion of a Section 106 Agreement to secure affordable housing with review mechanisms, financial contributions towards education improvements (including the potential construction of a nursery in Development Zone DZ6A), sustainable transport and air quality improvements, Burnham Beeches SAC mitigation (within SBC), Travel Plans, Employment and Training Initiatives, and non-financial contributions towards essential mitigation measures such as a Meanwhile Use Strategy, Town Centre Open Space Operations Management Plan, Local Employment, Skills and Training Plan, Town Centre Leisure Use Marketing Requirements, a Scheme for Public Art, off-site highways works, Car Park Management Plan, Commitment for a further Design Review to secure a Detailed Site-Wide Design Code and provision of all necessary off-site s278 highways works to mitigate the impact of the development on the local highways network, and other confirmatory deeds as necessary;
- (ii) The approval of the details of any/all appropriate and necessary planning obligations and/or s278 highways works.
- (iii) The satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act.
- (iv) Receipt of any written responses received from The Gardens Trust (in connection with the potential impact on the Grade 1 Registered Park at Windsor Great Park as a result of the proposals) and being satisfied that any matters raised in the response can be satisfactorily addressed.
- (v) finalising conditions [and any other minor changes].

Recommendation B: Refuse the application if the Section 106 Agreement is not completed by 31st July 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee;

PART D – DRAFT CONDITIONS

The below list of draft conditions are currently under review with the Applicant.

1. Timing for Reserved Matters

- a) In respect of Development Zones 1, 2A, 2B, 2C, 3, 4, 5, 6, 6A, all Highway Zones and their associated external areas, public realm and routes, details of the layout, scale, design, appearance, access and landscaping (the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority.

- b) The first reserved matters application must be submitted before the expiration of 3 years from the date of this permission.
- c) The final reserved matters application must be submitted before the expiration of 15 years from the date of this permission.
- d) The details relating to the final reserved matters application must be submitted before the expiration of 17 years from the date of this permission.

Reason: To prevent the accumulation of planning permissions: 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 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Time Limits

The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of first reserved matters to be approved, whichever is the later.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

3. Pre-Demolition Requirements

No development shall commence, including demolition, until the following have been submitted to and approved in writing by the Local Planning Authority:

- a) Construction Programme for the demolition and enabling works
- b) Sitewide demolition and enabling works Logistics Management Plan covering the following minimum requirements:
 - Site logistics and operations,
 - Site construction vehicles routing,
 - contact details for site managers and details of management lines of reporting,
 - detailed plan showing different phasing, developers and constructors to be updated on a 6 monthly basis,
 - location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking,
 - storage of any skips, oil and chemical storage etc,
 - access and egress points,
 - membership of the Considerate Contractors Scheme
- c) Sitewide Demolition Environmental Management Plan details to cover the following:
 - Details of the programme, and the nature of the demolition works;
 - Details of general Site management practices, including working hours, hoarding, access, lighting, Site facilities, energy and water use, waste, materials procurement and storage;
 - Details of environmental management and control procedures, covering transport, dust, noise, vibration, contamination, hazardous materials, waste and potable water minimisation, lighting and drainage;
 - Prohibited or restricted operations;
 - Details of emergency procedures to be implemented on Site;
 - A framework for complying with relevant legislation and guidance;

- Roles and responsibilities of key staff including training of staff, liaison with stakeholders and management of enquiries and complaints;
 - Requirements for auditing, monitoring and record-keeping;
 - A commitment to provide the name and contact details of a construction site representative;
 - Provisions for reporting, public liaison and prior notification, especially where dispensations would be required;
 - Commitment to adopt and implement the Institution of Civil Engineers' (ICE) Demolition Protocol;
 - Details of measures to prevent contaminated runoff;
 - Registration and commitment to the 'Considerate Constructors Scheme';
 - Details of proposed routes for HGVs travelling to and from the Site;
 - Details of plant to be used; and
 - Details of all construction works involving interference with a public highway, including temporary carriageway / footpath closures, realignments and diversions.
 - the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading (to a minimum Euro 6/VI Standard),
 - Off-loading, Parking and turning within the site and;
 - Wheel cleaning facilities during the construction period, non-road mobile machinery (NRMM) controls to be in line with Table 10 in the Low Emission Strategy (LES) guidance and that all heating systems (when the development is operational) shall meet the emission standards laid out in table 7 of the LES guidance
- d) Demolition Air Quality Assessment and Dust Management Plan
- e) Demolition Noise and Vibration Management Plan
- f) Updated Detailed Bat Survey to determine the presence / likely absence of bats A tool-box talk should be given to all contractors working on the demolition with directions set out as to how to proceed if any bats are encountered.
- g) Business Relocation Strategy
- h) Tree protection plans providing details of a specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing

Reason: In the interests of the amenities of the area in accordance with Local Plan Policy EN1 and Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance set out in the National Planning Policy Framework (2021) and to ensure compliance with the Environmental Statement and the relevant outline planning technical documents.

4. Parameter and Sitewide Plans

The development/application relates to the following site:

- a) Site Location Plan (PP01) shown on Drawing No. SLM00-SQP-ZZZ-RF-DR-AR-040104, Dated 26/10/2021; Recd 20/06/2022
- b) Existing Site Plan (PP04) shown on Drawing No. SLM00-SQP-ZZZ-RF-DR-AR-040109 Revision A, dated 26/10/2021, Recd on 20/06/2022

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

- a) Development Zone 1& 2 Parameter Plan A (PPDZ1&2(A) Drawing No. SLM00-SQP-DZ1-XX-DR-AR-040510 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- b) Development Zone 1& 2 Parameter Plan B (PPDZ1&2(B) Drawing No. SLM00-SQP-DZ1-XX-DR-AR-040520 Revision B, Dated 26/08/2022, Recd on 30/08/2022,
- c) Development Zone 1& 2 Parameter Plan C (PPDZ1&2(C) Drawing No. SLM00-SQP-DZ1-XX-DR-AR-040530 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- d) Development Zone 3 Parameter Plan A (PPDZ3(A) Drawing No. SLM00-SQP-DZ3-XX-DR-AR-040511 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- e) Development Zone 3 Parameter Plan B (PPDZ3(B) Drawing No. SLM00-SQP-DZ3-XX-DR-AR-040521 Revision B, Dated 26/08/2022, Recd on 30/08/2022,
- f) Development Zone 3 Parameter Plan C (PPDZ3(C) Drawing No. SLM00-SQP-DZ3-XX-DR-AR-040531, Dated 10/06/2022, Recd on 20/06/2022,
- g) Development Zone 4 Parameter Plan A (PPDZ4(A) Drawing No. SLM00-SQP-DZ4-XX-DR-AR-040512 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- h) Development Zone 4 Parameter Plan B (PPDZ4(B) Drawing No. SLM00-SQP-DZ4-XX-DR-AR-040522 Revision B, Dated 26/08/2022, Recd on 30/08/2022,
- i) Development Zone 4 Parameter Plan C (PPDZ4(C) Drawing No. SLM00-SQP-DZ4-XX-DR-AR-040532 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- j) Development Zone 5 Parameter Plan A (PPDZ5(A) Drawing No. SLM00-SQP-DZ5-XX-DR-AR-040513 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- k) Development Zone 5 Parameter Plan B (PPDZ5(B) Drawing No. SLM00-SQP-DZ5-XX-DR-AR-040523 Revision B, Dated 26/08/2022, Recd on 30/08/2022,
- l) Development Zone 5 Parameter Plan C (PPDZ5(C) Drawing No. SLM00-SQP-DZ5-XX-DR-AR-040533, Dated 10/06/2022, Recd on 20/06/2022,
- m) Development Zone 6 Parameter Plan A (PPDZ6(A) Drawing No. SLM00-SQP-DZ6-XX-DR-AR-040514 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- n) Development Zone 6 Parameter Plan B (PPDZ6(B) Drawing No. SLM00-SQP-DZ6-XX-DR-AR-040524, Dated 26/08/2022, Recd on 30/08/2022,
- o) Development Zone 6 Parameter Plan C (PPDZ6(C) Drawing No. SLM00-SQP-DZ6-XX-DR-AR-040534, Dated 10/06/2022, Recd on 20/06/2022,
- p) Development Zone 6A Parameter Plan A (PPDZ6A(A) Drawing No. SLM00-SQP-DZ6-ZA-DR-AR-040515 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- q) Development Zone 6 Parameter Plan B (PPDZ6A(B) Drawing No. SLM00-SQP-DZ6-ZA-DR-AR-040516, Dated 10/06/2022, Recd on 20/06/2022,
- r) Development Zone WS Parameter Plan (PPDZWS) Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040506 Revision A, Dated 10/06/2022, Recd on 20/06/2022,
- s) Development Zone H1 Parameter Plan B (PPDZH1) Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040517, Dated 10/06/2022, Recd on 20/06/2022,
- t) Development Zone HA Parameter Plan (PPDZHA) Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040507 Revision B, Dated 26/08/2022, Recd on 30/08/2022,
- u) Development Zone HB (PPDZHB) Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040508 Revision B, Dated 26/08/2022, Recd on 30/08/2022,
- v) Sitewide Highways And Movement Plan (SWHMP Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040503 Revision A,

- w) Sitewide Public Realm, Public Spaces, and Private Amenity Plan (SWPR) Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040504 Revision B, Dated 26/08/2022, Recd 30/08/2022,
- x) Sitewide Town Centre Uses Ground Floor Plan (SWTCU) Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040505 Revision B, Dated 26/08/2022, Recd 30/08/2022,
- y) Sitewide Composite Plan (SWCP) Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040501 Revision B, Dated 26/08/2022, Recd on 30/08/2022,
- z) Sitewide Character Areas Plan (SWCAP) Revision A, Drawing No. SLM00-SQP-ZZZ-XX-DR-AR-040509, Dated 26/08/2022, Recd 30/08/2022.
- aa) Redline Plan & Development Zone Boundaries (PP02) Drawing No. SLM00-SQP-ZZZ-RF-DR-AR-040106 Revision A, Dated 26/10/2021, Recd On 28/10/2021,
- bb) Building Demolition Plan (PP03) Drawing No. SLM00-SQP-ZZZ-RF-DR-AR-040107, Dated 26/10/2021, Recd On 28/10/2021,

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 amenity of the area and to comply with the Policies in the Development Plan.

5. Compliance with Control Documents

In addition to the plans referred to in Condition 2, the development hereby approved will be carried out in accordance with the following control documents:

- PA2 Schedule of Floorspace dated 07/09/2022
- Development Specification Document dated 07/09/2022
- Design Code Addendum (Mandatory Rules) dated 07/09/2022

Reason: To ensure the uses are compatible with the adjoining land uses and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1,5 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

6. Site wide Construction and Phasing Programme

No development shall commence (excluding any demolition) until a Site Wide Construction Phasing Programme for the development has been submitted to and approved in writing by the council.

The Construction and Phasing Programme shall comprise the following information:

1. A Construction Programme which shall set out the anticipated sequence of commencement of development, and the order in which the following works shall be carried out:
 - i) Enabling Works
 - ii) Construction of the Development Blocks
 - iii) Public Realm Works
 - iv) Landscaping Works
 - v) Highways Works
 - vi) Utilities and Infrastructure Works

2. A programme and strategy for the replacement and relocation of town centre and employment uses, including the provision of temporary, interim or meanwhile uses; A Planning Submission Programme which shall set out the order and intended sequence for the submission of Reserved Matters Applications for each Development Zone;
3. Phasing Diagrams and Plans (where applicable) which shall include the following details:
 - i) Development Block by Development Block works, within the relevant Development Zone(s) and commencement dates, and the order/sequence which the works are planned to be constructed and completed;
 - ii) Highways, Landscape and Public Realm works within a Development Zone basis and the delivery of such works in relation to the relevant Development Blocks within the Development Zone;
 - iii) Access for vehicles, cyclists and pedestrians;
 - iv) Proposals to maintain and safeguard the existing accesses and service/delivery provisions to existing adjoining and surrounding town centre uses, adjacent and neighbouring the site;
 - v) Proposals for provision of and maintaining safe north-south pedestrian accesses between Wellington Street and the High Street, and access around the Curve to the High Street;
 - vi) Scaffolding and hoarding lines
 - vii) Provision of new, or alterations of existing utilities;
 - viii) Access arrangements for existing and new premises within the High Street and surrounding uses/buildings;

The development shall be carried out in accordance with the approved Construction and Phasing Programme thereafter.

The Reserved Matters, Site-Wide and Development Zone specific Strategies, other details and samples of material shall be submitted and implemented in accordance with the approved Planning Submission Programme and in accordance with the timeframes set out in Condition 2 of this permission.

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, and the guidance set out in the National Planning Policy Framework (2021) and to ensure compliance with the Environmental Statement and the relevant outline planning technical documents.

7. Site Wide Construction Logistics Plan (CLP)

No development shall commence (excluding any demolition) until a Site Wide Construction Logistics Management Plan has been submitted to and approved in writing by the Council. The Site Wide Construction Logistics Plan shall be submitted to the Local Planning Authority for approval, prior to commencement of development, for any Development Block or Landscape Phase within a relevant Development Zone.

The development of a Block or Landscape Phase within any relevant Development Zone shall be carried out in accordance with the relevant approved Site Wide Construction Logistics Management Plan. The Site Wide Construction Logistics Management Plan shall cover the following minimum requirements:

- site logistics and operations;
- construction vehicle routing;
- contact details for site managers and details of management lines of reporting;

- location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking;
- storage of any skips, oil and chemical storage etc.; and
- access and egress points;
- membership of the Considerate Contractors Scheme.

In the event that more than one Development Zone, Development Block or Landscape Phase is developed at the same time, or overlaps, then an updated detailed plan showing different phasing, different developers and constructors shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the works within more than one Development Zone, Development Block or Landscape Phase.

Details for each relevant Development Zone, Development Block, Highway Zone or Landscape Phase, or part thereof shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

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, and the guidance set out in the National Planning Policy Framework (2021) and to ensure compliance with the Environmental Statement.

8. Site Wide CEMP

No development shall commence (excluding any demolition) until the Local Planning Authority has approved a Site wide Construction Environmental Management Plan (CEMP). The approved CEMP shall be observed and complied with in full during the carrying out of the Development. Those rights of way which are identified to remain open during the carrying out of the development shall be marked and fenced for the duration of construction works in accordance with the proposals approved by the Local Planning Authority and the no development within any Development Zone or Phase shall be begun until which Site Wide CEMP is approved.

- Details of the programme, and the nature of the demolition and construction works;
- Details of general Site management practices, including working hours, hoarding, access, lighting, Site facilities, energy and water use, waste, materials procurement and storage;
- Details of environmental management and control procedures, covering transport, dust, noise, vibration, contamination, hazardous materials, waste and potable water minimisation, lighting and drainage;
- Prohibited or restricted operations;
- Details of emergency procedures to be implemented on Site;
- A framework for complying with relevant legislation and guidance;
- Roles and responsibilities of key staff including training of staff, liaison with stakeholders and management of enquiries and complaints;
- Requirements for auditing, monitoring and record-keeping;
- A commitment to provide the name and contact details of a construction site representative;
- Provisions for reporting, public liaison and prior notification, especially where dispensations would be required;
- Commitment to adopt and implement the Institution of Civil Engineers' (ICE) Demolition Protocol;
- Details of measures to prevent contaminated runoff;

- Registration and commitment to the 'Considerate Constructors Scheme';
- Details of construction operations, highlighting the operations most likely to result in disturbance and / or working outside core working hours, together with an indication of the expected duration of each activity;
- Possible departures from target criteria, and details of how any adverse effects would be minimised, or potential complaints addressed;
- Details of proposed routes for HGVs travelling to and from the Site;
- Details of plant to be used; and
- Details of all construction works involving interference with a public highway, including temporary carriageway / footpath closures, realignments and diversions.
- the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading (to a minimum Euro 6/VI Standard),
- Off-loading, Parking and turning within the site and;
- Wheel cleaning facilities during the construction period, non-road mobile machinery (NRMM) controls to be in line with Table 10 in the Low Emission Strategy (LES) guidance and that all heating systems (when the development is operational) shall meet the emission standards laid out in table 7 of the LES guidance.

Details of the CEMP for each relevant Development Zone, Development Block, Highways Zone or Landscape Phase shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

Reason: To ensure the development is undertaken in an acceptable manner and in order to protect the facilities available to users of the Town Centre and the amenities of current occupiers and future occupiers for the duration of the development works in accordance with Core Policies 6 and 8 of the Slough Core Strategy and Policy TC2 of the Slough Local Plan and to ensure compliance with the Environmental Statement.

9. Surface Water Drainage Strategy

No development shall take place (excluding any demolition) until a full detailed surface water drainage strategy has been provided to the Local Planning Authority, in consultation with the Lead Local Flood Risk Authority and has been submitted to and approved in writing by the Council. The proposed development shall be carried out in full accordance with the approved surface water drainage strategy for the duration of the development, and shall be permanently maintained and managed thereafter.

Reason: To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policies 8 and 9 of the adopted Core Strategy 2006 – 2026, the Council's Development Plan Document – Developer's Guide Part 4 Section 6 (2016) and the National Planning Policy Framework (2021) and to ensure compliance with the Environmental Statement.

10. Site Wide Energy & Sustainability Strategy

Prior to commencement of development (excluding any demolition), an updated Energy & Sustainability Strategy detailing how low carbon energy sources will be utilised to meet both adopted Part L Building Regulations Requirements and the regulated carbon reduction target of 10% from on-site renewable energy sources, shall be submitted and approved in writing by the local planning authority.

The proposed energy efficiency and low carbon measures shall be outlined within a detailed energy and sustainability strategy for the relevant Development Zone with the details submitted alongside the relevant reserved matters application. The energy and low carbon

measures shall be incorporated within the development in accordance with the updated Energy & Sustainability Strategy which demonstrates the reduction in annual CO2 emissions across the site of at least 19% in accordance with Building Regulations 2021 Part L and associated Approved Documents. An “as built” Energy and Sustainability Strategy will be submitted for each Development Block or Development Zone demonstrating the detailed carbon reduction targets are met, prior to first occupation of the relevant Development Block or Development Zone.

Reason: To achieve a highly efficient and sustainable form of development and to accord with the National Planning Policy Framework and Core Policy 8 of the Core Strategy 2008 and the guidance contained in the Council’s Developer’s Guide Part 4 (2008) and the National Planning Policy Framework (2021) and to ensure compliance with the Environmental Statement.

11. Landscape and Public Realm Strategy

No development shall commence (excluding any demolition) until a Site Wide Landscape and Public Realm Strategy has been submitted to the Local Authority. The Strategy shall set out the approach and principles for a site wide hard and soft landscaping scheme for the whole site including highways zones and boundaries/site edges broadly based on the high quality standard of materials, planting typologies and ground surfaces set out in the outline landscaping strategies in the Design and Access Statement and Design Codes and Guidance.

Detailed strategies for each relevant Development Block or/and Landscape Phase within a relevant Development Zone shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications. The Detailed strategies shall comply with the approach and principles approved within the Site Wide Landscape and Public Realm Strategy.

Reason: In the interests of the visual amenity of the area and to ensure replacement trees are planted/replanted and to ensure a high quality public realm and open spaces are proposed to the same standard set out in the illustrative landscaping proposals in the Design and Access Statement in accordance with Policy EN3 of The Adopted Local Plan for Slough 2004, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council’s Developer’s Guide Part 4 (2008) and the National Planning Policy Framework (2021).

12. Site Wide Delivery & Servicing Strategy

No development shall commence (excluding any demolition) until a Site Wide Strategy for Delivery and Servicing has been submitted to and approved the Local Planning Authority in writing. The Site Wide Delivery and Servicing Strategy shall detail the site wide approaches to the management of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement in respect of the whole development.

Detailed Delivery and Servicing Plans for each relevant Development Block and/or Landscape Phase within a Development Zone shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications. The approved measures shall be implemented and thereafter retained for the lifetime of the residential or commercial uses in the relevant parts of the site.

Reason: In order to ensure that satisfactory provision is made for refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policy T3 of The

Adopted Local Plan for Slough 2004, Policies 7 and 10 of the adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021) and to ensure compliance with the Environmental Statement.

13. Site Wide Waste, Recycling & Refuse Management Strategy

No development shall commence (excluding any demolition) until a Site Wide Strategy for the Management, Storage and Collection of Waste, Recycling and Refuse has been submitted to and approved the Local Planning Authority in writing. The Site Wide Waste, Recycling and Refuse Management Strategy shall detail the site wide approaches to the management of waste in respect of the whole development and shall include a programme of measures to:

- Minimise, re-use and re-cycle waste;
- Minimise the pollution potential of unavoidable waste;
- Provide for on-site secure storage of waste awaiting collection; and
- Dispose of unavoidable waste in an environmentally safe manner.

A Detailed Waste, Recycling and Refuse Plan for each relevant Development Block and/or Landscape Phase within a Development Zone shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications. The approved measures shall be implemented and thereafter retained for the lifetime of the residential or commercial uses in the relevant parts of the site.

Reason: In order to ensure that environmentally satisfactory provisions are made for refuse storage, recycling and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise or odours in accordance with Policy T3 of The Adopted Local Plan for Slough 2004, Policies 7 and 10 of the adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021) and to ensure compliance with the Environmental Statement.

14. Biodiversity Net Gains Strategy

No development shall commence (excluding any demolition) until a sitewide Biodiversity Net Gains strategy showing that the development will achieve 10% Biodiversity Net Gains across the development using the Biodiversity Metric 3.0, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To deliver Biodiversity Net Gains within the planning application site in accordance with the NPPF and Core Policy 9 of the Core Strategy 2006-2026 and to comply with the recommendations of the Council's Ecologist's Report.

15. Details of Access

No development within a Development Zone shall commence (excluding any demolition) until full details of the design, siting and layout of all new and modified accesses to the development zone, or relevant part thereof, including access for pedestrians and cyclists, visibility splays and a programme for their provision within that Development Zone have been submitted to and approved in writing by the Local Planning Authority. The development within the Development Zone, or relevant part thereof shall be carried out in accordance with the approved details and programme and the accesses shall be maintained and managed thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of

the Adopted Local Plan for Slough 2004, Policies 7 and 10 of the Adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021) and to ensure compliance with the Environmental Statement.

16. Inclusive Access

No development within a Development Zone shall commence (excluding any demolition) until full details of the means of vehicular access, parking and turning facilities together with associated means of access for disabled and/or mobility impaired pedestrians, and where appropriate, accessible transport vehicles over 2m in height to the development zone, or relevant part thereof, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation of the relevant Development Zone, or part thereof and the provisions shall be permanently maintained and managed thereafter.

Reason: To ensure that safe and inclusive access is provided to all parts of the Development in accordance with Policy T3 of the Adopted Local Plan for Slough 2004, Policies 7 and 10 of the Adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021), and to ensure compliance with the Environmental Statement.

17. Ground Contamination - Phase 2 Intrusive Investigation Method Statement

Based on the findings of the Phase 1 Desk Study, prior to demolition works, no development within a Development Zone shall commence (excluding any demolition) 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 and the National Planning Policy Framework (2021), and to ensure compliance with the Environmental Statement.

18. Ground Contamination - Quantitative Risk Assessment and Site Specific Remediation Strategy

No development within a Development Zone shall commence (excluding any demolition) until a Quantitative Risk Assessment (QRA) has been prepared for the relevant part of the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but

not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

Reason: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008 and the National Planning Policy Framework (2021), and to ensure compliance with the Environmental Statement.

19. Ground Contamination – Remediation Validation

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

Reason: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Policy 8 of the Core Strategy 2008 and the National Planning Policy Framework (2021), and to ensure compliance with the Environmental Statement.

20. Phase 4 Verification report.

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

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

21. No Piling

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

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure, in accordance with the National Planning Policy Framework.

22. Foul Drainage (Thames Water)

No development within any Development Zone shall commence (excluding any demolition), until confirmation has been provided to confirm 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 (as agreed pursuant Condition 5),

has been submitted to and approved in writing by the Local Planning Authority, for the relevant Development Zone, or part thereof.

No development shall be carried out until detailed Foul Drainage strategies for each relevant Development Block or/and Landscape Phase within a Development Zone are submitted to and approved in writing by the Council .

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policies 8 and 9 of the Core Strategy 2008 and the National Planning Policy Framework (2021).

23. Drainage (Surface Water)

No Development Zone shall be occupied until confirmation has been provided that either:

1. All surface water network upgrades required to accommodate the additional flows from the development (within the relevant Development Zone, or part thereof) 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 (within the relevant Development Zone, or part thereof) 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 (as agreed pursuant to Condition 21).

No development shall be carried out until detailed surface water strategies for each relevant Development Zone, or part thereof shall be submitted to and approved in writing by the Council in accordance with condition 8. The development shall be carried out in accordance with the approved surface drainage strategy, prior to occupation within the relevant Development Zone(s) or part(s) thereof, and shall be permanently retained thereafter for the lifetime of the development.

Reason: To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policies 8 and 9 of the adopted Core Strategy 2006 – 2026, the Council's Development Plan Document – Developer's Guide Part 4 Section 6 (2016) and the National Planning Policy Framework (2021).

24. Drainage

No development within a Development Zone shall commence (excluding any demolition), within 5m of the water main, until information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface

potable water infrastructure, has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. The development shall be carried out in accordance with any approved diversion strategies, prior to occupation within the relevant Development Zone(s) or part(s) thereof, and shall be permanently retained thereafter for the lifetime of the development.

Reason: to prevent the risk of flooding in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, and the req ents of the National Planning Policy Framework.

25. Infiltration of Surface Water

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policies 8 and 9 of the adopted Core Strategy 2006 – 2026, the Council's Development Plan Document – Developer's Guide Part 4 Section 6 (2016) and the National Planning Policy Framework (2021).

26. Development Zone Design Codes

Prior to the submission of the first reserved matters application for a Development Block, Blocks or Landscape Phase(s) within a Development/Highways Zone or Zones, a detailed Design Code for the relevant Development Zone, or relevant Development Block(s) or Landscape Phase(s) shall be submitted to and approved by the Local Planning Authority. The detailed Design Code shall include the following:

- a. Mandatory code determining how to locate land uses based on a Movement Analysis
- b. Mandatory code setting out architectural standards
- c. Mandatory coding for building types
- d. Mandatory coding for landmarks, vistas and focal points
- e. Mandatory code for specific street character
- f. Mandatory coding for urban structure and massing
- g. Mandatory coding for roofscape
- h. Mandatory code for urban spaces, public realm, hard and soft landscaping areas [including tree planting], street furniture and signage
- i. Mandatory code for DZ edge/threshold conditions and boundary treatment
- j. Mandatory code setting private residential separation distances
- k. Mandatory code for ground floor/lower level shopfront and street level facades
- l. Mandatory code for shopfront signage zones, fascia depth and window display glazing proportions;
- m. Mandatory code for defensible spaces and garden areas, and communal amenity spaces
- n. Mandatory code for balconies, roof terraces and external amenity spaces
- o. Mandatory code for roads, footways, cycleways based on hierarchy of streets and spaces
- p. Mandatory code for public and private car parking areas, bays and podium/undercroft.
- q. Mandatory code for incorporating water storage, SUDS into the design of the landscape.

The detailed Design Code will expand upon the principles and coding set out in the approved Mandatory Design Codes from the outline planning permission and will set out precise detailed codes and measurable design standards that will inform future reserved matters applications for layout, scale, appearance and landscaping.

Reason: To ensure the detailed design and appearance of the buildings are of a good quality and to ensure a high quality public realm with streets, footways and open spaces of the same or higher standard as those set out in the illustrative landscaping and public realm proposals in the Design and Access Statement and to comply with policies EN1, EN3 and EN5 of The Local Adopted Plan for Slough 2004, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021) and the National Model Design Code. To ensure the development is carried out in accordance with the mitigation measures and planning controls set out in the Environmental Statement and Appendices, including any subsequent iterations or addendums to the ES.

27. Secure By Design

No Development Zone or Development Block shall be occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate how the applicant has used reasonable steps to incorporate measures to comply with Secured by Design Gold Award for the relevant Development Zone or Development Block, including details of any proposed CCTV equipment. The evidence shall be submitted and approved in writing by the Local Planning Authority, prior to first occupation of any part of the relevant Development Zone or Block. The development within the relevant Development Zone or Development Block shall be carried out in accordance with the approved measures, and shall not be occupied or used until the Council acknowledged in writing that it has received written confirmation of compliance. The approved security measures shall be maintained and retained thereafter.

Reason: In order to minimise opportunities for crime and anti-social behaviour in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026 and the National Planning Policy Framework (2021).

28. External Lighting Scheme

Prior to commencement of development within a Development Zone, Development Block or Landscape Phase (excluding any demolition), details of a lighting scheme (to include the location, design of lighting features, the nature and levels of illumination in accordance with the approved measures under condition 25) shall be submitted to the local planning authority and approved in writing, in accordance with the approved construction phasing plan under Condition 5 of this planning permission. The lighting scheme within the relevant part of the development shall be implemented prior to first occupation of the relevant Block within the relevant Development Zone and maintained in accordance with the details approved.

Reason: To ensure that a satisfactory lighting scheme is implemented as part of the development in the interests of residential and visual amenity and in the interest of crime prevention to comply with the provisions of Policies EN1 and EN5 of The Adopted Local Plan for Slough 2004 and policy 12 of the adopted Core Strategy 2006-2026 and the National Planning Policy Framework (2021).

29. Public Art

Prior to the commencement of development within the relevant Development Zone(s) or Landscape Phase(s), a Scheme for the provision of Public Art for the following site boundary edges shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications;

- The south side of Queensmere Road (adjacent to the existing HTC Slough Building);
 - Along the north side of High Street and;
 - Along the eastern, western and southern edges of St Ethelberts Church and The Curve.
- The proposed development within the relevant Development Zone shall be carried out in accordance with the approved Public Art Strategy, prior to occupation within the relevant Development Zone, and shall be permanently retained thereafter.

Reason: The details to be submitted in the reserved matters applications for each individual part of the residential development shall be in accordance with the principles established in the approved Design Code, Policy EN1 of the Local Plan and Core Policy 8 of the Core Strategy.

30. Wayfinding, Signage Details and Street Furniture

Prior to occupation of the relevant Development Block within a Development Zone, details including the locations of the benches, litter bins and way-finding signage shall be submitted to and approved in writing by the local planning authority, prior to occupation of the relevant block. The street furniture listed above shall be designed and sited to be fully inclusive and accessible for all users and will not provide any obstruction to disabled persons or people of impaired mobility and/or sight. The benches, litter bins and signage as approved must be permanently retained thereafter. Details for each relevant Development Zone shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

Reason: To ensure the satisfactory provision of facilities in accordance Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policies 8 and 9 of the adopted Core Strategy 2006 - 2026 and the National Planning Policy Framework (2021).

31. Air Quality Assessment & Dust Management Plan:

No development in a Development Zone shall commence (excluding any demolition) until an Air Quality and Dust Management Plan demonstrating that ambient concentrations of applicable pollutants would not result in significant impact at relevant sensitive receptors, shall be submitted and approved by the Local Authority. Details for each relevant Development Block or Landscape Phase, or Development Zone shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications

Reason: to protect sensitive receptors from pollution in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026 and the National Planning Policy Framework (2021) and to comply with the recommended mitigation measures in the Environmental Statement.

32. Construction Noise and Vibration:

No development within a Development Zone shall commence (excluding any demolition) until a Construction Noise and Vibration Management Plan has been submitted to and approved in writing by the Local Planning Authority. Details for each relevant Development Block, Landscape Phase or Development Zone shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

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, and the guidance set out in the National Planning Policy Framework (2021) and to comply with the recommended mitigation measures in the Environmental Statement.

33. Noise Assessment and Mitigation Design Report

No development within a Development Zone shall commence until a detailed noise assessment and mitigation design report, for the relevant Development Zone or part thereof is submitted to the Local Planning Authority for approval in writing. The assessment will include consideration of potential noise impacts from existing noise sources, such as road, rail, air traffic, commercial noise and plant, and proposed noise sources, including but not limited to, the increase in road traffic noise, plant noise and commercial noise, on both existing and proposed noise sensitive receptors. The assessment shall be made in accordance BS4142:2014+A1:2019 and to BS8233:2014. Confirmation of the findings of the assessment shall be submitted to, and agreed in writing by, the Council and shall be adhered to thereafter.

The assessment will also include a noise mitigation scheme which will demonstrate how the design, orientation, internal layouts and additional mitigation measures will minimise adverse noise impacts and provide an acceptable level of amenity for future residents. The scheme will include detailed specifications for any acoustic enclosures, screening, glazing, ventilation and cooling that are identified as necessary to protect the future residents. In the event that windows will need to be closed to provide acceptable internal noise levels, an overheating assessment will also need to be submitted and approved by the Local Planning Authority.

A suitable air ventilation system, details of which shall be submitted as part of the noise impact assessment, including a schematic drawing showing the proposed ducting, intake and extract locations, if applicable, and datasheets indicating that the chosen product meets noise reduction requirements with consideration of break-out noise.

The measures set out in the approved mitigation scheme will be fully implemented in the construction of the residential development and retained in good working order at all times in the future.

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, and the guidance set out in the National Planning Policy Framework (2021) and to comply with the recommended mitigation measures in the Environmental Statement.

34. Biodiversity Net Gains

No development within a Development Zone shall commence (excluding any demolition) until a detailed Biodiversity Net Gains (BNG) Assessment for the relevant Development Zone has been carried out which demonstrates compliance with the approved Sitewide Biodiversity Net Gains Strategy. The detailed BNG assessment report shall include detailed results from the metric, including:

- baseline habitat descriptions; and
- condition assessment proformas, which could be presented in an appendix with the headline results in the main report;

The Development shall be implemented in accordance with the approved Sitewide BNG Strategy and detailed BNG Report for that Development Zone, or relevant part thereof, and shall be permanently maintained for the lifetime of the development.

Reason: To deliver Biodiversity Net Gains within the planning application site in accordance with the NPPF and Core Policy 9 of the Core Strategy 2006-2026 and to comply with the recommendations of the Council's Ecologist's Report.

35. Bat Survey

No demolition of any buildings, structures or commencement of evasive works shall take place on the site, until an updated detailed Bat Survey is carried out to determine the presence / likely absence of bats and the findings are submitted to the Local Planning Authority for approval. A tool-box talk should be given to all contractors working on the demolition with directions set out as to how to proceed if any bats are encountered.

The submitted bat survey should contain the following as part of a report

- Appointment of Inspection team and terms of reference
- Monitoring of Bats foraging activities (pre and post Demolition and construction phase)
- Inspect Buildings for Bat roosts internal and external including below ground level.
- Frame work of continual inspection during demolition and construction phases.
- Migrate policy and license for the re-allocation of the Bat population.
- Implementation of a migration policy guideline and locations statement
- Long term monitoring the effects of the Migration policy and relocation activities.

Reason: To ensure a precautionary approach is taken in respect of any demolition of the buildings and that a preconstruction check is undertaken of the roof to determine the presence of any bat roosts. in accordance with the NPPF and Core Policy 9 of the Core Strategy 2006-2026 and to comply with the recommendations of the Council's Ecologist's Report and the Habitats Directive Article 12.

36. Energy Carbon Assessment

No development within any Development Zone shall be carried out until a Whole Life Carbon Assessment, including the demolition phases of the development, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of sustainable development in particular reducing carbon emissions and in accordance with Core Policy 8 of the Core Strategy 2008 and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021) and to comply with the Environmental Statement.

37. Energy Statement Compliance (Residential)

Within 3 months following occupation of the residential dwellings within a Development Zone, or Development Block, evidence shall be submitted that the measures set out within the Detailed Energy Statement approved under the relevant Reserved Matters approval, pursuant to Condition 9 of this outline permission have been implemented in accordance with the approved details within the relevant Development Zone or part thereof.

Reason: In the interests of energy conservation and reduction of CO2 emissions, in accordance with policies CP8 and the National Planning Policy Framework (2021).

38. Energy Statement Compliance (Non-residential).

Within 3 months following occupation of the any office floorspace within Development Zones 1, 2 or 4 or of the first non-residential premises within any other Development Zone, or Development Block, evidence shall be submitted that the measures set out within the Detailed Energy Statement approved under the relevant Reserved Matters approval, pursuant to Condition 9 of this outline permission have been implemented in accordance with the approved details within the relevant Development Zone or part thereof.

Reason: In the interests of energy conservation and reduction of CO2 emissions, in accordance with policies CP8 and the National Planning Policy Framework (2021).

39. Very good BREEAM requirement

Within 3 months following occupation of any non-residential use within a Development Zone, an Energy Strategy report shall be submitted to and approved in writing by the Council to demonstrate that a 'very good' Building Research Establishment Environmental Assessment Method (BREEAM) rating for non-residential buildings, has been achieved maximising passive solar gains, natural ventilation, water efficiency measures and the potential for home composting and food production. Detailed strategies for each relevant Development Block or Development Zone shall be submitted to and approved in writing by the Council, following occupation any non-residential building within a relevant Development Zone.

Reason: In the interests of energy conservation and reduction of CO2 emissions, in accordance with policies CP8 and the National Planning Policy Framework (2021).

40. Overheating Strategy

No development within a Development Zone shall commence (excluding any demolition) until an overheating assessment has been undertaken in accordance with CIBSE TM59 and CIBSE TM52 methodology (as appropriate) using current (i.e. 2020) climate data and results, demonstrating risk of overheating can be mitigated, and has been submitted to and approved in writing by the Local Planning Authority for the relevant part of the development. The overheating assessment shall assess the risks of overheating within the dwellings and offices which have exposure to solar radiation. The assessment shall also include where necessary, proposed mitigation measures including the need for air cooling or air conditioning systems. The proposed mitigation scheme within each Development Block, shall be implemented in accordance with the approved details prior to occupation of the relevant part of the development. Detailed strategies for each relevant Development Zone, or Development Block shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

REASON: To reduce the risk of overheating within the development to ensure the proposed residential accommodation will be constructed to a good standard in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

41. Sustainable Urban Drainage (SUDs) Systems

Alongside each reserved matters application for any Development Zone, or Block or/and Landscape Phase within a Development Zone a detailed surface water drainage scheme which demonstrates how the Development accords with the relevant approved site wide surface water drainage scheme required under Condition 8, shall be submitted to and approved, in writing, by the Local Planning Authority. This scheme, will include:

- (a) Demonstration that source control SuDS (such as permeable paving, green/brown/blue roofs) and additional above ground SuDS are prioritised in each Development Zone, Infrastructure Phase or Landscape Phase/Area
- (b) Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components
- (c) Discharge rates are to be limited to the greenfield runoff rate calculated using FEH methods and appropriate input parameters
- (d) Ground investigations including:
 - Infiltration in full accordance with BRE365
 - Groundwater level monitoring over the winter period
- (e) Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance.
- (f) Where necessary, groundwater mitigation measures to prevent ingress into surface water drainage system, and supported by floatation calculations based on groundwater levels encountered during winter monitoring (November-March)
- (g) Full construction details of all SuDS and drainage components
- (h) Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- (i) Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- (j) Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
 - Flow depth
 - Flow volume
 - Flow direction

The approved scheme for each Development Zone, Block or/and Landscape Phase within a Development Zone shall subsequently be implemented in accordance with the approved details before development within the relevant Development Zone is completed.

Reason: To ensure that a sustainable drainage strategy has been agreed in accordance with Paragraph 163 of the National Planning Policy Framework (2021) to ensure that there is a satisfactory solution to managing flood risk.

42. Programme of Car Parking Provision

No development within a Development Zone shall commence (excluding any demolition) until the Local Planning Authority has approved a programme of car parking provision for the relevant Development Zone, of part thereof including:

- Total number of spaces (including accessible parking)

- Pedestrian routes within the car parks
- Details of car parking for people with disabilities, parents with toddlers
- Means of access, access controls and egress, including location of any barriers,
- Working details of any ramps and entrances/exits, including any consequential amendments to the widths
- Layout and operation of car parks;
- Details of the ventilation of any basement or below ground car parking;

The car parking within any Development Block, within a Development Zone must be provided in accordance with the approved details.

Reason: To ensure sufficient car parking is provided for each Development Block, or Development Zone, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021).

43. Car Park Management Plan

No development within a Development Zone shall commence (excluding any demolition), until a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority, detailing for both office and residential uses, the allocation of parking spaces to occupiers/residents and visitors, and which parking spaces will be fitted with Electric Vehicle Charging Points and which spaces will be designed to accessible standards. Details for each relevant Development Block(s) within the relevant Development Zone shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications for the relevant Development Zone.

Reason: To ensure that there is adequate parking available at the site, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021).

44. Car Parking Maximum

The residential car parking provision shall not exceed the per residential unit ratio of 0.3 across the site. The office car parking provision shall not exceed the ratio of 1 space per 100sqm across the site. The total car parking provision across the site shall not exceed 685 spaces. The car parking maximum excludes the 16 rapid charger and car club spaces. The resident spaces shall include 20% active Electrical Charging Points and 80% passive provision for future Electrical Charging Provisions. The active residential electric vehicle charging points must have a 'Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase. 5% of all car spaces shall be designed to wheelchair accessible standards.

Reason: To reduce the level of car-based traffic within the surrounding road network and encourage alternative sustainable modes of travel in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021).

45. Design of Car Parking and MSCP

Should Development Zone 6 be constructed as a Multi-Storey Car Park, in accordance with the approved Parameter Plans and Development Specification Report, no development

shall be carried out until the detailed design, phasing plan, access, layout and location of the car parking including EV chargers, Car Club Spaces, Accessible Bays, pedestrian routes and vertical clearance heights shall be submitted to and approved in writing by the Council. The proposed car parking shall accord with the details as approved and shall be retained permanently thereafter.

Reason: To ensure the Multi-Storey Car Park is designed to appropriate technical car parking standards set out in the Developer Guide Part 3, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008 and the National Planning Policy Framework (2021).

46. Cycle parking facilities

No development within each Development Zone shall commence (excluding any demolition) until details of cycle parking including specifications of the cycle parking racks and storage facilities for the relevant Development Zone or Development Block have been submitted and approved in writing. One cycle space per 125m² is required for the Class E (office) floorspace. The cycle facilities shall be implemented prior to the occupation of the relevant Development Zone or Development Block and shall be retained thereafter at all times in the future for this purpose.

Reason: To ensure that there is adequate cycle parking available at the site in accordance with Policy T8 of The Adopted Local Plan for Slough 2004, to meet the objectives of the Slough Integrated Transport Strategy, Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021).

47. Proposed Site Wide Cycle Routes

No development within a Development Zone shall commence (excluding any demolition), until a detailed plan has been provided which identifies the Site Wide Cycle Routes, outlining all cycle routes within and serving each Development Zone including linkages to the local cycle route network and details of associated road markings and signage, and a programme for the provision thereof approved by the local planning authority. The approved details shall be implemented in full in accordance with the approved programme and the cycle routes, markings, and signage shall thereafter be retained and kept available at all times. Detailed strategies for each relevant Development Plot shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of the Adopted Local Plan for Slough 2004, Policies 7 and 10 of the Adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021).

48. Travel plan

Prior to occupation of any Development Block, within a Development Zone, a detailed Travel Plan shall be submitted to and in writing by the Local Planning Authority for that Development Zone, or relevant part thereof. The Travel Plan should be developed and written in line with approved plans and detailed plans. Detailed strategies for each relevant Development Zone shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

Reason: To ensure that the proposed development is in accordance with Policy T8 of The Adopted Local Plan for Slough 2004, to meet the objectives of the Slough Integrated Transport Strategy, Core Policy 7 of the Slough Local Development Framework Core

Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

49. Vehicular Access

Prior to commencement of development within each Highway Zone (excluding any demolition), and notwithstanding the details in the approved parameter plans and sitewide plans, detailed plans, tracking analysis and sections of the vehicular access junctions to and from the A4 access road to the site, and access control arrangements shall be submitted to and approved in writing prior to submission of the first Reserved Matters application of the development by the Local Planning Authority. The junctions shall be designed to ensure that all vehicles (including refuse and HGVs) can safely access/egress the site.

Reason: To ensure safe access/egress is provided (for all vehicles, including refuse vehicles and fire engines) and that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of The Adopted Local Plan for Slough 2004, Policies 7 and 10 of the adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021).

50. Reserved Matters – Landscaping for Consideration

Any reserved matters application pursuant to Condition 1 for approval of landscaping shall be accompanied by proposals for the following in respect of the relevant Development Zone, Development Block or Landscape Phase:

- The proposed finished floor levels or contours;
- Proposed and existing apparatus above and below ground (including pipes, wires, cables and manholes) and;
- Planting Plans; written specifications for planting (including cultivation and other operations associated with plant and grass establishment) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- A Programme for the implementation of landscaping works;
- Proposals and a schedule of landscape maintenance for a minimum period of ten years;

No (approved) landscaping reserved matters application shall be implemented unless and until the Local Planning Authority has approved the details set out in this condition. The proposals shall be carried out in accordance with the approved details prior to first occupation in respect of the relevant reserved matters area, and shall be permanently maintained and retained thereafter.

Reason: To ensure the development is landscaped in the interests of the visual amenities of the area in accordance with Policy EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

51. Tree protection

No development within a Development Zone where trees are to be retained, shall commence (excluding any demolition), until a scheme for the protection of the retained trees, 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.

Specific issues to be dealt with in the TPP and AMS:

- A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- Methodology and detailed assessment of root pruning
- Arboricultural supervision and inspection by a suitably qualified tree specialist;
- Reporting of inspection and supervision

Detailed strategies for each relevant Development Plot shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications, shall be implemented, prior to any works to, or within the vicinity of, the existing trees, in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with policy EN3 of the Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990.

52. Hard and soft landscaping details and inclusion of replacement of dead trees and shrubs

Prior to the commencement of superstructure works for each Development Zone, Block or Landscape Phase, details of the hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme should include the specifications, type, density, position and planting heights and include provision for Bee friendly species, along with staking/guying, mulching, feeding, watering and soil quality, of any new trees and shrubs. The hard landscaping details shall including details of all paving and external hard surfaces.

The approved scheme of soft landscaping shall be carried out no later than the first planting season following completion of the relevant Development Zone or relevant part. Within a five year period following the implementation of the scheme within the relevant Development Zone or relevant part thereof, 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 unless otherwise agreed in writing by the Local Planning Authority.

Detailed strategies for each relevant Development Zone, or relevant part thereof shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

Reason: In the interests of the visual amenity of the area, to ensure replacement trees are planted/replanted and to ensure a high quality public realm and open spaces in accordance with Policy EN3 of The Adopted Local Plan for Slough 2004, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

53. Wind Microclimate Assessment and Mitigation Scheme

Prior to commencement of works above ground level within any Development Zone, or part thereof details of microclimate mitigation measures necessary to provide an appropriate wind environment throughout and surrounding the development, within the relevant Development Zone(s), or parts thereof, with specific consideration of wind impacts on the Town Square and the north-south pedestrian route, shall be submitted to and approved in writing by the Council. The Wind Microclimate Measures shall be submitted following a submission and approval of a detailed Wind Microclimate Assessment of the wind conditions on, around and within the Development Zone, Development Block or Landscape Phase which shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of Development within the relevant Development Zone, or part thereof. Details of the Wind Microclimate Assessment shall be submitted alongside the Reserved Matters on a Development Zone by Zone basis. Approved details shall be implemented prior to first occupation of the relevant Development Block, or Development Zone, or part thereof and shall be permanently retained thereafter. The Wind Microclimate Assessment of each Development Zone, Development Block, or Landscape Phase, shall take account of the phasing of the scheme and the impact of other Development Zones, Development Blocks, or Landscape Phases. The cumulative impact of all relevant Development Zone, Development Blocks or Landscape Phases shall be considered.

Reason: To ensure that suitable measures are incorporated to mitigate potential adverse wind environments arising from the development, in accordance with the NPPF (2021).

54. Sitewide Movement Strategy

No development shall take place within a Development Zone until a detailed Site Wide Movement Strategy has been submitted to and approved in writing by the Local Planning Authority. The Site Wide Movement Strategy shall inform the preparation and submission of the reserved matters applications and shall include the following details:

- Priority pedestrian flow and circulation routes
- Pedestrian desire lines
- Cycle movement routes
- Any vehicle movements
- Areas of confluence (ie: nodal points whereby routes meet)

The findings of the Site Wide Movement Strategy shall be used to inform the detailed design of the development and the location of town centre/non-residential land uses. The reserved matters will be prepared in accordance with the Movement Strategy is to be included in the RMA submission material and a statement on how it has influenced the proposals.

Reason: To ensure the proposed town centre land uses are located in the appropriate parts of the site in order to safeguard the vitality of the town centre and to comply with policies S16, EN1, EN3 and EN5 of The Local Adopted Plan for Slough 2004, Core Policies 6 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021) and the National Model Design Code.

55. Internal Noise

Internal noise levels shall not exceed recommended noise levels of 30dB in bedrooms and 35dB in living rooms. External amenity space will be expected to comply with the 50-55dB noise level recommendation, where possible. The assessment of impact to residential receptors should be made in reference to BS8233.

Reason: In the interests of the amenities of the occupiers and area in accordance with Policy EN1 of the Local Plan and Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance set out in the National Planning Policy Framework (2021)

56. Plant Noise and External Noise

The plant noise rating levels within each Development Zone, Block or relevant part shall not exceed does not exceed 5dB below the typical background noise level, as a minimum, and shall be assessed in accordance with the most recent update of BS4142. To prevent gradually creeping background levels over time, the unrated 'Specific' sound level should not exceed 10dB below the typical minimum LA90 (15 minute) background sound level, except where the LA90 (15 minute) background sound level is below 30dBA.

Reason: In the interests of the amenities of the occupiers and area in accordance with Policy EN1 of the Local Plan and Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance set out in the National Planning Policy Framework (2021).

57. Commercial uses hours of operation

Town centre uses including Sui Generis, Class F and E Uses on the High Street, N-S Route, McKenzie Street, Town Square and Town Square Approach shall not be permitted to be open to customers outside the hours of 07.00-23-00 Monday to Sunday.

Reason: To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Policy EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 6 of the Slough Local Development Framework Core Strategy 2006-2026 (2008) and the National Planning Policy Framework (2021).

58. Odour Abatement System

- a) Prior to commencement of the relevant works on the relevant Development Block, an outline strategy for the implementation of any kitchen odour abatement system will be provided to demonstrate the intended Block strategy.
- b) Prior to commencement of relevant fit out works for each respective retail/restaurant unit, details of the installation, operation, and maintenance of the best practicable odour abatement equipment and extract system for that block shall be submitted to and approved in writing by the Local Planning Authority, including the height of the extract duct and vertical discharge outlet, in accordance with the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' January 2005 by DEFRA.

Approved details shall be implemented prior to occupation of the relevant development Block or part thereof and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that nearby premises are not unduly affected by odour and disturbance 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, and the guidance set out in the National Planning Policy Framework (2021).

59. Shopfronts – Detailed Design

Notwithstanding the information in the approved plans, details of the shop fronts in any block/zone including signage zones located to the nursery, café, retail spaces and any other commercial within all Development Areas/Blocks/Zones shall be submitted for that block to and approved by the Local Planning Authority in writing. The details in connection with the

relevant Development Block, or Zone shall be submitted to the Local Planning Authority in writing, prior to the commencement of any works above ground within the relevant Development Block or Zone and the works shall be carried out in accordance with the approved plans, prior to first occupation of the relevant Development Block or Zone.

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, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

60. Shopfronts – Clear Glass/Non-Mirrored

The window glass of any shopfront hereby approved shall be clear and shall not be mirrored, tinted or otherwise obscured and shall be permanently retained as such.

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, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

61. Shopfronts – No Roller Shutters

No roller shutters shall be installed on any shopfront, commercial entrance or display facade hereby 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, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

62. Laminated/Attack Resistant Glazing

Detailed specification of the external glazing including samples, where relevant alongside a technical report (prepared by a qualified Structural Blast Engineer (SBE)) detailing the required standard of attack resistant/laminated external and internal glazing as well as any non-glazed facades shall be submitted to the local authority prior to commencement of works on that relevant part that demonstrates that the glazing will be attack resistant, relevant to these facades. The SBE report will include the standard of floor slabs and supporting structures columns above and below any proposed internal/undercroft parking areas, including loading areas, to help mitigate a progressive structural collapse. The details shall be implemented, as approved and shall be permanently retained thereafter.

Reason: In order to ensure that the proposed ground level facades across the Development Site deliver a high standard of design and will be attack resistant in accordance EN5 of the Local Plan

63. Fire Statements

Prior to the commencement of each Development Block, Development Zone or relevant part thereof, a detailed fire strategy shall be submitted to and approved in writing by the Local Planning Authority. The fire strategy for the relevant part of the Development should be developed and written in line with Fire Safety Building Regulations Approved Document B. Detailed strategies for each relevant Development Zone or Block shall be submitted to and approved in writing by the Council alongside the Reserved Matters applications.

Reason: To ensure that the Development contributes to the minimisation of potential fire risk in accordance with National Planning Policy Framework (2021).

64. Wheelchair User Dwellings

A minimum of 5% of the total residential units within the development shall be provided as Wheelchair Adaptable Homes and shall be provided to Building Regulation requirement M4 (3) as Wheelchair User Dwellings. The detailed plans of these dwellings shall be submitted to and approved in writing by the local planning authority. Alongside the reserved matters submissions for the residential development hereby approved. The Wheelchair Adaptable Homes shall be shown on the submitted plans and shall be implemented in accordance with the approved plans.

Reason: To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policies 3, 4 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

65. Level Thresholds

The ground floor entrances and entry doors to all publicly accessible buildings within all Development Zones and integral lift/stair cores shall not be less than 1 metre wide and the threshold shall be at the same level to the path fronting the entrance to ensure level access.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Local Plan policy EN1 and Core Policies 3, 4 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

66. No other alterations to the buildings

No alterations shall be carried out to the external appearance of the development hereby approved, including the installation of air conditioning units, water tanks, or extraction equipment, not shown on the approved drawings, unless given express planning permission from the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and prevent harm to the street scene, and to safeguard the amenities of neighbouring residential occupiers, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

67. No Telecommunications Equipment

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without written approval from the Local Planning Authority.

Reason: To ensure that the visual impact of telecommunication equipment can be considered in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the

guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

68. Permitted Development Restricted

Notwithstanding the provisions within the Use Classes Order (2021) as amended. Changes of Use under Class MA, Part 3, Schedule 2, (General Permitted Development) (England) Order 2021 from Class E (all sub-classes) to Class C3 (residential) will not be permitted, without express planning permission from the Local Planning Authority.

Reason: To restrict and limit the loss of retail, shopping, food and drink and other commercial and office uses within the Town Centre in order to protect and safeguard the Town Centre Primary Shopping Area and Secondary Shopping Areas, to promote employment uses within the Town Centre, and to ensure the additional impact on socio-economic infrastructure (education, healthcare, leisure, community uses and facilities) is minimised (in accordance with the Environmental Statement) in accordance with policies EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1, 5 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

69. Internal loading

Prior to occupation of the relevant Development Zone or Development Block, details of the internal loading and turning provisions for delivery and refuse vehicles for the relevant part of the development shall be submitted to and approved in writing by the Local Planning Authority. The unloading and loading facilities shall be provided in accordance with approved plans and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of The Adopted Local Plan for Slough 2004, Policies 7 and 10 of the adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021).

70. Reserved Matters Documents

Detailed Plans, Assessments, Strategies and Particulars submitted for the Reserved Matters in respect of each Development Zone, or Development Block or/and Landscape Phase within a Development Zone pursuant to Condition 1 shall include the following details where appropriate:

- a) the layout, specification, drainage and construction programme for (1) any internal access roads including details of horizontal and vertical alignment, (2) footpaths, (3) parking, turning and loading/unloading areas (including visibility splays), (4) cycle parking areas, (5) cycle storage facilities (6) access facilities for the disabled and (7) individual accesses in accordance with Conditions 15, 16, 45, 46 and 69;
- b) The materials to be used on the external faces of all the buildings to which the details relate;
- c) the positions, design, materials and type of boundary treatment (including all fences, walls and other means of enclosure) to be provided;
- d) details for all hard landscaped areas, footpaths and similar areas, including details of finished ground levels, all surfacing materials, and street furniture, signs, lighting, refuse

- storage units and other minor structures to be installed thereon (in accordance with Condition 51);
- e) contours for all landscaping areas, together with planting plans and schedules of plants, noting species, sizes and numbers/densities, details of all trees, bushes and hedges which are to be retained and a written specification for the landscape works (including a programme for implementation, cultivation and other operations associated with plant and grass establishment) and details of any SuDS measures and associated structures within that Development Zone, or relevant part thereof (in accordance with conditions 12, 40, 49, 50 and 51);
 - f) details of compliance with the principles set out in the design code as approved pursuant to Condition 25;
 - g) a waste strategy including details of bin and recycling storage (in accordance with Condition 14);
 - h) Details of any external lighting to any building(s), parking loading/unloading, servicing/deliveries, or manoeuvring areas, roads, footpaths and other public areas (in accordance with Condition 13, 15, 16, 27 and 44) ;
 - i) details of compliance (where applicable) with the Construction Environmental Management Plan (CEMP) to be approved by the local planning authority pursuant to Condition 9.
 - j) Details of Wayfinding, Signage and Street Furniture in accordance with Condition 29
 - k) Housing mix delivery plan / scheme providing details of the housing unit mix for the relevant Development Block(s) or Development Zone.
 - l) A scheme for the provision of dedicated electric charging points (including standard, fast and rapid chargers) including type and location. As a minimum, the details shall include confirmation of the electrical supplies to be used (a minimum of 3.7kw 16A is required) and type of EV charger (fast or slow charging). The Development shall only be carried out in accordance with the approved details relating to that Development Zone or relevant part thereof in accordance with Condition 42.
 - m) Detailed Energy & Sustainability Strategy in accordance with Condition 11
 - n) Details of the Scheme for Public Art in accordance with Condition 28
 - o) Overheating Strategy in accordance with Condition 39
 - p) A Detailed Wind Microclimate Report in accordance with Condition 52
 - q) A Detailed Fire Strategy prepared in line with Fire Safety Building Regulations Approved Document B in accordance with Condition 63
 - r) a Detailed Sunlight and Daylight Assessment, based on the BRE Guide (2022)
 - s) a Detailed play strategy and type of play equipment to be incorporated into the private communal spaces and public realm.

Reason: To ensure a satisfactory form, layout, scale, appearance and housing mix to the development and to comply with Policies EN1, EN3, EN5, T2 and T7 of The Adopted Local Plan for Slough 2004, Core Policies 1, 3, 4, 5, 6, 7, 8, 9 and 10 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Parts 2, 3 and 4 (2008) and the National Planning Policy Framework (2021), and to ensure the development complies with the mitigation requirements of the Environmental Statement.

71. Business relocation scheme

No demolition shall occur until details regarding the relocation of existing businesses within the Site, relating to location, use, and access management has been submitted to and approved in writing by the Local Planning Authority.

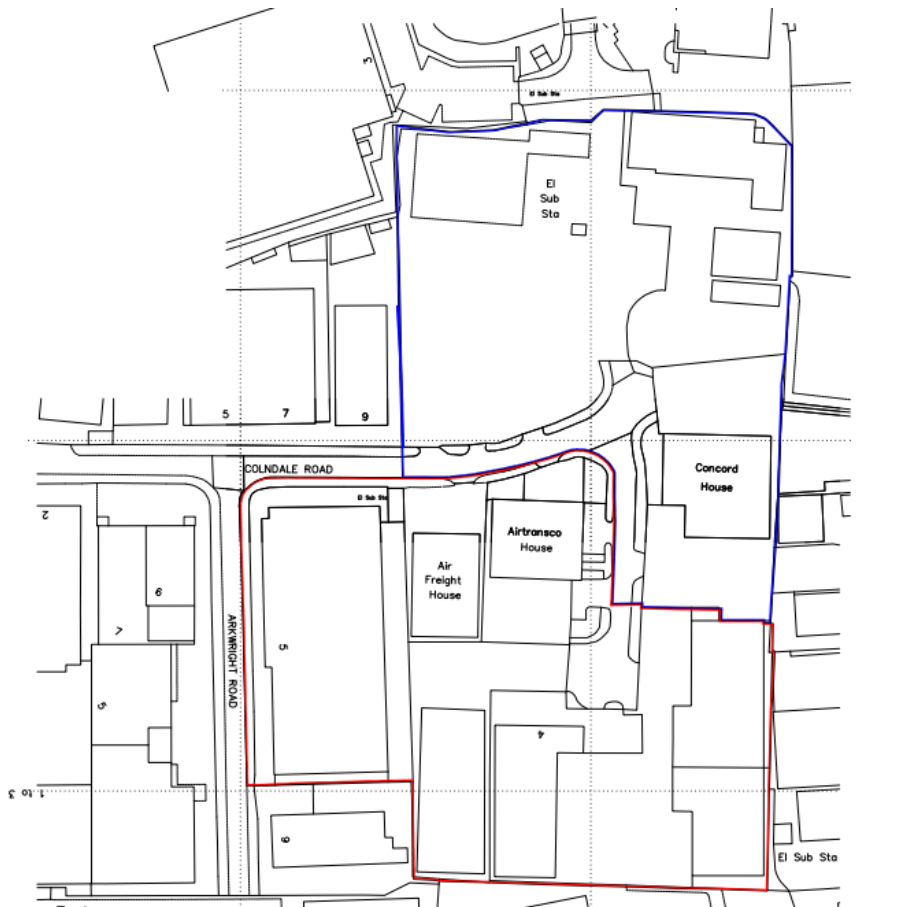
Reason: To ensure that the vitality of the town centre is protected, in accordance with Policy EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

Glossary of terms to include definitions for a Development Zone, block or Landscape Phase.
Clarification if Development Zone includes highway Zone needed

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Registration Date:	16-May-2022	Application No:	P/19954/000
Officer:	Michael Scott	Ward:	Colnbrook with Poyle
Applicant:	Lothbury Property Trust Co Limited	Application Type:	Major
		13 Week Date:	11 July 2022
Agent:	MSA Architects c/o 11, Lothbury Property Trust Co Limited, Plato Place, St. Dionis Road, London, SW6 4TU		
Location:	Units at Poyle Trading Estate, Colndale Road/Arkwright Road, Colnbrook, SL3 0HQ		
Proposal:	Demolition of existing buildings and structures and construction of new employment units within use classes E (light industrial), B2 and B8 with ancillary offices, areas for car parking, service yards, internal estate roads, landscaping as well as associated works (requiring the stopping up of an area of public highway).		

Recommendation: Delegate to the Planning Manager for approval.



P/19954/000

1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies set out below, and any comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager, for approval; in order to finalise conditions and agree pre-commencement conditions; and any other minor changes.

1.2 This application is to be determined at Planning Committee as it is an application for a major development comprising more than 1,000 square metres in floor space.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for:

- Comprehensive redevelopment of the site.
- A rational, modern layout for ease of access/egress and loading/unloading.
- Construction of a 2no. contemporary, two-storey buildings comprising four units.
- Provision of some 6846sq.m. of floorspace to cater for a range of employment uses.
- Surface parking providing 98 spaces, including accessible spaces - ten of the total number would be provided with electric charging facilities.
- The provision of a secure cycle storage facilities for nine cycles.
- Leads onto a post-planning formal road closure order to rationalise the existing highway within the site area.

3.0 **Application Site**

3.1 The application site forms a part of the applicant's wider land holdings locally. It is noted that their land holdings encompass plots to north and south at the eastern end of Colndale Road, bounded by Millbrook Way to the north, the rear of properties in Willow Road to the east, the

McKay Trading Estate and Britannia Industrial Estate to the south and Arkwright Road to the west. These adjacent business areas, together with the application site, are each a part of the wider Poyle Industrial Estate.

- 3.2 The application relates to that part bounded by Arkwright Road and south of Colndale Road with the exception of no. 9 Arkwright Road in the south-west and Concord House on Colndale Road to the north-east.
- 3.3 The existing seven premises, the subject of this application, are noted to be in various states of age and condition, with no uniform pattern of form, scale, character or appearance. Thus they provide a random and incoherent set of working arrangements, offering little in the way of modern and practical loading and parking facilities.
- 3.4 Access for the various premises is taken from either Arkwright Road or Colndale Road. These accesses are shared with premises that would lie outside of this application and as such must be retained as needs be for those independent businesses.
- 3.5 The ground levels are generally level across the site.
- 3.6 For completeness, it should be noted that: the site lies within an area outside of the Town Centre on the Proposals Plan; the site is not in a Conservation Area; and, there are no trees under a Tree Preservation Order in close proximity. However, it is noted that this site does lie adjacent to the McKay Trading Estate, where there is a Listed Building.
- 4.0 **Relevant Site History**
- 4.1 There is relevant planning history on some of the premises within the overall application site area, as follows:
- 4.2 P/10733/001 - Change of use from B8 to B1 (b), B1(c), B2 and B8 with ancillary offices @ 4 Colndale Road – APPROVED 18/07/2003.
- 4.3 P/10733/000 - Use of B8 warehouse without restrictions on occupancy @ 4 Colndale Road – APPROVED 04/03/1999.
- 4.4 P/10347/003 - Variation of condition 3 of planning permission ref P/10347/002 dated 21/10/2003 comprising of installation of a mezzanine floor @ 2 & 3 Colndale Road – APPROVED 13/10/2006.

- 4.5 P/10347/002 - Change of use of existing industrial buildings from Class B8 (storage and distribution) to class B1(b) (research and development) class B1(c) (light industrial) class B2 (general industrial) and class B8 (storage and distribution) with ancillary offices @ 2 & 3 Colndale Road – APPROVED 21/10/2003.
- 4.6 P/11359/000 - Change of use from restricted B8 to B1(b), B1(c), B2 and unrestricted B8 with ancillary offices @ Building 469 (Air Freight House), Colndale Road – APPROVED 20/12/2000.

5.0 **Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020 five site notices were displayed – on lampposts immediately surrounding the perimeter of the site - each dated 31/05/2022. The application was advertised as a major application in the 10/06/2022 edition of The Slough Express.
- 5.2 There have been no representations made following this publicity.

6.0 **Consultations**

- 6.1 Local Highway Authority:

Introduction

These are the final comments (dated 16th August) regarding Highways and Transport matters provided by Slough Borough Council for Application No. P/19954/000 for 4 new industrial units on Colndale Road in Poyle Trading Estate. Initial comments dated 28th June 2022 were provided by Slough Borough Council Highways and Transport.

A Transport Statement and Framework Travel Plan produced by Stantec have been submitted in support of the planning application.

Application Description

The proposed development is 4 new industrial units of Class E, B2 and B8 land uses, with ancillary offices, car parking and servicing. The total GIA of the development is 6,846 square metres. The existing B2 and B8 land uses on site are estimated as 8,280sq.m.

Vehicle Access

A new junction approximately 27 metres wide is proposed on Colndale Road to provide a single access for all vehicles to and from the site. New tactile paving and dropped kerbs are proposed at the new junction. As requested, a Stage 1 Road Safety Audit was completed of the proposed vehicle access arrangements by an Independent Road Safety Auditor.

The auditor recommended further parking controls in the form of double yellow lines and bollards. This is to prevent articulated HGVs and cars parking on pavements which occurs at present. The existing pavement parking would prevent pedestrians using the footways to the site. The existing pavement parking would also restrict visibility for vehicles leaving the proposed vehicle access junction and forward visibility travelling along Colndale Road.

The applicant has agreed to provide bollards and double yellow lines which displayed on Stantec Drawing No. 50340_5501_PL011-Rev-P01, titled: *'Proposed Highway Alterations Including New Bollards Zone and Double Yellow Lines'*. The drawing also confirms which 3 crossovers on Arkwright Road will be closed and reinstated as footways.

The bollards will be provided as part of the Section 278 agreement which will be used to agree the exact final locations after consideration has been given to underground services such as fibre optic cabling, gas pipes and water pipes.

Visibility from Proposed Junction

The proposed vehicle access junction is displayed on Drawing No. 50340_5501_PL003, received 16.05.2022 which demonstrates that a visibility splay of 43 metres is available to the left and 24 metres is available to the right.

It has been demonstrated that the proposed site layout allows for 25 metres of forward visibility around the bend of Colndale Road, as displayed on Stantec Drawing No. 50340_5501_PL003, received 16.05.2022.

The proposed landscaping in the vicinity of the proposed vehicle access junction will be maintained to a height not exceeding 600mm to ensure suitable visibility splays can be provided from the proposed access junction. This is detailed on Stantec Drawing No. 50340_5501_PL003-Revision-P03 titled *'Proposed Site Access Visibility Assessment and Relocated Turning Head Swept Path Analysis'*

Stopping Up Order for Colndale Road

It is proposed that a southern spur section of Colndale Road is stopped up to allow a more efficient redevelopment of the site (according to Paragraph 5.2.4 of the Transport Assessment). This spur section of Colndale Road is also public adopted highway. It has been demonstrated that the largest vehicle which can turn within the existing turning head on Colndale Road is a 7.2m panel van.

The applicant proposes to construct a new turning head south-west of Concord House and north of the existing turning area which will be stopped up, as shown on Stantec Drawing No. 50340_5501_PL003, titled 'PROPOSED SITE ACCESS VISIBILITY ASSESSMENT AND RELOCATED TURNING HEAD SWEEP PATH ANALYSIS.05', received 16.05.2022.

The new turning head will be offered for adoption as public highway to Slough Borough Council.

SBC Highways and Transport have no objection to the stopping up of Colndale Road and require the applicant to obtain a stopping up order under Section 116 of the Highways Act (1980).

Access by Sustainable Travel Modes

SBC do not consider the site to be easily accessible by sustainable travel modes.

The nearest bus stops are the Colndale Road stops on Poyle Road located approximately 220 metres from the site. The only bus is the Number 305 which provides 1 service a day in each direction at 7:46am and 4:34am, travelling between Colnbrook and Staines.

The nearest railway station to the site is Wraysbury Railway Station which is 3400 metres or 2.1 miles. Wraysbury Rail Station is not considered within reasonable walking distance of the site given the Guidance published by IHT (Planning for Walking, 2015) states that *'People will walk up to 800 metres to get to a railway station, which reflects the greater perceived quality or importance of rail services'*.

Car Parking

SBC Highways and Transport have no objection to 98 car parking spaces proposed on-site, which is considered suitable to meet forecast parking demand for B2 light industrial or B8 warehousing.

The Transport Statement provides a worst case forecast of parking demand for the B2 Light Industrial use, which forecasts that maximum parking demand will be 94 vehicles between 10:00 – 11:00 and therefore the proposed 98 parking spaces will be suitable. The forecast was based on TRICS survey data for similar B2 Industrial sites. TRICS is the national trip generation database.

The Slough Parking Standards require 137 parking spaces if the site were fully occupied by B2 Light Industrial Use, and the 98 proposed 71% of the number required; or a shortfall of 34 spaces. However, the Transport Statement has forecast that maximum parking demand will not exceed provision.

If the site were fully occupied by B8 Warehousing, then 98 parking spaces would exceed the 34 required by the SBC Parking Standards.

Trip Generation and Traffic Impact

SBC Highways and Transport have no objection to the proposed development due to the forecast vehicular trip generation which is considered by SBC to have a negligible impact on the surrounding road network.

With regard to traffic impact on highway capacity, the National Planning Policy Framework states that: *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*

The TS forecasts a net increase of 5 two-way vehicle trips during the AM Peak Hour (0800 – 0900) and 13 two-way trips during the PM Peak Hour (1700 – 1800). This is equivalent to 1 additional car trip every 6 minutes during the AM Peak Hour and 1 additional trip every 4 minutes during the PM Peak Hour.

This net increase has been calculated by subtracting trip generation associated with the existing development site. The forecast has been completed using TRICS, the national trip generation database.

The Transport Statement submitted forecasts a net increase of 15 two-way total trips (including all travel modes) during the AM Peak Hour (0800 – 0900) and 16 two-way trips during the PM Peak Hour (1700 – 1800).

An estimate of the site's existing trip generation has been completed for the 8,280sq.m of B2 and B8 land use currently on site and for the proposed 6,765sq.m to establish the net trip generation of the site as a result of the proposed development.

Electric Vehicle Parking

The Transport Statement outlines that 10% of parking spaces would be fitted with Active EV Chargers, whilst a further 10% of spaces would be fitted with passive charging provision. 10% provision is in accordance with the requirements of the Slough Low Emissions Strategy (2018 –

2015) which requires 10% of spaces are fitted with EV Chargers at commercial developments.

Disabled Car Parking

The proposed site plan displays 4 disabled car parking spaces marked for the exclusive use of blue badge holders, with a hatched 1200mm access strip surrounding each disabled space in accordance with the requirements of Inclusive Mobility (DfT, 2021).

Cycle Parking

SBC Highways and Transport are satisfied with the number of cycle parking spaces proposed.

The TA states that the proposed development will provide cycle parking for 18 bicycles to encourage greater travel by sustainable travel modes. The cycle store will be covered and secure and located towards the north-east corner of the site, which will provide secure and covered cycle parking.

The Slough Borough Council Parking standards require the provision of 14 cycle parking spaces for a development of this size.

Framework Travel Plan

SBC Highways and Transport accept the proposed Travel Plan and request that the applicant makes a Section 106 Contribution towards Travel Plan Monitoring.

The Framework Travel Plan submitted sets targets for modal split and measures to encourage sustainable travel. The Framework Travel Plan sets a target to reduce single car driver occupancy from 80% to 75% in year 5 of the development's occupation.

Deliveries, Servicing and Refuse Collection

The TA includes swept paths completed using AutoTrack which demonstrate that there is suitable turning space within the site layout for a 12m rigid HGV and a 16.5m articulated HGV to ingress and egress the site in a forward gear.

The spine roads and service roads have been designed to accommodate a 12m rigid and 16.5m articulated HGV.

A 16.5m articulated HGV and 12m rigid HGV are expected to have the largest turning circles of any vehicles required to use the site and therefore the site also provides suitable turning space for the movement of a 12m refuse vehicle and any deliveries associated with the operation of the site.

The bin store locations are detailed in paragraph 5.4.1 of the Transport Assessment. The proposed site layout includes bin stores in four separation locations in close proximity to vehicle access routes on the eastern edge of the site, southeast corner of the site and on the north-west corner of the site.

Summary and Conclusions

I confirm that SBC Highways and Transport would have no objection to the proposed development on Highways and Transport grounds.

Highways set out conditions covering Construction Management Plan, Access, Visibility, Gates, EV Charging Points, Cycle Parking, Bin Storage. These are included below at 21.0.

6.2 Thames Water:

Waste Comments

Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the informative as set out at 21.0 below:

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the informative as set out at 21.0 attached to the planning permission:

6.3 Lead Local Flood Authority

No response received for this application. Any comments received will be reported into the Amendment Sheet.

6.4 SBC Scientific Officer

No response received for this application. Any comments received will be reported into the Amendment Sheet.

6.5 Berkshire Archaeology

I have looked through the application and the accompanying desk-based assessment, and am in agreement with the conclusions in the report; namely that it would be appropriate to require archaeological mitigation of the impact of the proposed development. Our suggested wording for a condition to achieve this would be as set out in 21.0 below.

6.6 SBC Tree & Landscape Officer

Landscaping

A possible missed opportunity to increase the bio diversity of the site. To the south end of the site there is a large area of hard standing with no indication of its planned usage. It may be in the eyes of the developer an unofficial trailer park BUT on paper it would make a good location for a rain garden taking the hard surface drainage water and passing it through filtration prior to discharge into the sewer system. The area could also support moderate tree planting and dinnertime seating arrangements to the benefit of the developments staff and visitors.

Trees

Reading through the Arboricultural report which is quite detailed on how the control of work on site should be carried out. Assuming that this system of working is indeed action then happy to approve the report. The plan is to utilize ground pressure reduction plates to create a surface covering trees roots during demolition and construction of the new development thereby reducing soil compaction and allowing the tree roots to carry out exchange of gasses and continue water intake.

Regarding tree T1 there is an indication that with a buttress root that in some way the tree has been placed under stress and produced reaction wood to compensate for this fact. Note the tree is listed as a 'B' tree when from the picture one may expect an 'A' tree (move to a Protected tree TPO status) but without removing the stress factor there is not much point in an upgrade. The Arboricultural report seeks to clarify how the T1 tree's root zone will be protected during the development works

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 **Slough Local Development Plan and the NPPF**

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

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.

National Planning Policy Framework 2021:

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 6: Building a strong, competitive economy

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

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

Core Policy 1 – Spatial Strategy

Core Policy 5 – Employment

Core Policy 7 - Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural, built and historic environment

Core Policy 10 – Infrastructure

Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Policies 2010)

EMP2 – Criteria for Business Developments

EMP9 – Poyle Estate

EN1 – Standard of Design

EN3 – Landscaping Requirements

EN5 – Design and Crime Prevention

T2 – Parking Restraint

T8 – Cycle Network and Facilities

The Emerging Preferred Local Plan for Slough 2016 – 2036:

The Emerging Local Plan is at a relatively early stage of development. Currently of relevance are, (paragraph numbering as per that report):

- 5.4 *The Spatial Strategy is just the first part of the Local Plan. It does not contain any policies. A full set of Development*

Management policies will be included in the final version of the Local Plan. The Spatial Strategy does, however, seek to identify the type of policies that may be needed in order to implement the proposals and mitigate any adverse impacts....

- 5.6 *The starting point for the development of the Spatial Strategy was the work carried out for the Issues and Options consultation in 2017. This identified a number of options for development. The conclusions from this were that there are “no reasonable options, or combinations of options which could accommodate all of Slough’s housing and employment needs within the Borough”.*
- 5.7 *An “emerging” Preferred Spatial Strategy was agreed in 2018. The five key elements of this were:*
- *Delivering major comprehensive redevelopment within the “Centre of Slough”;*
 - *Selecting other key locations for appropriate development;*
 - *Protecting the built and natural environment of Slough including the suburbs;*
 - *Accommodating the proposed third runway at Heathrow and mitigating the impact;*
 - *Promoting the northern expansion of Slough in the form of a “Garden Suburb”.*
- 5.8 *It is proposed that the revised Spatial Strategy should be based upon this subject to a number of changes which take account of changes in circumstances.*
- 5.9 *...the most appropriate approach is to revert back to restraining development in order to protect the Green Belt, Colne Valley Park and Strategic Gap between Slough and Greater London.*
- 5.10 *Although we cannot formally safeguard land that may be needed for the expansion of Heathrow and associated development, this approach will effectively achieve this. Any future proposals for the expansion of the airport can then be considered in a review of the Local Plan.*
- 5.11 *The Wider Area Growth Study is seeking to identify major sites that could accommodate unmet housing and employment needs. The area of search includes the Colnbrook and Poyle. As a result we may have to reconsider what happens to this area if the Consultant’s report recommends that development should*

take place there.

5.12 ...the main principle behind Spatial Strategy remains one of delivering major comprehensive redevelopment within the "Centre of Slough". No change is therefore proposed to this.

Other Relevant Documents/Guidance

Department of Transport Circular 01/2010 – Control of Development in Airport Public Safety Zones

7.2 The planning considerations for this proposal are:

- Land Use (section 8.0)
- Impact on Visual Amenity (section 9.0)
- Impact on neighbouring properties (section 10.0)
- Traffic and Highways Implications (section 11.0)
- Air Quality (section 12.0)
- Flooding & Surface water drainage (section 13.0)
- Land Contamination (section 14.0)
- Archaeology & Heritage matters (section 15.0)
- Impact on trees, biodiversity and ecology (section 16.0)
- Sustainable Design and Construction (section 17.0)
- Equalities Considerations (section 18.0)
- Presumption in favour of sustainable development (section 19.0)

8.0 Land Use

8.1 Paragraph 80 of the National Planning Policy Framework seeks to create 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. Each area should be allowed to build on its strengths, counter any weaknesses and address the challenges of the future. Areas with high levels of productivity should be able to capitalise on their performance and potential.

8.2 Core Policy 5 (Employment) of the Core Strategy requires "major warehousing and distribution developments be located in the eastern part of the borough and in Existing Business Areas that have good access to the strategic road and rail network".

8.3 Local Plan Policy EMP9 (Poyle Estate) states B1(b) research and development, B1(c) light industrial, B2 general industrial and B8 storage and distribution will be permitted within the Poyle Estate. Additional independent B1(a) office floor space will not be permitted in this location.

- 8.4 The site is located within the defined Poyle Estate Business Area. The proposal would see a net decrease of 1424 square metre in employment floor space (existing: 8280sq.m.; proposed: 6846sq.m.) to provide the following uses:
- Light Industrial - Class E(g)(iii)
 - General Industrial - Class B2
 - Storage and Distribution – Class B8
 - Ancillary Offices

These land uses fall within the uses sought by Local Plan Policy EMP9, and subject to restricting these uses to those specified, the proposed land uses would comply with the Development Plan for this location. The proposal would build on the strength and potential of this Business Area and is therefore considered to comply with the relevant objectives of the National Planning Policy Framework.

- 8.5 Based on the above the proposed land use would be acceptable.

9.0 **Impact on visual amenity**

- 9.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policy EN1, EN3, and EMP2.
- 9.2 Paragraph 7.97 of the Core Strategy describes Poyle Industrial Estate as “*not been properly planned*” and “*suffers from congestion and poor environment*”. These current proposals seek to address these issues within this part of the Estate.
- 9.3 The scheme comprises two portal frame construction buildings opposite each other, so that the service yards and parking are between and thus result in the need for only a single access road down the spine of the site. The large footprint of each of the two buildings, enables subdivision, and thus meet the need for functional, adaptable premises, with dedicated service yards and parking areas.
- 9.4 At the northern end, and in the north-east and south-west of the site, there would areas with communal parking; whilst in that part in the north-east corner, there would also be cycle stores and an electricity sub-station.
- 9.5 In terms of scale and massing, it is considered that the overall concept and the bulk and height would appear consistent with the locality. The

western building would be higher with the haunch at 10.5 metres high; whilst the eastern building would have a haunch of 8 metres, to reflect the lower scale of the sites beyond in Willow Road to the east.

- 9.6 There would be some limited areas of landscaping, principally that at the north-east corner and on the northern margin of the site. These would also offer the opportunity for seating and bird boxes. This matter is covered by a condition set out below at 21.0.
- 9.7 In terms of design and style, the proposals are considered to be crisp and contemporary – stylish but unassuming. Contrasting profiled metal facing panels will differentiate the warehouse element from the ancillary office areas. These would be punctuated by glass cantilevered entrance canopies, light silver metallic painted personnel and loading bay doors, and, polyester powder coated aluminium framed windows and cappings in an anthracite colour finish.
- 9.8 It is considered that the application proposals would be of a good visual quality and through the re-modelling and improvement to the overall site layout, would be an enhancement on the visual amenities of the locality.
- 9.9 Based on the above, the proposal would have an acceptable impact on the character and visual amenity of the area and therefore comply with Policies EN1, EN3, and EMP2 of the Local Plan for Slough March 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework 2021.

10.0 **Impact on neighbouring properties**

- 10.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EMP2.
- 10.2 As more fully described above, the scheme entails new buildings that would match the general height and massing of adjacent buildings. Given the degree of separation between the application site and those adjacent neighbouring premises, it is considered there would be no adverse impact on the amenities of the occupants of those buildings, in terms of overshadowing, loss of any privacy, noise or disturbance.

10.3 The proposals are accompanied by a noise review by specialist consultants. It is noted that the replacement buildings would be in the same use but comprise less gross floorspace; so, the level of noise should be no greater than the existing situation. Likewise, the level of traffic generation should be no greater than the existing. Furthermore, the site lies within a commercial/industrial zone some 270 metres from the nearest residential accommodation in Poplar Close.

10.4 In conclusion, as it is considered that there would be no adverse harm specifically to the amenities of neighbouring properties or generally within the wider area, the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EMP2 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2021.

11.0 **Traffic and Highways**

11.1 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 provide facilities for electric vehicle charging. This is reflected in Core Policy 7 and Local Plan Policies T2, T8, EMP2 and EMP9. The National Planning Policy Framework states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

11.2 Core Policy 7 of the Core strategy and Local Plan Policy T2 seek no overall increase in the number of parking spaces in commercial schemes in this area. Core Policy 7 of the Core strategy provides a relaxation to this if additional parking is required for local road safety or operational reasons.

11.3 The proposals entail a new highway layout, which has been subject to a Road Safety Audit. The Highway Authority has confirmed that in all respects the submitted scheme details are satisfactory.

11.4 The layout of the redevelopment scheme involves the stopping up of a section of the existing highway. The Highway Authority has confirmed that they have no objection and this will be pursued under appropriate

regulations in due course in conjunction with the formal adoption of the replacement highway.

- 11.5 Further to discussions between the traffic consultants for the applicant and the Highway Authority, it has been concluded that there would be a reduction in traffic generation between the previous use of the site and that of the proposed scheme.
- 11.6 The Highway Authority have concluded in discussions with the applicant's transport consultant that their provision of 98 car parking spaces would be satisfactory. Furthermore, the offices within the scheme must be ancillary only and thus not used independently.
- 11.7 The Highway Authority has confirmed it is satisfied by the proposed provision of EV Charging points, cycle and bin storage, subject to conditions as set out below, which also require a prohibition on any gates or barriers without prior approval from the LPA.
- 11.8 The applicant has been invited to prepare a Unilateral Undertaking to cover the cost of monitoring the Framework Travel Plan, as requested by the Highway Authority. The progress of this matter will be included on the Amendment Sheet.
- 11.9 Based on the above, and subject to the conditions set out below, it is considered that the proposals would not lead to severe harm to highways users and thus are considered to be in accordance with the requirements of Policies T2 and T8 of the adopted Local Plan, as well as the provisions of the NPPF.

12.0 **Air Quality**

- 12.1 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.
- 12.2 The Council has recently adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local

Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic and requiring electric charging points within new developments. The Low Emission Strategy (LES) is a material planning consideration but it does not form part of the current local development plan.

- 12.3 The site is not located within a designated Air Quality Management Area and the expected trip generation for the proposals indicated a reduction in traffic arising from the use of the site.
- 12.4 The scheme will provide EV Charging facilities pursuant to a condition – set out below at 21.0 - in line with the LES.
- 12.5 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 2021.

13.0 **Flooding & Surface Water drainage**

- 13.1 The proposals are accompanied by a report by an appropriate specialist consultant relating to the potential for flooding and a scheme for surface water drainage. It is noted that:
 - (i) given the distances from the River Colne and reservoirs, tidal and fluvial flooding is not considered a risk;
 - (ii) given the topography, existing drainage system and surface flood map information, it is considered there is a low risk of surface water flooding;
 - (iii) a recent onsite trial pit found suggests the ground water table is some 2.5 metres deep, therefore the flood risk from ground water is considered to be low;
 - (iv) given the foul water sewer infrastructure and the levels of the roads and of the site, it is considered that there is a low risk of the development being affected.
- 13.2 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. Core Policy 8 of the Core Strategy requires development to manage surface water arising from the site in a sustainable manner.
- 13.3 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.

13.4 The application includes a drainage strategy, which would include drainage channels, manhole and inspection chambers, as well as, attenuation tanks. It is considered that the degree of impermeable surfacing will not change significantly. Therefore, the proposals will not increase the flood risk on site or elsewhere. A condition to secure the detailed design, is set out below at 21.0.

14.0 **Land Contamination**

14.1 The proposals are accompanied by a ground investigation report by an appropriate specialist consultant. It is noted that the contamination risk assessment did not identify any pollutant linkages that impact on the identified receptors. Monitoring indicated that the installation of gas protection measures is unlikely to be required. The report concludes that no remediation strategy is necessary. As such officers recommend a watching brief condition is set out below at 21.0.

15.0 **Archaeology & Heritage matters**

15.1 A Desk Based Archaeological Assessment by an appropriate consultant expert accompanies the submission. This notes that based on the archaeological potential for prehistoric and modern remains, it is expected that further archaeological work will be necessary to confirm the presence or absence of finds and allow the design of an appropriate mitigation strategy to offset any impacts.

15.2 Berkshire Archaeology agree with the applicant's observations and have provided a draft condition, which is set out below at 21.0

15.3 A Built Heritage Statement by an appropriate consultant expert accompanies the submission. This notes that the existing site buildings do not lie in a conservation area and are neither designated nor of architectural or historic interest; though, the site lies immediately north of the McKay Trading Estate, where the principle building is Grade II listed but is only partially visible from the application site.

15.4 It is noted that the current proposals would not impact on the fabric of the listed building at the McKay Trading Estate and so would not affect its intrinsic high architectural interest. Furthermore, the application scheme would not have any impact on the limited views of the listed building from Colndale Road. Therefore, it is considered that these

proposals would have no potential impacts on the significance of that heritage asset.

16.0 **Impact on trees, biodiversity and ecology**

16.1 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

16.2 The application site does not fall within a designated Special Protection Areas, Special Areas of Conservation or Site of Special Scientific Interest and is not an agricultural building or barn.

16.3 An Ecological Assessment by an appropriate consultant expert accompanies the submission. A habitat survey was carried out in November 2021 in order to ascertain the general ecological value of the site and identify the main habitats and the associated plant species located within the site. Special attention was paid to any particular use of the site by protected species, priority species or other notable species. Whilst specific surveys were conducted for the presence of any bats.

16.4 No signs of bats, birds (other than pigeons), or invertebrates were found.

16.5 The closest SSSI – Wraysbury Reservoir – lies some 0.6km. away – and the non-designated site at the reservoir is some 0.5km away. The submitted report concludes that given the nature of the application site and its development, as well as the distance and intervening habitats, no significant effect is anticipated as a result of the proposals on either of these designated or non-designated sites respectively.

16.6 In order to enhance the very low existing ecological value of the site, the proposals include bird boxes and a landscaping scheme, which could provide for pollinators, in particular, as well as, improve the biodiversity of the area.

16.7 An Arboricultural Report by an appropriate consultant expert accompanies the submission. This identifies that there are no trees within the application site but a number of trees on the boundary in neighbouring ownerships. Therefore, some crown reduction to varying degrees would be required and works to ensure roots that lie under the boundary and extend within the site are protected, which concludes that

tree protection measures will be required. Accordingly, a condition is set out at 21.0 below.

16.8 Based on the above, the proposal would satisfy Core Policy 9 of the Core Strategy and the National Planning Policy Framework.

17.0 **Sustainable design and construction**

17.1 The application proposes achieving a 'BREEAM 'Excellent' rating; thus exceeding the guidance in Part 4 of the Council's Developer's Guide. Conditions are included at 21.0 below to ensure this rating is achieved during construction and prior to occupation.

17.2 An Energy Statement by an appropriate consultant expert accompanies the submission. This sets out that the buildings would be expected to achieve a 70% reduction on CO2 emissions over the baseline Building Regulations.

17.3 The development is expected to use features of passive and low energy design including the installation of high performance glazing, construction of an enhanced building fabric, the fitting of efficient lighting, as well as, ensuring the building is of low air leakage.

17.4 Renewable energy technologies will also be used; in this instance, air source heat pumps and photo-voltaic cells.

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

18.0 **Equalities Considerations**

18.1 The Council is subject to the Public Sector Equality Duty in section 149 of the Equality Act 2010, which (amongst other things) requires the Council to have due regard to the need to eliminate discrimination/harassment/victimisation, advance equality of opportunity between people who share (and do not share) a protected characteristic and foster good relations between people who share (and do not share) a protected characteristic.

18.2 Having due regard to the need to advance equality of opportunity between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) remove or minimise disadvantages suffered by persons who share a

relevant protected characteristic that are connected to that characteristic; (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

18.3 Having due regard to the need to foster good relations between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) tackle prejudice; and (ii) promote understanding.

18.4 The protected characteristics referred to in the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The PSED is a continuing duty to have regard to the objectives identified in the Act as opposed to requiring the Council to achieve any particular outcome.

18.5 Throughout this report, due regard has been had to the needs of individuals with these protected characteristics, as required by the Act in order to understand the likely impact of the development proposal on them. It is considered that there will be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development e.g.: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures under other legislation covering environmental health should be exercised as and when required.

18.6 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.

19.0 **Presumption in favour of sustainable development**

19.1 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the

core planning principles of the NPPF and whether the proposals deliver “sustainable development.” This report identifies that the proposal would comply with the relevant policies in the Development Plan. The application is therefore recommended for approval subject to conditions.

20.0 **PART C: RECOMMENDATION**

20.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager for approval; in order to finalise conditions and agree pre-commencement conditions; and any other minor changes.

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

1. Commence within three years

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

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

2. Approved Plans

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

- (a) Drawing No. 31178_PL_200F; Dated 21.01.22; Recd On 16/05/2022
- (b) Drawing No. 31178_PL_201H; Dated 11.04.22; Recd On 16/05/2022
- (c) Drawing No. 31178_PL_202A; Dated 25.03.22; Recd On 16/05/2022
- (d) Drawing No. 31178_PL_203A; Dated 25.03.22; Recd On 16/05/2022
- (e) Drawing No. 31178_PL_204B; Dated 25.03.22; Recd On 16/05/2022
- (f) Drawing No. 31178_PL_205B; Dated 25.03.22; Recd On 16/05/2022
- (g) Drawing No. 31178_PL_206A; Dated 25.03.22; Recd On 16/05/2022
- (h) Air Quality Technical Note by Stantec ref: 001 v1.4; Dated 26.04.2022; Recd On 16/05/2022
- (i) Arboricultural Impact Assessment by Arborterra Ltd. project ref: 808; Dated 9th May 2022; Recd On 16/05/2022

- (j) Archaeology Desk Based Assessment by PCA ref: 14763 Revision 3; Dated 25th April 2022; Recd On 16/05/2022
- (k) Built Heritage Statement by rps group ref: JCH01539; Dated April 2022; Recd On 16/05/2022
- (l) Design & Access Statement by Michael Sparks Associates ref: 31178; Dated May 2022; Recd On 16/05/2022
- (m) Ecological Assessment by Ecology Solutions ref: 10259.EcoAss.vf3; Dated May 2022; Recd On 16/05/2022
- (n) Energy Statement by HDR ref: 10315281 Issue 03; Dated 14th April 2022; Recd On 16/05/2022
- (o) External Lighting Assessment by HDR ref: 10330209 Issue P4; Dated January 10th 2022; Recd On 16/05/2022
- (p) Flood Risk Assessment & Drainage Strategy by HDR ref: 10328950 Revision C; Dated 26.04.2022; Recd On 16/05/2022
- (q) Framework Travel Plan by Stantec ref: 50340 Final v1.3; Dated 26 April 2022; Recd On 16/05/2022
- (r) Ground Investigation Report by Ian Farmer Associates ref: 2240509-02(03); Dated January 2022; Recd On 16/05/2022
- (s) Noise Review by RSK Acoustics ref: 206/0839/L1; Dated 25 April 2022; Recd On 16/05/2022
- (t) Planning Statement for Lothbury by Michael Sparks Associates; Dated May 2022; Recd On 16/05/2022
- (u) Overheating & Thermal Comfort Statement by HDR ref: 10315281 Issue 02; Dated 14th April 2022; Recd On 16/05/2022
- (v) Sustainability Report by Greengage ref: 551956ai29April22F04_BREE; Dated April 2022; Recd On 16/05/2022
- (w) Sustainability Statement by HDR ref: 10330209 Issue 01; Dated 29th April 2022; Recd On 16/05/2022
- (x) Transport Statement by Stantec ref: 50340/001 Rev. Final v1.3; Dated April 2022; Recd On 16/05/2022
- (y) Transport Statement Addendum by Stantec ref: 50340 Note 001; Dated 14.07.2022; Recd On 14/07/2022
- (z) Stantec Drawing No. 50340_5501_PL011-Rev-P01, titled: 'Proposed Highway Alterations Including New Bollards Zone and Double Yellow Lines'; Dated 2022.08.16; Recd On 16/08/2022
- (aa) Stantec Drawing No. 50340_5501_PL003-Revision-P03 titled 'Proposed Site Access Visibility Assessment and Relocated Turning Head Swept Path Analysis' Dated 2022.08.04; Recd On 16/08/2022

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

3. Construction Management Plan

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

1. A site set up plan displaying vehicle and pedestrian access points during construction, the areas for storage of materials, waste and recycling facilities, 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 non-mobile machinery 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 2021.

4. Contamination Watching Brief

The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

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

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been

carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

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

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

5. Archaeological matters

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 scheme shall include an assessment of significance and research questions; and,

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The Development shall take place in accordance with the approved Written Scheme of Investigation and shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON In order to ensure adequate opportunity for the proper investigation and recording of the potential archaeological remains at the site in accordance with the requirements of the National Planning Policy Framework 2021.

6. Tree Protection

No development hereby permitted, including the demolition of the existing buildings, shall commence until the tree protection measures as set out in the Arboricultural Impact Assessment by Arborterra Ltd. project ref: 808; Dated 9th May 2022; have been implemented, and these measures shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory protection of trees adjacent to the development site that should be retained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the National Planning Policy Framework.

7. Drainage (SuDS)

Prior to any construction works above ground floor slab taking place, details of a surface water drainage scheme for the site, based on sustainable drainage principles, in accordance with the approved Flood Risk Assessment & Drainage Strategy by HDR ref: 10328950 Revision C (Dated 26.04.2022) must 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 development is completed. The scheme shall include:

- Final detailed designs of the drainage scheme including invert levels, cover levels, gradients and exceedance routes
- Evidence that the applicant understands the sensitivity of discharge points relating to the receiving water body. Where this is main river or discharging through contaminated land the LPA may have to consult the Environment Agency (EA)
- Evidence of and information on the existing drainage network for previously developed (brownfield) sites
- Evidence that the proposed drainage will follow the same pattern as existing. This avoids directing flows to other directions.
- Information evidencing that the correct level of water treatment exists in the system in accordance with Ciria SuDS manual C753
- Maintenance regimes of the entire surface water drainage system including individual SuDS features, including a plan illustrating the organization responsible for each element. Evidence that those responsible/adopting bodies are in discussion with the developer. For larger/phased sites, we need to see evidence of measures taken to protect and ensure continued operation of drainage features during construction.
- Exceedance flows are considered in the event of the pipe being non-operational. Evidence that exceedance flows and runoff in excess of design criteria have been considered - calculations and plans should be provided to show where above ground flooding might occur and where this would pool and flow.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development and shall not prejudice the existing sewerage systems in accordance with Policies 8 and 9 of the adopted Core Strategy 2006 – 2026, the Council’s Development Plan Document – Developer’s

Guide Part 4 Section 6 (2016) and the National Planning Policy Framework 2021.

8. External materials - Development

All new external work shall be carried out in materials as set out in the application form and the drawings hereby 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.

9. New surface treatments

Prior to the substantial completion of the development hereby approved, the external materials to be used in the construction of the access and circulation roadways, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved..

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

10. Boundary Treatment

The development shall not be occupied until the approved boundary treatment as set out on dwg. no. 31178_PL_206A has been implemented on site. It shall be retained at all time in the future.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2021.

11. Landscaping Design

Construction of the buildings above damp proof course level shall not commence on site until a detailed landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, including those suitable for pollinators, and details of

hardsurfaces which shall include compliance with the surface water drainage mitigation as approved under condition 6 of this planning permission.

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

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

12. Access

The use of the development hereby approved shall not commence until the new means of vehicle access has been constructed in accordance with the approved drawing and constructed in accordance with Slough Borough Council's Design Guide.

REASON To ensure that adequate access provision is available to serve the development to prevent highway congestion and safety issues and to protect the amenities of the area in accordance with Core Policy 7 and 8 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 requirements of the NPPF 2021.

13. 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.

14. Layout

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

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

15. Cycle parking

Prior to the first occupation of the development hereby approved details of the cycle parking provision (including location, housing and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose.

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

16. Bin storage

Details of the proposed bin store (to include siting, design and external materials) shall be submitted to for approval by the Local Planning Authority. The approved stores shall be completed prior to first occupation of the development and retained for this purpose.

REASON In the interests of visual amenity of the site in accordance with Policy EN1 of The Local Plan for Slough 2004.

17. Car Parking Provision

Prior to the development hereby approved first being brought into use, 98no. car parking spaces shall be provided and made available for use in connection with the development and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business, commercial or residential use.

REASON To ensure that adequate on-site parking provision is available to serve the development to prevent highway congestion and safety issues by overspill of parking onto the surrounding streets 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 requirements of the NPPF 2021.

18. EV Charging facilities

No part of the development shall be occupied until electric vehicle charging points have been provided, comprising a total of 10 electric vehicle charging points, serving 10% of the proposed 98no. parking spaces. The electric vehicle charging points must have a 'Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure vehicle parking is provided and encourage up-take of electric vehicle use, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework 2021.

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 Very Good (or equivalent standard).

REASON In the interest of sustainable development in accordance with Policy 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021.

20. External site lighting

No lighting shall be provided at the site other than in accordance with the approved plans and documents.

REASON To ensure the safety of aviation and in the interests of the amenities of the area, in order to comply with Policy 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021

21. 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 Very Good (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 2021.

22. Ancillary offices

The offices hereby permitted shall be used ancillary to the main use only and shall at no time be used as independent offices falling within Class E 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 ensure that independent offices which are high intensive employment generating uses, are directed towards the Town Centre to promote the long-term vitality and viability of the Town Centre, and to ensure offices are located in the most sustainable locations, in order to comply with Local Plan Policy EMP9, Core Policies 1, 5 and 7 of The Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021.

23. No change of use

Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), the development shall only be used for purposes falling within E(g)(iii), B2, and B8 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 2021.

24. No change of use to residential

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), the land uses hereby permitted falling within E(g)(iii), B2, and B8 as defined by Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or re-enacting that Order with or without modification) shall not be used for any residential purposes falling with the C3 Use Class as defined by Town

and Country Planning (Use Classes) Order 1987 (as amended)) (or any Order revoking or re-enacting that Order with or without modification).

REASON: to prevent the loss of employment uses and to prevent poor living conditions by virtue of using of buildings which are not design coded for residential purposes in accordance with Core Policies 4, 5, and 11 of the Slough Local Development Framework Core Strategy 2006-2026, and the National Planning Policy Framework 2021.

25. No additional floor space

No floor space created by internal sub-division, mezzanine floor, or external extension shall take place without the prior written approval of the Local Planning Authority.

REASON: In the interest of ensuring there is adequate parking provision for the proposed B8 and B2 uses and to protect from overspill parking on the public highway site in accordance with the objectives of the Slough Local Transport Strategy, Policy T2 of the Local Plan for Slough 2004, Core Policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021.

26. Gates

Notwithstanding the terms and provisions of the Town & Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems (other than those shown on the drawings 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.

27. No new windows

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

REASON To ensure the visual character and appearance of the facades are preserved in accordance with Policies EN1 and H15 of The Adopted Local Plan for Slough 2004 and to ensure the development does not prejudice the future development of adjoining lands; so, as to protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with Core Policy 8 of The Slough Local

Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2021.

INFORMATIVE(S):

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

2. Highways

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

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

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

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

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.

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.

3. Thames Water

Waste Comments

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

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.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. 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://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

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>

Water Comments

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

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of

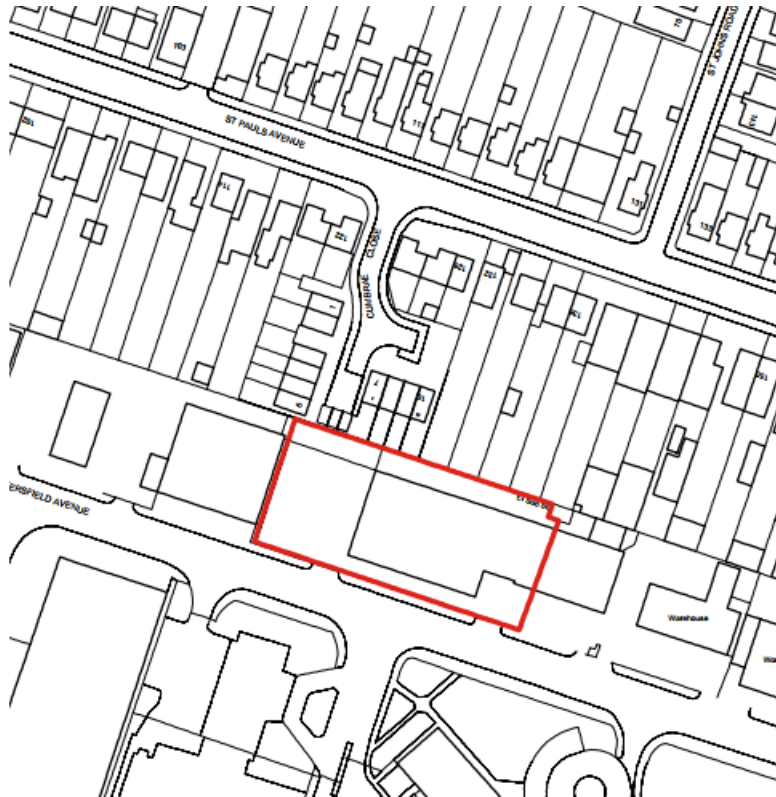
water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

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

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:	15-Sep-2021	Application No:	P/19642/000
Officer:	Alex Harrison	Ward:	Central
Applicant:	Omega 10 Ltd	Application Type:	Major
		13 Week Date:	15 December 2021
Agent:	Eleanor Smith, Danks Badnell Architects Ltd Danks Badnell Architects Ltd, Kings Stables, 3 - 4 Osborne Mews, Windsor, SL4 3DE		
Location:	Grace House, Petersfield Avenue, Slough, Slough, SL2 5EA		
Proposal:	Demolition of the existing B8 commercial building, and the construction of a 5 storey building, with semi-basement parking to provide 50 no. residential apartments.		

Recommendation: Delegate to the Planning Manager for approval



1.0

SUMMARY OF RECOMMENDATION

1.1 Having considered the relevant policies of the Development Plan, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application be delegated to the Planning Manager for:

A. Approval subject to:

1. The satisfactory completion of a Section 106 Agreement to secure financial contributions towards mitigation against impacts on Burnham Beeches, and a requirement for a two stage review of viability of the development; and
2. The satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act.
3. No new issues being raised from consultation responses from Natural England and the Health and Safety Executive.
4. Finalising conditions and any other minor changes;

OR

B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 1 April 2023, unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

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

PART A: BACKGROUND

2.0 Proposal

2.1 Planning permission is sought to demolish the existing building on the site and redevelop to provide a building to provide 50 flats. The building will sit at the southern frontage of the site and principally face onto Petersfield Avenue. The building will be a single block with varying heights ranging from 3 to 5 storeys with the fifth storey set back. The proposed building will

be faced in brickwork with flat roof covered by a membrane. Windows and doors will be powder-coated aluminium.

- 2.2 The proposed units will be providing in the following housing mix:
- 22no – 1 bed flats
 - 28no – 2 bed flats
- 2.3 Access is proposed at the southeast corner of the site which will lead to a basement car park that provides 47 vehicle spaces for the development and 60 cycle parking spaces. The basement area also provides access and turning for delivery vehicles.
- 2.5 The application was originally submitted with the following technical content:
- Daylight/Sunlight Report
 - Planning Statement
 - Noise Assessment
 - Design and Access Statement
 - Flood Risk Assessment/Drainage Strategy
 - Transport Statement
 - Refurbishment Survey
 - Energy and Sustainability Survey
 - Regulations Compliance Report
 - Sales and Marketing Report

Following the submission of amended plans the following further documents were submitted:

- Financial Viability Report
- Additional Highways Information
- Habitat Regulations Assessment
- Additional Noise Information
- Addendum Daylight/Sunlight Report

3.0 Application Site

- 3.1 The application site is an existing employment site located on the northern side of Petersfield Avenue. It contains a single commercial building and associated curtilage. The building is not detached and is physically attached to a neighboring building to the immediate east of the site. The application building and neighboring building read as one unit.
- 3.2 The building is a steel framed structure with steel cladding that creates a horizontal emphasis to the elevations. The roof takes the form of multiple shallow pitches which is hidden from view by a parapet created by the cladding, giving it the appearance of a flat roof structure. The western part of

the site is a yard area enclosed by a mixture of timber fencing and steel palisade fencing. There are 2 existing vehicle access points off Petersfield Avenue to the site.

- 3.3 The building is currently occupied and is in commercial use. The applicant advises that the building is being used as an office use and the yard are is being used for car sales. The photographs submitted with the application show there is also some element of storage taking place in the building. It is therefore clear that the site is in full use and fully occupied.
- 3.4 The site sits as part of a wider industrial area with a mix of commercial uses operating. To the immediate west of the site is a completed residential redevelopment known as BMW House. Other than this, sites to the east, west and south of the site are generally in industrial/employment use.
- 3.5 To the north of the site are existing residential units which form part of the predominant character to the north of the site. Also noteworthy is that approximately 130m to the east of the site lies the former Akzo Nobel site which is currently beginning redevelopment for uses including residential.

4.0 Site History

- 4.1 There is no planning history on the site. Prior to the submission of this application the applicant sought pre-application advice from the Council under Ref: PreApp/1407 for a proposal to provide 56 units at the site.
- 4.2 In the wider area a number of schemes adjacent to or close to the site have gained consent in recent years.

BMW House (Immediately Adjacent to the West)

P/00988/015

Demolition of the existing B8 and B1 office and warehouse and the construction of a part 4, part 3 and part 2 no. storey residential building comprising of 24 no apartments, with a semi basement car park.

Approved: 14 March 2018.

P/00988/016

Construction of an additional storey on top of existing apartment building. New floor to provide 4no. additional apartments comprising 3no. 1 bed apartments and 1no. 2 bed apartment, and associated parking.

Approved: 2 May 2019.

Thomas House (further to the west)

P/02028/008

Demolition of the existing building (Use Class B2) and construction of a 5 storey building with lower ground parking, to accommodate 18 residential units (Use Class C3) with associated works.

Approve subject to S106

Former Akzo Nobel site (to the east)

P/00072/108

Approval of reserved matters following the outline approval reference P/00072/096 dated 19th November 2020 for the mixed use development of land at the former Akzonobel Decorative Paints facility, Wexham Road, Slough SL2 5DB. Reserved matters application for full details of access (internal site arrangements), appearance, layout, scale, and landscaping for the first phase of the approved commercial floorspace, comprising data centre use (including ancillary office space and associated plant and infrastructure provision); car parking, landscaping and vehicular and pedestrian access.

Approved 12/10/2021

P/00072/096

Outline planning application (to include matter of principal points of access), to be implemented in phases, for mixed use development comprising:

- a) Demolition of existing buildings and structures and preparatory works (including remediation) and access from Wexham Road;
- b) up to 1,000 residential dwellings (Use Class C3); along with flexible commercial uses including all or some of the following use classes A1 (Shops), A2 (Financial and Professional Services), A3 (Food and Drink), D1 (Non-residential Institutions) and D2 (Assembly and Leisure); car parking; new public spaces, landscaping; vehicular and pedestrian access; and
- c) the provision of commercial floorspace including all or some of the following use classes B2 (General Industry), B8 (Storage or Distribution) and sui generis data centre (including ancillary office space and associated plant and infrastructure provision); car parking, landscaping and vehicular and pedestrian access.

(Matters of Scale, Layout, Appearance, and Landscaping to be dealt with by reserved matters).

Approved 19/11/2020

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 21/09/2021. The application was advertised in the 08/10/2021 edition of The Slough Express.

5.2 No letters from neighbouring residents have been received.

6.0 Consultations

6.1 Transport and Highways

Vehicle Access

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

The Transport Statement outlines that a new 4.8m wide site access is proposed off Petersfield Avenue, 4 metres east of the existing access. The TS states that the access would take the form of a hybrid dropped kerb / crossover arrangement with 3m junction radii provided. Petersfield Avenue is subject to a 30mph speed limit.

Publicly available collision data indicates that no personal injury accidents have been recorded on Petersfield in proximity to the existing or proposed access during the last 5 years.

It is proposed to provide an automatic roller shutter on the access road, approximately 8m from the back of the footway to secure access to the car park. The set back of 8m would allow a delivery van measuring 6m – 7m to wait clear of the public highway whilst the shutters open.

Pedestrian Access

The TS outlines in paragraph 4.2.6 that two pedestrian entrances are proposed with one directly onto the footway and one adjacent to the car park access.

Access by Sustainable Travel Modes

The site is considered accessible by sustainable travel modes, offering some potential to live without reliance on the private car. From the proposed development, Slough Railway Station is located approximately 750 metres away (9 minutes' walk and 3 minutes cycle), Slough Bus Station is 850 metres (10 minutes' walk, 3 minutes cycle) and Slough High Street is located 1200m (17 minutes' walk / 7 minutes cycle). Tesco Extra is approximately 1100 metres from the site (14 minutes' walk / 6 minutes cycle) and Sainsbury's is also approximately 1100 metres from the site (13 minutes' walk / 5 minutes cycle).

The nearest bus stops to the site are 250m from the site on Wexham Road and 750m from the site on Stoke Road.

A walking distance of 400 metres (and 200m within town centres) is deemed a reasonable walking distance by the Chartered Institute of

Highways and Transport (CIHT) within their document: *'Planning for Walking and Cycling, 2015'*.

The Chartered Institute of Highways and Transportation also advises that: *'Walking neighbourhoods typically characterised as having a range of facilities within 10 minutes' walking distance (Around 800 metres)* and that people will walk up to 800 metres to access a railway station, reflecting its greater perceived quality and the importance of rail services.

Trip Generation

SBC Highways and Transport have no objection to the planning application on the basis of the site's forecast vehicular trip generation.

The TS forecasts that the redevelopment would cause an overall reduction in the number of vehicle trips generated by this site. A net reduction of 14 trips is forecast during the AM Peak Hour, 8 trips during the PM Peak Hour and 74 trips over the course of a 12-hour day (0700 – 1900).

The forecast within the TS of the site's vehicular trip generation is based upon survey data contained within the TRICS database, the national database for trip generation surveys.

The TS includes a calculation of the site's existing trip generation as a second hand car dealership and a commercial warehouse to understand the likely net increase in vehicle trips generated.

The TS calculates that the existing site would generate 26 two-way vehicle trips during the AM Peak Hour (0800 – 0900) and 20 two-way vehicle trips during the PM Peak Hour (1700 – 1800) and calculates that during a 12 hour day (0700 – 1900) the site would generate 184 two-way vehicle trips.

The TS estimates that the proposed development would generate 12 two-way vehicle trips during the AM Peak Hour (0800 – 0900) and 12 two-way trips during the PM Peak Hour (1700 – 1800). Over the course of a 12-hour day (0700 – 1900) the development is forecast to generate 110 two-way vehicle trips.

Car Parking

SBC Highways and Transport have no objection to the number of parking spaces proposed for the proposed development. 47 car parking spaces are proposed for the development, providing 0.94 parking spaces per dwelling.

The Slough Borough Council Parking Standards would require 77 car parking spaces if the parking standards for a Rest of Town Centre area are applied to this quantity of development. The standards are provided in the table below:

SBC Car Parking Standards (Rest of Town Centre)
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	Spaces per Dwelling	Car Parking Spaces Required
1-Bedroom x22	1.25	28
2-Bedroom x28	1.75	49
Total Required Spaces		77

Source: Slough Developers Guide – Part 3: Highways and Transport (2008).

The provision of 0.94 spaces per dwelling in this location, provides 61% of the 77 required by the Slough Parking Standards.

However, the provision of a reduced parking ratio could be considered consistent with Slough Planning Policy (Core Policy 7) which allows scope to consent developments with low parking ratios in accessible locations within walking distance of Slough Railway Station and Slough Town Centre.

The reduced parking ratio would also be consistent with parking ratios at nearby developments previously consented by Slough Borough Council. Slough Borough Council have previously consented low parking ratios on Petersfield Avenue and Mill Street. Beacon House with a parking ratio of 0.42 spaces for 118 dwellings (P/06964/016), 23-25 Mill Street with a parking ratio of 0.53 spaces for 55 dwellings (P/05806/007) and Thomas House with a parking ratio of 1 space per dwelling for 18 dwellings (P/02028/008).

Disabled/Accessible Car Parking

At the request of SBC Highways and Transport, an amended site plan has been provided displaying 4 car parking spaces designed to an accessible standard with a 1200mm access strip surrounding each space in accordance with the requirements of the DfT Guidance Document: Inclusive Mobility (2021).

This means 8.5% of the 47 parking spaces provided would be designed and marked for disabled use which exceeds industry best practice for 5% of parking spaces to be designed to an accessible standard.

Site Layout

The TS states that swept path analysis has been provided which demonstrates that a large estate car measuring 4.845m long can ingress and egress the proposed car park, manoeuvring in and out of parking spaces and leaving the car park. The swept path analysis is provided in Appendix 7 of the Transport Statement.

EV Parking

The TS states in paragraph 4.3.1 that all 47 parking spaces within the proposed development would be fitted with an EV Charger.

The provision of 1 EV Charger per dwelling is considered compliant with the requirements of the Slough Low Emissions Strategy (2018 – 2025) which requires the provision of 1 EV Charger per dwelling where parking spaces are allocated to dwellings.

SBC Highways and Transport have no objection to the proposed number of EV Chargers and recommend that the specification for the charging points is secured by planning condition.

Cycle Parking

SBC Highways and Transport are satisfied with the cycle parking proposed for the proposed development.

The TS outlines that a secure cycle store is proposed in the basement car parking with parking standards provided for approximately 60 bicycles, providing more than 1 bicycle space per dwelling. The proposed site plan displays a lift measuring 1.81m x 1.6m and 2.4m diagonally which would be able to accommodate a bicycle.

The applicant has amended the proposed site plan to display 2 Sheffield Stands along the site frontage to provide short-stay visitor cycle parking for 4 bicycles. The additional visitor cycle parking spaces are displayed on Danks Badnell Drawing No. 17/32/10A, titled '*Proposed Ground Floor Plan*', dated August 2021.

The Slough Developers Guide – Part 3: Highways and Transport requires the provision of visitor cycle parking for flatted developments of more than 10 dwellings.

Deliveries, Servicing and Refuse Collection

SBC Highways and Transport have no objection to the proposed development due to the proposed delivery and servicing arrangements.

Swept path analysis has been provided which demonstrates that the proposed site layout provides enough manoeuvring room for a Mercedes Sprinter Traveliner Van (Long High Roof) to ingress/egress the proposed development in a forward gear. This is demonstrated on Proposed Servicing Plan Floorplan (Danks Badnell Drawing No. 17/32/19C, titled '*Proposed Servicing Floorplan*' dated November 2021). The Proposed Servicing Plan floorplan has also been amended to confirm that the undercroft parking area will have minimum overhead clearance of 2.7m which will allow high delivery vans to ingress/egress the proposed development.

Therefore, the proposed site layout has been designed to accommodate delivery vehicles and these could be accommodated clear of the public highway to ensure that delivery vehicles do not block the freeflow of traffic on Petersfield Avenue.

A bin store is proposed on the ground floor of the proposed development 6 metres from the carriageway of Petersfield Avenue.

It is recommended that a Delivery and Servicing Plan is secured by Condition and that deliveries shall be conditioned to be undertaken in accordance with the Delivery Servicing Plan.

Summary and Conclusions

I can confirm that SBC Highways and Transport have no objection to the proposed development based on highways and transport grounds. If approval of the application is recommended to planning committee then it is recommended that any approval is subject to conditions and informatives

6.2 Thames Water

Waste Comments

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer.

Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

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

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

Water Comments

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed 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” The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Thames Water requests that following informative be attached to any planning approval. The storage for fuels, oils or other chemicals shall be contained within a bund capable of holding 110% of the total capacity. The hook up/discharge points should be within the bunded area. Reason - to ensure that water resources are not put at risk from leaks or spillages.

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide ‘working near our assets’ to ensure your workings are in line with the

necessary processes you need to follow if you're considering working above or near our pipes or other structures.

Supplementary Comments

Surface water comments are based on a maximum of 3.9l/s flow rate of discharging surface water. No foul discharge connection point found in the documents or whether it is proposed to connect via gravity or pump.

6.3 Landscape/Tree Officer

Raised no objections.

6.4 Environmental Quality

Air Quality Comments

In line with the Low Emission Strategy Technical Guidance, the development is classified as having a minor air quality impact as the development consists of an additional 27 parking spaces (47 in total) and unlikely to affect the nearby Air Quality Management Area (AQMA 4) due an expected reduction in trip generation.

As such, the scheme requires the integration of Type 1 mitigation measures, contained in the LES Planning Guidance and summarised below:

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As all parking spaces proposed are to have access to electric vehicle charging facilities as part of the scheme, the required provision has been met.
- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works. It must include details of noise and dust mitigation.
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report.
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in Table 7 of the LES Technical Report

Environmental Noise Comments

Noise Survey

A noise assessment has been prepared by ACCON UK Limited in support of this application. The assessment has been informed by a noise survey

conducted from 22nd-23rd June 2021, with two monitoring positions, representative of the front façade (MP1) and the rear of the development. Although this monitoring survey coincides with the pandemic, traffic levels are expected to have recovered sufficiently for the assessment to be considered adequately representative of background road traffic noise.

It was identified during the survey period that the dominant noise source at the site was HGV traffic on Petersfield Avenue, as expected due to the industrial nature of the surrounding area.

The results of the monitoring survey indicate that noise levels across the development site (corrected to free-field) are between 54 and 58dB LAeq16h, and 44 and 47dB LAeq8h (during day and night, respectively). Based on this information, a combined façade sound reduction of 24dB(A) is recommended in the report to meet internal noise level criteria, achievable with a double glazed window system (4mm/16mm/6mm).

Commercial Noise

Although traffic levels are likely to have increased to near pre-pandemic levels, it is not clear whether nearby commercial and industrial uses were operating at full capacity, at reduced levels or not operating at all, during the time of the survey, so it is not possible to determine whether the surveying period adequately represents these nearby operations.

Of particular significance is the HGV movements. Section 6.1.1 states that “from analysis of audio recordings on site, it has been determined that [HGV activities] only occur during the daytime hours”. However, the nearby trans-shipping development has permission to operate during the night (up to 10 vehicle movements) and it was noted in that application that Petersfield Avenue has 24 hour HGV traffic associated with other commercial sites. It may be the case that the noise survey conducted in support of this Grace House application was undertaken at a time where activity was low or nearby commercial sites were not operating, and as such, commercial activity has not been adequately monitored and the assessment does not support a worst case scenario approach. Detail of usual nearby commercial operations, and the commercial and industrial operations at the time of the noise survey specifically is therefore required. If businesses are no longer operating which would have typically resulted in a noise impact, this should also be specified. To adequately represent commercial and industrial noise sources, it is recommended that additional spot check measurements are undertaken to inform the glazing specification, particularly at the HGV access point to the trans-shipping area, to ensure that this noise source will not cause disturbance to future occupants of the development.

In regards to day time noise impact, in line with BS 4142, the noise of nearby reversing alarms and HGV movements is expected to cause an adverse impact on the proposed development, as noise levels are 8dB above background levels. However, the report indicates that as the noise survey included noise from commercial sources and that the noise levels could be mitigated, the report does not consider commercial noise to cause a

significant impact on the proposed residential receptors. The Council would consider the 8dB above background levels as significant and advise that a stronger specification of glazing is applied to mitigate against this noise level.

As HGV movements during the night time period are likely, it is advised that a BS 4142 assessment is also considered in regards to night time noise impact, to ensure that future occupants are adequately protected from noise disturbance, particularly residential units which are closest to the trans-shipping access point.

The Design and Access and Planning Statement argues that “the planning approval granted for the Trans-Shipment area accepted that the development would not have material impact upon future residential development”. However, the monitoring period for the trans-shipping area application recorded much higher noise levels and assumed that any residential development that came forward would mitigate against these high noise levels. The noise assessment for Grace House presents much lower noise levels, suggesting that nearby commercial activity is likely to cause a noise impact.

In previous assessments undertaken on Petersfield Avenue, the noise associated with nearby garage operations has been described as significant, however there is no mention of garage operations described in the assessment. Nor is there any mention of commercial plant operating in the area. Clarification is sought on whether commercial uses of this nature are expected to operate when the development is occupied, and specifically, whether the tyre centre will continue operating, as it is noted on the drawings that a section of this unit is to remain. Clarification is also sought on whether there is any mechanical plant in the area which could potentially cause disturbance to future occupants of the development.

External Amenity

External amenity is provided in the form of balconies to each unit. Balconies which face Petersfield Avenue experience noise levels 3dB above the recommended threshold level, based on the noise survey results. It is advised that the spot check measurements recommended in these comments are used to also confirm suitability of the front facing balconies, however it is noted that balconies can be used at the occupants discretion and exposure to this noise source can be controlled. Balconies on the rear façade meet the external amenity noise level target and are therefore acceptable.

Ventilation

A review of ventilation and overheating risk has been considered. To ventilate the units via openable windows, internal noise levels at the front façade are unlikely to be achieved. As such, a continuous mechanical extract system is recommended. Clarification is sought as to which ventilation system is proposed, as the Design and Access and Planning Statement

mentions that “the proposed apartments will have a System 4 MVHR system”, which contradicts what is presented in the noise report.

Due to the screening affects caused by the development, openable windows for ventilation purposes at the rear of the development is acceptable and therefore mechanical ventilation is not required for these units.

Design Principles

Although the applicant has considered good design principles by orientating the majority of bedrooms towards the rear of the property where noise levels are lower, there are still a number of bedrooms which face onto Petersfield Avenue and as such, would be more sensitive to noise disturbance during the night. These rooms would need higher specification of glazing, informed by the spot check measurements discussed above, to ensure that internal noise levels can be achieved.

Summary

In summary, it is expected that nearby commercial uses will operate during the night, which may affect the development’s compliance with internal noise level requirements if not adequately mitigated. The report suggests that no HGV activity was recorded during the night time survey period, suggesting that commercial activity has not been well represented. It is also not clear if there are other commercial noise sources which have been omitted from the assessment (garage use and mechanical plant) which could result in noise impacts to future occupants.

As such, the following clarifications are requested:

- Which commercial or industrial uses typically operate nearby the development
- Which commercial or industrial uses were operating at the time of the survey
- Whether there is any mechanical plant which has potential to cause noise disturbance to future occupants
- Which mechanical ventilation system is proposed to ventilate the front facing units
- Whether there are any other commercial activities (e.g. garage or tyre centre) that has potential to cause noise disturbance to future occupants

Recommendations are as follows:

- Additional spot check measurements are undertaken of any identified commercial or industrial noise sources (e.g. HGV movements, particularly in relation to the trans-shipping area access point, mechanical plant or garage activity) to inform the glazing specification of the development

- Completion of a BS 4142 assessment in regards to night time noise impact

Following the submission of requested additional information.

I can confirm that I am happy with the submitted content and my original concerns have been resolved. I will however require 2 conditions:

1. For the applicant to submit full details of the chosen glazing to demonstrate compliance with the 28dB sound reduction index
2. For submission details of the ventilation scheme, showing ducting and extract locations away from roads (preferably rear of building or roof level), and evidence of ventilation break out/extract noise compliant with internal noise limits (i.e. not exceeding 30dB in bedrooms).

6.5 Lead Local Flood Authority

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

- Correspondence
- Design, Access and Planning Statement
- Drawings / Plans
- Flood Risk Assessment and SWD Strategy
- Topographical Survey

The general principles for the surface water drainage proposals are acceptable; we would recommend that further information on the proposals be submitted as part of a more detailed design phase.

6.6 Contaminated Land Officer

No comments received and should they be received an update on the Amendment Sheet will be provided.

6.7 Natural England

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment (HRA) is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity.

We agree with the conclusion of the HRA Screening (dated 05/04/2022) that an Appropriate Assessment is required. Natural England requires further information regarding the mitigation strategy in order to assess whether the impacts from the development can be mitigated.

We provided feedback (dated 14/05/2021) to Slough Borough Council on the draft mitigation strategy which outlined what is required to get the

strategy to a stage where we can be certain it will mitigate the impacts of new development coming forward within the Borough.

7.0 Policy Background

7.1 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 current version of the National Planning Policy Framework (NPPF) was published on 20th July 2021. Significant weight should be attached to the policies and guidance contained within the NPPF particularly where the policies and guidance within the Development Plan are out-of-date or silent on a particular matter. Relevant paragraphs of the NPPF are outlined below. However, before doing so officers first identify the relevant policies in the Development Plan which is the starting-point of an assessment of the application consistent with the statutory test in section 38(6) as above. The weight to be attached to the key Development Plan policies, and an assessment of the proposal against them, is set out within this report.

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 National Planning Policy Framework 2021:

- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 5. Delivering a sufficient supply of homes
- Chapter 6: Building a Strong Competitive Economy
- Chapter 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

Slough Local Development Framework Core Strategy 2006-2026
Development Plan Document policies 2008:

- Core Policy 1 (Spatial Strategy)
- Core Policy 3 (Housing Distribution)
- Core Policy 4 (Type of Housing)
- Core Policy 5 (Employment)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability and the Environment)
- Core Policy 9 (Natural, Built and Historic Environment)
- Core Policy 10 (Infrastructure)
- Core Policy 12 (Community Safety)

Local Plan for Slough March 2004 policies (saved policies 2010):

- Policy H14 - Amenity space
- EN1 (Standards of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- EN17 (Locally Listed Buildings)
- H13 (Backland/Infill Development)
- H14 (Amenity Space)
- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)
- T9 (Bus Network and Facilities)
- OSC17 (Loss of Community, Leisure or Religious Facilities)

Other Relevant Documents/Statements

- Slough Borough Council Developer's Guide Parts 1-4
- Slough Local Development Framework Proposals Map (2010)
- Technical Housing Standards – nationally described space standards.
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017

The site is not an allocated site in the Slough Local Development Framework Site Allocations Development Plan Document

7.3 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.

7.4 National Planning Practice Guidance (NPPG)

The NPPG was first published in 2014 and is iterative web-based guidance that is designed to complement the NPPF across a range of topics.

7.5 Fire Safety Provisions - DLUHC Guidance - Fire safety and high-rise residential buildings (from 1 August 2021)

The Department for Levelling Up, Homes and Communities (DLUHC) has brought in changes to the planning system whereby HSE Gateway One are a statutory consultee on specified planning applications. The DLUHC Guidance states that the changes are intended to help ensure that applicants and decision-makers consider planning issues relevant to fire safety, bringing forward thinking on fire safety matters as they relate to land use planning to the earliest possible stage in the development process and result in better schemes which fully integrate thinking on fire safety.

7.6 The Proposed Spatial Strategy (Nov 2020)

Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This set out

a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough.

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

It should be noted that the consultation document for the Proposed Spatial Strategy does not contain any specific planning policies or allocate any sites. It made it clear that the existing planning policy framework for Slough would remain in force until replaced by new Local Plan policies in the future. Nevertheless, it sets out the most up to date statement of the Council's position with regards to strategic planning issues.

7.7 Equality Act

In addition, Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. In coming to a recommendation, officers have considered the equalities impacts on protected groups in the context of the development proposals as set out in Section 24 of this report.

7.8 Written Ministerial Statement (2021) – First Homes

The WMS (2021) states that First Homes should account for at least 25 per cent of affordable housing units delivered through planning obligations, which is a material consideration for decision making from 28th June 2021. First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes.

Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;
 - b) are sold to a person or persons meeting the First Homes eligibility criteria;
 - c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer;
- and,

d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

The transitional arrangements set out in the Written Material Statement and Planning Practice Guidance confirm that the First Homes requirement will not apply to sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021 or applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022.

7.9 Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive.

Since 31st December 2020, the UK requirements for Habitat Regulations Assessments is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world.

HRA employs the precautionary principle and Reg 102 ensures that where a project is 'likely to have a significant effect' (LSE), it can only be approved if it can be ascertained that it 'will not adversely affect the integrity of the European site'. Burnham Beeches is designated a SAC under this Directive which is located to the north of Slough.

The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC)

7.10 Buckinghamshire SPD Burnham Beeches Special Area of Conservation

Buckinghamshire Council adopted (in November 2020) a Supplementary Planning Document (Burnham Beeches Special Area of Conservation – strategic Access Management and Monitoring Strategy) which requires developers to make a financial contribution per dwelling for mitigation irrespective of dwelling type or size in a zone between 0.5km and 5.6km from Burnham Beeches. The threshold, in terms of the size of development, when a contribution will apply is understood to be for schemes of 100 net additional homes.

7.11 Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the 1990 Act imposes a general duty on the Council as respects listed buildings in the exercise of its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.0 **Planning Considerations**

8.1 The planning considerations for this proposal are:

- Principle of Development
- Supply of housing
- Design and impact on the character and appearance of the area
- Heritage Impact
- Impacts on neighbouring residential amenity
- Impacts on amenity of future occupiers of the development
- Transport, Highways and parking
- Drainage
- Contamination
- Landscape
- Energy and Sustainability
- Air Quality
- Affordable Housing and Infrastructure
- Habitat Impacts
- Crime Prevention
- Equalities Considerations
- Neighbour representations
- Presumption in favour of sustainable development

9.0 **Principle of Development**

- 9.1 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built-up area, predominately on previously developed land. The policy seeks to ensure high density housing is located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the sites current or proposed accessibility, character and surroundings.
- 9.2 Core Policy 4 again emphasises that high density housing should be located in the Town Centre area and that outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area. The site is not identified as a development site within the Slough Local Development Framework Site Allocation Document DPD.
- 9.3 The site falls outside of the town centre area but is within the urban area relatively close to the town centre. Core Policy 4 states that in urban areas outside of 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. Hence Core Policy 4 does not rule out flats within the urban areas of the town, subject to the sites context location and availability of services.
- 9.4 However, the site is within a protected employment area. Core Strategy Policy 5 (Employment) sets out that there will be no loss of sites to non-employment generating uses, especially where this would reduce the range of jobs available. The proposal would result in the loss of 380 sq.m. of employment floorspace, and it therefore represents an exception to policy which must be given significant weight in the planning balance. The application states that:

The existing building requires major refurbishment to bring it back into a lettable standard for B2 use, and is in a condition likely to prove unacceptable to the commercial leasehold market, especially due to its location away from the Slough Trading Estate, poor vehicular access for large vehicles and limited size of the unit.

Due to the extent of refurbishment works required this is not considered a viable option and the client now seeks an alternative long term financial solution, especially as the business currently operating from the premises do not own the building and their lease is due to finish by the of the year.

In addition they have advised our client that they will not be renewing the lease. This is likely due to the poor standard of accommodation within the building, its size and location. It is extremely unlikely that any new tenant would take on a lease without a major refurbishment and building improvements.

- 9.5 No evidence has been submitted to show that any marketing either of the building or the site for employment purposes has been undertaken. The application includes an unquantified assertion that the building is passed its expected lifetime and is not a viable option as a rental unit. There is no consideration of an employment use redevelopment given the designation of the site as a safeguarded. It is noted that there are other sites on Petersfield Avenue that have had permission for a residential redevelopment. Notably, BMW House (P/00988/015), to the immediate west of the site has been implemented and occupied. Thomas House has previously been resolved by Members to approve for residential development at the Committee meeting of June 2021 (P/02028/008). Lastly, the Akzo Nobel site to the east is coming forward for development (P/00072/108). These decisions and circumstances are material considerations in respect of the principle of development.
- 9.6 The site would be classified as previously developed land in accordance with the NPPF and para 199 states that planning decision should promote an effective use of land in meeting the need for homes, making as much use as possible of previously developed land.
- 9.7 Some consideration should be given to Council document Slough Regeneration Framework 2020. This document highlights this site and others on Petersfield Avenue as being suitable for residential redevelopment. The Framework is not a planning policy; it has been accepted by Members to be used to inform the production of future policy for the new Local Plan. The document does form a material consideration but, to be clear, it is not a planning policy document and should not be given significant weight.
- 9.8 In light of the points above, it is considered that this site is an opportunity to continue a residential belt on the north side of Petersfield Avenue that would contribute to a streetscene enhancement in this area that reflects the Council's intentions for the redevelopment of this area. It is noted that this is not a position that would override the direct conflict with adopted policy as a result of the loss of safeguarded employment land and one that should be considered as part of the planning balance.

10.0 Supply of Housing

- 10.1 The extant Core Strategy covers the 20 year plan period between 2006 and 2026. Core Policy 3 sets out that a minimum of 6,250 new dwellings will be provided in Slough over the plan period, which equates to an average of 313 dwellings per annum. Core Policy 3 states that proposals for new development should not result in the net loss of any existing housing.
- 10.2 Slough Borough Council is in the process of preparing a new Local Plan for Slough which covers the 20 year plan period between 2016 and 2036. The Council's Housing Delivery Action Plan (July 2019) confirms that the objectively assessed housing need for the plan period is 893 dwellings per

annum (dated April 2019). The emerging targets are for the delivery of near 20,000 new homes over the plan period in order to ensure this strategic target is achieved and exceeded to allow for additional population increases over the lifetime of the Local Plan.

10.3 Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework, the Local Planning Authority cannot demonstrate a Five Year Land Supply. The proposal for 50 residential units would make a contribution to the supply of housing, which could be built-out relatively quickly in spite of there being viability issues due to the lease of the commercial use of the building expiring. Given that that the tilted balance is engaged, this contribution would in principle attracts positive weight in the planning balance.

10.4 In terms of housing mix, the recommended housing mix for Eastern Berks and South Bucks Housing Market Area is defined in the Strategic Housing Market Assessment (SHMA) February 2016.

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

10.5 This housing mix for the scheme proposed is as follows:

- 22no – 1 bed flats – 44%
- 28no – 2 bed flats – 56%

10.6 Some flexibility can be exercised in relation to the table above depending on the location of development and the characteristics of the surroundings. In this instance it is considered that a scheme to provide a mix of predominantly 1 and 2 bed units is not in line with Core Policy 4 which seeks out of town centre sites to comprise family housing. However it is closely located to the town centre and other services and a number of other high density schemes have been allowed and implemented in the area. A larger proportion of 2 bed units than 1 bed units is considered to be positive although it is noted that there are only 6 more 2-beds than 1-bed units which limits the extent to which this is a positive ratio. In this instance the housing mix, in principle is not considered to be inappropriate or harmful at this location.

11.0 Design and Impact on Appearance and Character of the area

11.1 Policy EN1 of the Local Plan outlines that development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of scale, height, massing,

layout, siting, building form and design, architectural style, materials, access points, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water course. Poor designs which are not in keeping with their surroundings and schemes that overdevelop the site will not be permitted.

11.2 Core Strategy Policy 8 states that all development in the borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. Core Policy 8 outlines:

'All development will:

- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;*
- b) Respect its location and surroundings;*
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.'*

11.3 The proposed development will occupy the majority of the site and result in the creation of a development of flats that has three main parts. At the western part of the site the proposal takes the form of a 5 storey building before a central element drops to three storeys. At the eastern part of the site the building again rises back to 5 storeys in height, as shown below:



11.4 It is acknowledged that the scale of the proposals is reduced in the middle area primarily for reasons relating to neighbouring amenity impacts, however it also serves to break up the provides a variation in scale in the wider streetscene. This is seen as a positive aspect as the cumulative consideration with BMW House and the potential development at Thomas House means the streetscene was faced with a somewhat monotone character of 5 storeys and the dip in scale is therefore considered to positively add to this character as a result.

11.5 The façade of the development is reflective of the existing residential block at BMW House. The proposal will have a direct relationship with this and the scheme as designed is comparable in terms of the character of window openings and the incorporation of a mixture of integrated and projecting

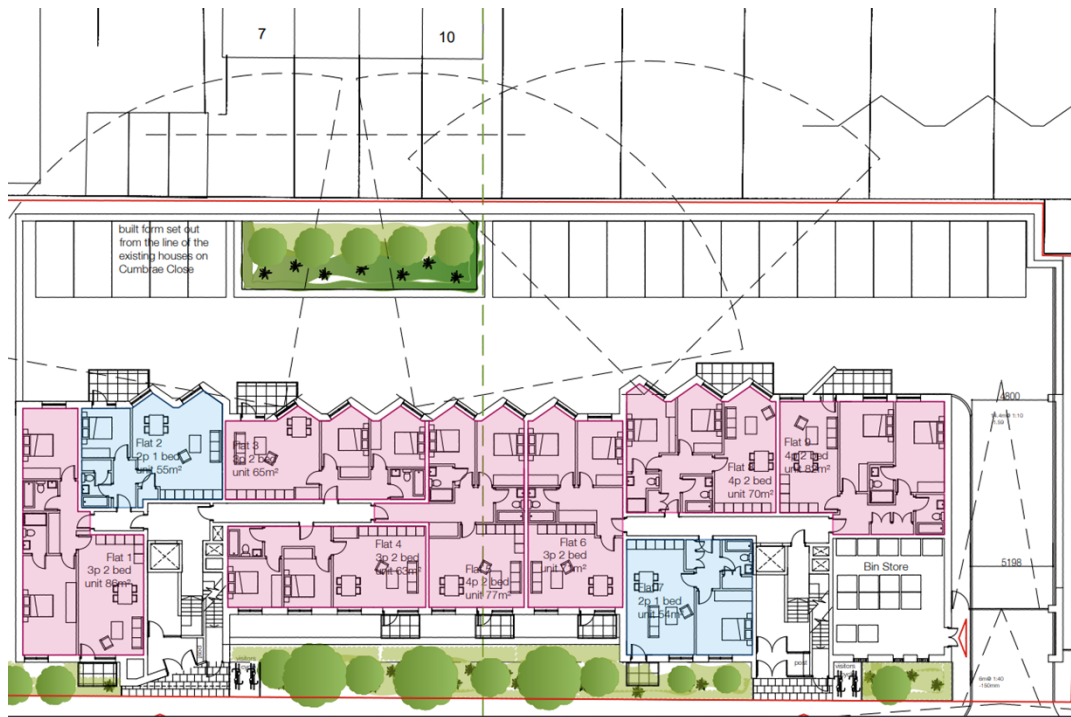
balconies. The proposal also incorporates a set back at the majority of the 5th storey which is consistent with the neighbouring site.

- 11.6 The rear elevation has also incorporated a number of design aspects from its neighbour. Most notably is the inclusion of projecting elements that allow for angular window placements which are included to mitigate overlooking and privacy issues to neighbouring sites. There is consistency with the external façade treatment to the rear as well.
- 11.7 The depth of building at the site is also reflective of the depth of the building at BMW House which creates a gap between the proposal and land to the north of the site. It means the proposal is reflective of the depth of recent development in the area and ensures that it does not dominate the site.
- 11.8 The proposed development provides streetscene improvements to the site and enhances the frontage from the public realm. The inclusion of soft landscaping adjacent to the footway is also positive. The proposal would enhance the visual interest of the site over the existing circumstances. The relationship with BMW House is also such that it would provide visual continuance across the two sites which creates a positive impact on the streetscene as well.
- 11.9 As stated the existing building is not detached and is immediately adjoined to the site on the west, Slough Tyres. The applicant has advised that the proposals will include the making good and construction of a side wall for this unit and would ensure it is to adversely affected during demolition. This would be necessary as part of the scheme and it is therefore considered reasonable to include conditions that will require the approval and implementation of works to ensure the neighbouring building is not left without a side and to ensure is of a suitable acoustic standard to ensure there are no harmful noise impacts from the neighboring use. This would amount to works off site and would therefore require a Grampian style condition to secure it.
- 11.10 On the basis of the considerations above the proposal would respect the scale and form of residential development adjacent to the site and would not be out of character or overly prominent as a result. The scheme is considered to be acceptable in light of policies EN1 and EN2 of the Local Plan for Slough March 2004 and Core Policy P8 of the Local Development Framework Core Strategy 2008 and the requirements of the NPPF. The impact will be appropriately weighted as part of the planning balance.

13.0 Impact on neighbouring amenity

- 13.1 Policy 8 of the Core Strategy requires that the design of all new development should respect the amenities of adjoining occupiers.
- 13.2 There are no neighbouring residents to the east and south of the site.

- 13.3 To the west is the recently developed BMW House. This building has no side windows that are affected by the application proposal. The relationship between the two buildings means there would be no adverse impact on outlook from the windows of this neighbouring site as well. No windows are proposed that would look directly into the adjacent site and as a result it is considered that there are no adverse impact on the amenity of residents at BMW house.
- 13.4 To the north, the site abuts a number of rear private gardens associated with dwellings on St Pauls Avenue and Cumbrae Close. The proposal provides separation distances of 50+m from the rear of dwellings on St Pauls Avenue and 23m from dwellings on Cumbrae Close. The distance between windows is therefore considered to be sufficient to ensure there would be no significant adverse impacts on amenity through outlook into neighbouring windows.
- 13.5 The north facing windows on the proposal will look out towards the gardens of dwellings on St Pauls Avenue and Cumbrae Close. The design of the proposal is such that there is a distance of 14 metres from the north facing windows to the northern boundary. For the neighbouring dwellings to the north it means there would be some degree of overlooking to the rear gardens. The nature of the scheme is such that there would be no impacts from ground or first floor windows. Considerations are therefore had from second floor upwards. The initial concerns were raised over the design of the scheme and overlooking impacts to the north and the plans have been amended to address these. In general terms windows on the northern elevation have been angled so that the outlook is not direct to the north. This design as adopted at BMW house to the immediate west. It serves to significantly reduce overlooking impacts to the north, forcing outlook away from the nearest affected gardens. Most of these windows also serve bedrooms which have less occupancy rates than living rooms which means there is lesser frequency of potential outlooks as well. The result of this is that there is considered to be lesser impacts of overlooking to gardens to the north. In any case the dwellings on St Pauls Avenue are largely screened by planting on the neighbouring side which, if retained screen any perceived impacts and any outlooks are to the end of what are larger burgage style garden plots. There are smaller gardens to the dwellings on Cumbrae Close and windows have been amended to not directly look to these. Furthermore there is soft landscaping proposed at this common boundary area to establish a screen.
- 13.6 As a result it is considered that the amended plans have addressed initial concerns regarding overlooking to the extent that there is no significant adverse impact.



13.7 The building is larger scale than the existing and would be south of the garden areas previously mentioned. The scale of the proposal is such that there would be some visual impact, but it is not considered to be overbearing due to the separation distances and there would be no significant adverse impact through loss of light or overshadowing either.

13.5 As a result of the above assessment, the proposal is considered to be acceptable in light of Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan. This will be considered as part of the planning balance.

14.0 Living conditions for future occupiers of the development

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

14.2 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."

14.3 It is noted that all the units meet and exceed the requirements of the national space standards for residential units which creates a good level of space for residents. All units are provided with their own terrace or balcony giving private amenity space for all residents. There is no communal amenity space.

14.4 The application is accompanied with a noise assessment that concludes that high performance glazing and mechanical ventilation system will be

required to achieve appropriate internal noise levels for the scheme. No objection is raised by the Environmental Quality Officer and the details can be secured by condition. There is no direct reference relating to noise transmission through the floors of the building however the construction would need to meet Building Regulations standards and therefore, as a new building, there are no concerns in principle in this respect.

- 14.5 Concerns were raised over the fact that the daylight/sunlight assessment that was submitted with the application showed that a number of the proposed units would have a significant shortfall in natural light. This was primarily due to certain windows being of northern orientation and also directly under projecting balconies. Daylight/Sunlight assessments are undertaken in accordance with BRE Guidelines and should be regarded as such. This is acknowledged and it is true that failing to meet the guidelines fully does not, in itself amount to a reason to refuse planning permission. However, it is reasonable to consider the daylight/sunlight impacts on its merits. In this instance the original submission was considered to fail to provide suitable amenity levels for occupiers through lack of natural light to the extent that it would be a significant adverse impact. The applicant was invited to address this through amended plans.
- 14.6 The applicant revisited the scheme and submitted amended plans along with an amended daylight/sunlight assessment. The changes to windows and balcony designs, through angled outlooks, internal layout changes and reduced balcony sizes, were such that the extent of daylight to habitable rooms within the scheme has improved to the extent that it can be considered acceptable levels be provided throughout.
- 14.7 Based on the above considerations the proposal is considered to provide a suitable level of amenity for all occupiers of the development and the scheme is therefore acceptable in light of the goals of the NPPF, Core Policy 4 of Council's Core Strategy, and Policies EN1 and EN2 of the Adopted Local Plan.

15.0 Highways and Parking

- 15.1 The National Planning Policy Framework states that planning should seek to development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan policies T2 and T8. Paragraph 111 of the National Planning Policy Framework states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

- 15.2 The proposal has been reviewed by the Highways Officer. No objection is raised to the parking provision proposed. The site is considered to be a sustainable location with services readily accessible by foot and there being a close location of public transport. The proposal provides 47 parking space on the site at a ratio of 0.94 spaces per dwelling. There is a shortfall of 30 spaces when considering the proposal against the parking standards. However the parking ratio is comparable to nearby development and greater than other consented further out on Stoke Road.
- 15.3 The parking proposals also includes EV charging points for each space which is a benefit and a higher provision than is required in policy terms. Four disabled parking spaces are also proposed as part of the overall provision. In terms of cycle parking, secure space is proposed for 60 cycle parking spaces which equates to more than 1per dwelling which is acceptable.
- 15.4 The proposed new access and basement gradient are considered to be acceptable and can be accessed by service vehicles as well as cars. The location of the access is such that it will not affect the existing business access for Akzo Nobel to the south and there is no commercial/residential clash as a result.
- 15.5 The proposed bin store is located at ground floor level fronting onto Petersfield Avenue which means that waste collected without issue.
- 15.6 To conclude the under provision of parking spaces is noted and is unfortunate although the provision is comparable to nearby developments and greater than others further afield. However the site is considered to be in a sustainable location with easy access to services for future residents on foot, by cycle or by public transport. The scheme is considered to be acceptable in other highway aspects and no objections are raised as a result.

16.0 Drainage

- 16.1 The site is located within flood zone 1 and therefore flood risk is minimal. The application is accompanied with a drainage strategy.
- 16.2 The Lead Local Flood Authority and Thames Water have reviewed the application and have raised no objection in respect of surface drainage proposals and flood risk.
- 16.3 No objection was raised by the LLFA subject to a condition being included that required the approval of further details. This condition is seen as reasonable and necessary.

16.0 Contamination

- 16.1 Core Policy 8 (Sustainability and the Environment) of the SBC's Core Strategy Document states that development shall not 'cause contamination

or deterioration in land, soil or water quality' nor shall development occur on polluted land unless appropriate mitigation measures are employed.

16.2 No assessment of land conditions has been submitted as part of this application. The historic uses of the site suggest there could be a risk of contamination or hazardous conditions in principle.

16.3 Assessment of land conditions will be required before any development commences and therefore conditions are proposed to reflect this position. No objections are raised as a result.

17.0 **Landscape**

17.1 Landscaping principally takes the form of the provision of a soft frontage to Petersfield Avenue. This will serve to reduce the extent of hard frontage on the proposal, creating a softer edge that sits comfortably with the open amenity planting on the south side of the road in this location.

17.2 On the northern part of the site a landscaped area is proposed to provide a screen between the development and the neighbouring properties to the north. This will provide a softer divide between the two sites.

17.3 The Landscape Officer has reviewed the proposal and raises no objections and conditions have been proposed to ensure mitigation and management of the landscaping is secured.

18.0 **Energy and Sustainability**

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

18.2 The energy statement submitted with this application concludes that the proposed development will achieve an overall reduction in CO₂ of approximately 36% against the baseline Building Regulations standard. This exceeds the policy requirements and is acceptable.

18.3 The assessment references using technologies such as PV Panels and Air Source Heat Pumps to make the referenced savings. The proposed development can accord with the Core strategy policies on energy and sustainable development in principle and conditions will be required to ensure the development is implemented with suitable measures to make the required emissions savings.

19.0 **Air Quality**

- 19.1 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 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.
- 19.2 The Council has adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic, requiring electric charging points, and low emission boilers within new developments. The Low Emission Strategy is a material planning consideration but it does not form part of the current local development plan.
- 19.3 The application was not accompanied with an air quality assessment. The site is not located within an Air Quality Management Area and no objection is raised as a result. No objections are raised on the basis that the development will secure measures such as EV charging points and heating standards as well as a condition to include a Construction Management Plan that will mitigate air quality impacts during the construction phase.

20.0 **Affordable Housing and Infrastructure**

- 20.1 Core Policy 1 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.
- 20.2 Core Policy 10 states that where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.
- 20.3 The application is liable to affordable housing provision and financial contributions however the submission included a viability appraisal which concluded that the scheme would not be viable is required to provide infrastructure contributions and affordable housing in line with the Developer's Guide.

20.4 Without prejudice, in accordance with the Developers Guide, this scheme would, in principle, result in the following contributions being sought:

Affordable Housing

The application proposes 50 units and has been submitted stating there are viability issues. In accordance with the Developer's Guide there is an affordable housing requirement of 25% which equates to 6 units from this development.

This application proposes to provide 13 affordable housing units at ground floor level under shared ownership tenure.

Education

On the basis of the housing mix proposed, the following contributions towards education will be required:

1-bed units – 22no x £903	= £19,866
2+-bed units – 28no x £4,828	= £135,184

Total = £155,050

Recreation/Open Space

No communal amenity space is proposed and some units have no private space. The development is liable for a contribution of £750 per dwelling as a result.

This amounts to a total of £37,500

20.5 In respect of viability, the NPPF states, at para 58:

The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

20.6 The viability assessment has been considered by the Council's consultant. The applicant's position is that the scheme is not viable with the requirement to provide affordable housing and infrastructure contributions and none are proposed as a result.

20.7 The consultant has considered the appraisal and confirmed that the development would result in a significant deficit if implemented with the fully commitment of required contributions and affordable housing provision. It is also noted that the proposed development results in a significant deficit without any affordable housing/contributions as well.

- 20.8 The viability circumstances of the site mean that the Council is unable to secure any affordable housing or any development contributions. There is no planning reason to doubt the conclusions of the Council's consultant and therefore no contributions are sought. However it will be required that the applicant agrees to a review mechanism in a S106 agreement that would allow two opportunities reappraise of the site in the future to determine if viability has changed and therefore obligations could be secured. Such obligations have been secured in other proposals and is considered to be reasonable here.
- 20.9 Viability issues with development proposals cannot be considered to amount to an adverse impact. The Council would not be able to get contributions for infrastructure categories set out in para 20.4 and it is not reasonable to consider this circumstance to be an adverse impact in planning terms. It is reasonable to acknowledge that the scheme is unable to demonstrate benefits of the scheme through the provision of infrastructure contributions.

21.0 Habitats Impacts

- 21.1 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.
- 21.2 Paragraph 180 of the NPPF 2021 states that when determining planning applications, if significant harm to biodiversity cannot be avoided or adequately mitigated or as a last resort compensated for then planning permission should be refused. It also states that opportunities to incorporate biodiversity improvements in and around the developments should be encouraged, especially where this can secure measurable net gains for biodiversity. Core Policy 9 of the Core Strategy relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.
- 21.3 Regulation 61 of The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended), requires the local planning authority to make an appropriate assessment of the implications of a particular proposal, alone or in combination with other plans or projects on any likely significant effect on a European Site designated under the Habitats Directive
- 21.4 Evidence put forward within the Footprint Ecology report 'Impacts of urban development at Burnham Beeches SAC and options for mitigation: update of evidence and potential housing growth, 2019' recognises that new housing within 5.6km of the Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure.

- 21.5 The site is located approximately 5.4 km (as the crow flies) from the Burnham Beeches Special Area of Conservation (SAC) and therefore falls within the potential 5.6 km development impact zone as proposed within the evidence base carried out by Footprint Ecology.
- 21.6 The Local Planning Authority are currently working with Natural England to produce a Supplementary Planning Document to support a tariff based mitigation strategy for all new housing applications within 5.6km of the SAC. However this is yet to be agreed, and therefore each application needs to be considered on its own merits.
- 21.7 The applicant has submitted a Habitat Regulations Assessment as part of the application. Natural England has considered the assessment but returned the view of an objection on the basis that the Council does not have an adopted mitigation strategy in place. The Council has a mitigation solution in place with a fee of £570 per dwelling towards enhancements and proposals at Upton Court Park. The applicant has agreed to pay this fee which amounts to a total of £28,500 and it can be secured through S106 agreement. The contribution is considered to be a benefit that can be given moderate positive weight due to the payment being a legislative requirement and the concerns of Natural England are considered to be addressed as a result.

22.0 Crime Prevention

- 22.1 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.
- 22.2 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.
- 22.3 The pedestrian access into the flats would be at the front of the building on and securely via the basement car park. This would provide a good level of natural surveillance a ground level. Given the size of the development, an internal security strategy would not be required.
- 22.4 Cycle storage would comprise an integral store at ground floor as would the store. Appropriately secure doors would be required.

- 22.5 Appropriate security lighting will be required within the site and this detail can be secured by condition. A condition is also required to demonstrate that the proposed development would achieve a secured by design accreditation.
- 22.6 Based on the above, and subject to conditions, the proposal would be in accordance with Local Plan Policy EN5; Core Policy 12 of the Core Strategy; and the requirements of the National Planning Policy Framework. Neutral weight should be applied in the planning balance.

23.0 Neighbour Representations

- 23.1 No neighbour objections have been received through the course of this application. The report has specifically addressed impacts on neighbouring residents as part of considerations.

24.0 Equalities Considerations

- 24.1 The Council is subject to the Public Sector Equality Duty in section 149 of the Equality Act 2010, which (amongst other things) requires the Council to have due regard to the need to eliminate discrimination/harassment/victimisation, advance equality of opportunity between people who share (and do not share) a protected characteristic and foster good relations between people who share (and do not share) a protected characteristic.
- 24.2 Having due regard to the need to advance equality of opportunity between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 24.3 Having due regard to the need to foster good relations between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) tackle prejudice; and (ii) promote understanding.
- 24.4 The protected characteristics referred to in the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The PSED is

a continuing duty to have regard to the objectives identified in the Act as opposed to requiring the Council to achieve any particular outcome.

- 24.5 Throughout this report, regard has been had to the needs of individuals with these protected characteristics, as required by the Act in order to understand the likely impact of the development proposal on them. Given that the duty is an ongoing one the Council will continue to have regard to it throughout the detailed design stage of this development proposal in due course.
- 24.6 The proposal would provide new residential accommodation. Given the size of the scheme, the local development plan does not require any wheelchair user dwellings and none have been proposed. Access from the public footway to the building is considered appropriate and units can be safely accessed directly from the disabled parking spaces at the basement via lifts.
- 24.7 In relation to the car parking provisions, 4 no spaces proposed as disabled spaces and should be allocated for those requiring an accessible space which is considered appropriate.
- 24.8 If it is considered that there would be temporary (but limited) adverse impacts upon all individuals with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development 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 would have 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.
- 24.9 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.

25.0 Presumption in favour of sustainable development

- 25.1 The Council is currently unable to demonstrate a deliverable 5 year housing land supply. As a result Paragraph 11 of the NPPF is engaged. This means that sustainable development proposals should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

25.2 In consideration of whether or not development is sustainable, para 8 of the NPPF set out 3 objectives that should be met in order for a scheme to be considered sustainable development; the economic, social and environmental objective.

25.3 In the application of the appropriate balance, it is considered that there are significant benefits from

- The provision of 50 residential units in a sustainable location should be given significant weight.
- As confirmed through viability assessment, issues with the site means that the applicant is unable to demonstrate a benefit of affordable housing. While this is not an adverse impact, it is not one that is considered to be positive either.
- The mitigation payment towards Upton Court Park improvements is a positive aspect that can be given moderate weight due to the payment being a legislative requirement.
- The shortfall of parking provision is considered to be a neutral impact.
- The impact on habitats is noted as being significant but mitigation proposals have been agreed with and therefore this is considered to be a neutral impact.

25.4 In applying the planning balance, the significant benefits of housing provision are considered to outweigh the identified impacts and the proposal should be regarded as sustainable development.

26.0 PART C: RECOMMENDATION

26.1 Having considered the relevant policies set out above, comments from consultees as well as all relevant material considerations it is recommended the application be delegated to the planning manager for

A. Approval subject to:

1. The satisfactory completion of a Section 106 Agreement to secure financial contributions towards mitigation against impacts on Burnham Beeches, and a requirement for a two stage review of viability of the development; and
2. The satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act.

3. No new issues being raised from consultation responses from Natural England and the Health and Safety Executive.
4. Finalising conditions and any other minor changes;

OR

- B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 1 April 2023, unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

27.0 PART D: CONDITIONS

27.1 CONDITIONS:

1. Time Limit

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

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

2. Approved Plans

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

- (a) Drawing No 17/32/20A Rev A, Dated 08/2021, Recd On 07/09/2022
- (b) Drawing No 17/32/21A Rev A, Dated 08/2021, Recd On 07/09/2022
- (c) Drawing No 17/32/22A Rev A, Dated 08/2021, Recd On 07/09/2022
- (d) Drawing No 17/32/23A Rev A, Dated 08/2021, Recd On 07/09/2022
- (e) Drawing No 17/32/10B Rev B, Dated 08/2021, Recd On 01/08/2022
- (f) Drawing No 17/32/12A Rev A, Dated 08/2021, Recd On 01/08/2022
- (g) Drawing No 17/32/13A Rev A, Dated 08/2021, Recd On 01/08/2022
- (h) Drawing No 17/32/14A Rev A, Dated 08/2021, Recd On 01/08/2022
- (i) Drawing No 17/32/15A Rev A, Dated 08/2021, Recd On 01/08/2022
- (j) Drawing No 17/32/16A Rev A, Dated 08/2021, Recd On 01/08/2022
- (k) Drawing No. GAA-17030 20-02 Rev P06, Dated 04/02/2019, Recd On 04/02/2022
- (l) Drawing No. GAA-17030 20-03 Rev P06, Dated 04/02/2019, Recd On 04/02/2022
- (m) Drawing No. GAA-17030 20-04 Rev P06, Dated 04/02/2019, Recd On 04/02/2022

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. External Materials

No development above damp proof course level shall take place until details have been submitted to and approved in writing by the Local Planning Authority of external materials to be used on the development hereby approved and the development shall be carried out in accordance with the details approved.

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

4. External Lighting

None of the units hereby approved shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, location, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

5. Boundary Treatment

Prior to first occupation of the development hereby permitted, a suitable means of enclosure shall be submitted and approved by the Local Planning Authority. The approved boundary shall be fully installed prior to first occupation and maintained and retained at all times in the future.

REASON To safeguard the visual amenities of the locality and the privacy and amenity of adjoining properties, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

6. Secure By Design

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

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in The National Planning Policy Framework, 2012.

7. Energy proposals

Notwithstanding the details in the approved plans, not development outside of demolition and clearance works shall take place until details have been submitted to and approved in writing by the Local Planning Authority of proposals that confirm measures will be included to ensure that the development will achieve 15% lower than the Target Emission Rate (TER) of Building Regulations in terms of carbon emissions. The measures proposed details shall take account of the indicated measures in the submitted Energy and Sustainability Statement by Syntegra Consulting ref 21-8214, dated 07/2021 and the works shall then be carried out in accordance with the approved details.

REASON To provide a sustainability and energy efficient development and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

8. Measures to minimise effects of external noise on new dwellings

The development shall not be occupied until full details of the proposed window and door installations for protecting the future occupiers of the dwellings from noise generated from neighbouring buildings and the surrounding environment have been submitted to and approved by the Local Planning Authority. Any measures shall be carried out before any dwelling is occupied, and these measures shall be retained thereafter

REASON To ensure that the amenities of the future residents is not adversely affected by noise in accordance with paragraph W Part 3 of the GPDO 2015 (as amended) and the requirements of the National Planning Policy Framework 2018.

9. Glazing and Ventilation

Prior to the occupation of the units hereby approved, details of proposed glazing specifications and Mechanical Filtered Ventilation within each flat that has been identified for such mitigation in the details submitted pursuant to Condition 12 shall be submitted to and approved in writing by the Local Planning Authority

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

REASON: To ensure existing and future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2019.

10. Foul Water Drainage

No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network

upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

11. Soft and Hard landscaping

Soft and Hard landscaping for the amenity areas on site shall be provided in accordance with the following details:

- (a) Drawing number 389/01A, dated 05/08/21, received 15/09/2021;
- (b) Landscape Specification for Planting Design including Landscape Maintenance Strategy by Goodger Design Associates, dated 08/2021, received 15/09/2021

The approved scheme shall be carried out no later than the first planting season following completion of the development. Maintenance shall be undertaken in accordance with the undated Maintenance Plan Ref 9869-MP01 received 14/11/2019. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

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

12. Water Network

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

13. Phase 1 Desk Study

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

(PPLs) to inform the site preliminary Conceptual Site Model (CSM) and Preliminary Risk Assessment (PRA).

REASON: To ensure that the site is adequately risk assessed for the proposed development and in accordance with Policy 8 of the Core Strategy 2008.

14. Intrusive Investigation Method Statement

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

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

15. Quantitative Risk Assessment

Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

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

16. Remediation works

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and

approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

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

17. Bin Storage

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

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

18. Access

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

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

19. Layout

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

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

20. Electric Vehicle Parking

Prior to the first occupation of each unit, the residential car parking provision for the unit shall be provided, to include a 1 electric vehicle charge point per dwelling – and a total of 47 electric vehicle charging points. The residential electric vehicle charging points must have a 'Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure vehicle parking is provided and encourage up-take of electric vehicle use, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework

21. Construction 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 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.
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.

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 2019.

22. Delivery and Servicing Plan

None of the dwellings hereby approved shall be occupied until a site servicing strategy and Delivery and Servicing Plan (DSP) for the development including vehicle tracking, shall be submitted to and approved in writing by the Council. The DSP shall detail the management of deliveries, emergency access, collection of waste and recyclables, silent reversing methods/ location of drop-off bays and vehicle movement in respect of the development. The approved measures shall be implemented and thereafter retained for the lifetime of the development.

REASON: In order to ensure that satisfactory provision is made for deliveries, drop-offs and refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policy T3 of The Adopted Local Plan for Slough 2004, Policies 7 and 10 of the adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2019).

23. Cycle Parking

No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been submitted to and

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

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

INFORMATIVE(S):

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

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

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

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

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

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.

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.

2. 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.

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SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: September 2022

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/04670/014	17-31, Elmshott Lane, Slough, Berkshire, SL1 5QS Revised Outline planning application with all matters reserved for the demolition of existing retail/residential buildings. Construction of three storey plus mansard building, over basement, consisting of associated parking at basement level, retail/storage at ground floor level and the formation of 9 no. three-bedroom flats, 19 no. two-bedroom flats and 56 no. one-bedroom flats at first, second, and mansard floor levels. Associated landscaping and realigned access to Elmshott Lane	Appeal Dismissed 12 th May 2022
2019/00237/ENF	7, Moat Drive, Slough, SL2 5TG Self contained outbuilding on rent	Appeal Dismissed / Notice Upheld 13 th May 2022
Y/17291/004	29, New Road, Slough, SL3 8JJ The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, with a maximum height of 3.21m, and an eaves height of 3m	Appeal Dismissed 27 th May 2022
P/03147/004	13, York Avenue, Slough, SL1 3HP Change of use from C3 to C4 (6 person 6 bedroom HMO)	Appeal Dismissed 27 th May 2022
P/19123/003	10, Cheviot Road, Slough, SL3 8UA Variation of condition 1 (approved drawings) of planning permission P/19123/002 dated 10/09/2021 for the construction of a single storey rear extension with 2 no rooflights following the demolition of part of the existing extension that is 3.65m in depth. The proposed variation of condition seeks to extend the rear extension to 5.6m in depth.	Appeal Dismissed 27 th May 2022

2020/00038/ENF	63, Beaumont Road, Slough, SL2 1NG Self Contained Outbuilding	Appeal Dismissed / Notice Upheld 10 th June 2022
2020/00660/ENF	58 Long Readings Lane Self Contained Outbuilding	Appeal Varied / Dismissed 15 th June 2022
Y/07960/004	104, Blumfield Crescent, Slough, SL1 6NJ Prior approval for an additional two storeys to dwellinghouse	Appeal Dismissed 24 th June 2022
P/14557/001	138 Spackmans Way Construction of a three storey side extension.	Appeal Dismissed 30 th June 2022
P/00066/006	37 Cranbourne Close Construction of a part single/part two storey side and rear extension following demolition of the existing outbuilding <ul style="list-style-type: none"> - The proposal was for Construction of a part single/part two storey side and rear extension following demolition of the existing outbuilding. - The footprint of the original house as measured from the Plotting Sheets is about 52 sq metres, consist of an outbuilding measuring about 34 sq metres, which extends lengthwise along the Northwestern boundary - The proposal as originally applied for, had a footprint of 140 sq metres at ground floor level, and extended along the footprint of the outbuilding, subsuming the outbuilding and infilling the space between the dwellinghouse and the outbuilding and which would result in a in a poorly designed enlargement and appear discordant, out of keeping with the host dwelling and would be detrimental to the character and appearance of the surrounding area formed a jarring, out of character development. While the design was not acceptable, the development was not refutable, hence, the negotiation was based on purely design terms. - However, the inspector was of the opinion that the development proposed, while substantial, is nonetheless of a scale, design and form that has due regard to the character and appearance of the host dwelling. The two-storey elements are proportionate to its scale, with the more prominent side extension having a notable set back from the front elevation and a set down from the main roof. Due to the shape of the plot, the most prominent aspect of the 	Appeal Granted 5 th July 2022

	ground floor side extension would be tapered to a narrow width to the front. The remaining single storey extensions are sizeable, but they are subordinate to the host dwelling, proportionate to the large plot size and mostly contained to the rear.	
Y/19485/000	106 Blumfield Crescent Prior approval for an additional two storeys to dwellinghouse	Appeal Dismissed 7th July 2022
P/19414/001	5 Severn Crescent Construction of a single storey side and rear and a part first floor rear extension	Appeal Granted 2 nd August 2022
Y/05383/002	Victoria Court & Eastbridge, Prior approval application for the proposed development which includes the creation of two additional storeys above principal elevation to provide 28 additional flats	Appeal Dismissed 8 th August 2022
2020/00683/ENF	2020/00683/ENF unauthorised outbuilding	Appeal Dismissed / Notice Upheld 13 th September 2022



Appeal Decision

Site visit made on 21 March 2022

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2022

Appeal Ref: APP/J0350/W/21/3276198 17 to 31 Elmshott Lane, Slough SL1 5QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Joe Mirenpass Limited against the decision of Slough Borough Council.
 - The application Ref P/04670/014, dated 31 August 2020, was refused by notice dated 11 December 2020.
 - The development proposed is described as 'Revised Outline planning application with all matters reserved for the demolition of existing retail/residential buildings. Construction of three storey plus mansard building, over basement, consisting of associated parking at basement level, retail/storage at ground floor level and the formation of 9 no. three bedroom flats, 19 no. two-bedroom flats and 56 no. one-bedroom flats, including 20% affordable housing on site, at first, second, and mansard floor levels. Associated landscaping and realigned access to Elmshott Lane.'
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Joe Mirenpass Limited against Slough Borough Council. An application for costs was made by Slough Borough Council against Joe Mirenpass Limited. These applications are the subject of separate Decisions.

Preliminary Matters

3. The original application was made in outline with all matters reserved for future determination. I have had regard to the existing and proposed site plans and the indicative layout of the proposed development as shown in these drawings, but have regarded all elements of these drawings as indicative.
4. The application form gave the address as '17 Elmshott Lane'. The address in the banner heading above is taken from the appeal form and the Council's decision notice. This more accurately reflects the address of the appeal site.
5. The appellant has submitted a signed Unilateral Undertaking (UU) under section 106 of the Town and Country Planning Act 1990 (as amended). This is dated 23 November 2021. This includes financial contributions towards education and recreational infrastructure as well as transport obligations. It also includes the provision of on-site affordable housing. I return to this later in my decision.

6. As part of the appeal, the appellant has sought to revise the provision of affordable housing. At the time the application was determined, the scheme proposed the delivery of 30% affordable housing, 16 units (20%) to be provided on-site in an 'independent' block within the development and 10% to be provided through financial contributions to off-site provision. The revision to the scheme proposes 25 units with the additional units dispersed within the market housing block. In total this would represent just under 30% on-site provision.
7. The *Procedural Guide to Appeals - England* advises that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority. I have also had regard to the Wheatcroft principles¹ including whether amendments would materially alter the nature of the application and whether anyone who should have been consulted on the changed development would be deprived of that opportunity.
8. In my view, the provision of all the affordable housing within the development would be materially different to what had previously been proposed. I also have limited evidence of this having been consulted on and therefore that interested parties have been given the opportunity to comment. I have therefore proceeded to base my decision on the proposals before the Council when it made its decision.

Main Issues

9. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the proposed development would provide an appropriate mix of housing;
 - whether the proposed development would make adequate provision for affordable housing;
 - whether the proposed development would make adequate provision for infrastructure;
 - the effect of the proposed development on the living conditions of neighbouring occupiers at 33 Elmshott Lane, with particular regard to its effect on outlook and whether it would appear overbearing; and
 - whether there are any material considerations which mean that the decision should be made otherwise than in accordance with the development plan.

Reasons

Character and appearance

10. The appeal site is located within a mixed use area which forms part of a neighbourhood shopping centre. Surrounding development is a mix of single and 2-storey properties, including a primary school, library, churches and

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]

shops as well as residential properties located along Elmshott Lane and within the surrounding streets. The school is also a locally listed building. To the rear of the site, there are short terraces of 2-storey residential development on Patricia Close whilst a more substantial 3 to 4-storey block of flats, Charlcot Mews, is located on the southern boundary of the site.

11. Development along Elmshott Lane tends to be set back from the road behind front gardens, driveways and forecourts, which given its modest scale, gives the area an open and spacious character and make a positive contribution to the local environment.
12. The appeal site occupies an area of approximately 0.5 hectares with a long frontage to Elmshott Lane. It is currently occupied by 2 buildings both of which are 2-storeys in height and an area of surface car parking. These are commercial units with residential above. The scheme proposes the demolition of these buildings and their replacement with a 4-storey building with basement parking, indicated to be over 12m high. This is a revised scheme to a previous proposal for the redevelopment of the site with a 5-storey building of 119 flats, dismissed on appeal².
13. Although the drawings are indicative, the proposed building would include 84 apartments and a sizeable building such as shown on these drawings would inevitably be required to accommodate the proposed quantum of development. The proposed building would be substantially larger than the existing development both along Elmshott Lane and in the surrounding residential streets. It would extend across much of the width of the Elmshott Lane frontage at a height of 4-storeys, stepping down to a single-storey building adjacent to its boundary with 33 Elmshott Lane (No 33).
14. The proposal would be reduced in height compared to the previously dismissed scheme and the top floor would be set back from the front elevation. It would nevertheless appear significantly larger and bulkier than surrounding development although to a lesser extent than that previously proposed.
15. I observed that Charlcot Mews is a taller building within the locality and a similar height to the proposed building. It is however atypical of surrounding development. This building also incorporates various pitched roof elements and lower sections, which makes it appear less bulky. Therefore, despite the similarities in height, the scale, mass and form of the proposed building would be more substantial due to its extensive width, plot coverage and flat roof. This would make it appear much more bulky than this neighbouring development. Furthermore, Charlcot Mews is not immediately visible on Elmshott Lane and does not form the character along this road.
16. The presence of this building on an adjacent street, does not therefore alter my view that the proposed development would appear visually dominant and overbearing within the Elmshott Lane streetscene, unrelated to its context and harmful to the character and appearance of the local area.
17. The illustrative drawings indicate that the upper floors of the building would project rearwards in a U-shape, enclosing an area of communal garden at first floor. In comparison to the existing development, the building would be more visually prominent in views from the adjacent properties on Patricia Close and

² APP/J0350/W/19/3224244

Charlcot Mews. However, the set back and reduced height close to its boundaries would help to reduce its bulk and visual impact when viewed from these. With additional planting along these boundaries as shown on the indicative plans, the proposal would provide a softer environment and more visual interest compared to the stark appearance of the large area of surface parking. However, this would not overcome the harm that would arise from a building of this scale along Elmshott Lane.

18. The proposal before me is for a scaled down scheme compared to that previously dismissed with a reduction in height by approximately a third and a similar reduction in the overall quantity of development on site. The appeal scheme would nonetheless extend almost entirely across the full width of the Elmshott Lane frontage over 4-storeys, cover nearly 60% of the plot and would be taller, bulkier and out-of-character with surrounding development.
19. I acknowledge that the previous appeal decision is a material consideration. However, whilst I agree that the scheme before me would have a less harmful impact than that previous scheme, I do not find that simply reducing its scale would render it acceptable. I have assessed the scheme before me on its own individual merits and have found it to be harmful.
20. The proposal would provide basement parking. The Council has suggested this is uncharacteristic of the area. Whilst this may be the case, it would provide an effective way of reducing the visual impact of any parking, it would sit unobtrusively beneath the building and would not detract from the character of the area.
21. The appellant has provided an artist's impression of the proposed building which he has argued demonstrates vast improvement to the vitality of the street. I have been presented with no specific evidence that this is a declining centre. Furthermore, the artist's impression shows a building and fully glazed shopfronts and indicates cafes, which to my mind is more reflective of the type of retail units better suited to more destination shopping areas, such as large town or city centres rather than this small neighbourhood shopping area.
22. The Council's decision notice refers to the scheme being of an unacceptably high density outside of the town centre. In this regard, I concur with the previous Inspector that density calculations alone cannot provide an assessment of the effects on character and appearance.
23. There is an expectation with the National Planning Policy Framework (the Framework) that proposals such as this one will come forward on previously-developed land. I am told that the existing density of the area is around 28 dwellings per hectare (dph) and would increase to 153dph, which is a notable decrease from the previous scheme of 238dph. Nevertheless, in the context of surrounding development, this density of development would result in an uncharacteristically large building, occupying a significant amount of the plot, which would predominantly be viewed from Elmshott Lane where buildings are one or 2 storeys in height and of a modest scale.
24. I have been referred to various permitted schemes for much higher density development with greater site coverage in locations outside the town centre than proposed in this scheme. Of particular note, the Council approved 100% site coverage at 3 sites along Stoke Road which would be much higher density than what is being proposed here. However, I do not find Stoke Road to be

comparable to Elmshott Lane due to the presence of a number of other larger and taller buildings, both commercial and residential and a generally busier environment.

25. I have also been made aware of various other developments within the Slough area but outside of any town centre or designated neighbourhood or shopping centres. These are given as examples of high density developments. However, I have limited information about the circumstances for the approval of these developments nor what their local context is. I can therefore only give these very limited weight in terms of the appellant's arguments to justify higher density development.
26. As such, whilst I agree that there are circumstances within neighbourhood centres and also outside of designated shopping areas where larger buildings and a higher density of development has been found to be appropriate, those circumstances do not exist along Elmshott Lane due to the modest scale of development and the open character of the area.
27. I acknowledge that the Council has not found the proposal would harm the setting of the locally listed school building on the opposite side of the road. However, this does not make the scheme acceptable within the wider area.
28. I conclude that the proposed development would cause significant harm to the character and appearance of the area. It would therefore conflict with Saved Policy EN1 of the Local Plan for Slough 2004 (the LP) and Core Policy 1, Core Policy 4 and Core Policy 8 of the Local Development Framework Core Strategy 2008 (the CS) which together require development proposals to be a high standard of design, compatible with their surroundings in scale, height, mass and bulk and at a density related to the character of the surrounding area. It would also fail to accord with the design objectives of the Framework which seeks development sympathetic to local character.
29. Saved Policy EN2 of the LP referred to in the decision notice relates to extensions to buildings which given the proposal is for a redevelopment of the site, would not be applicable in this case.

Housing mix

30. The Council is seeking to deliver a wide choice of high quality homes and to create sustainable, mixed and inclusive communities in accordance with the objectives of national policy. To this end, Core Policy 4 of the CS sets out that in the urban areas outside the town centre, new residential development will predominantly consist of family housing. It also states that there will be no net loss of family accommodation as a result of redevelopment.
31. The Council's *Space Standards for residential development Developers Guide Part 4 – supplement* (November 2018) defines family housing as 'a fully self-contained dwelling with a minimum floor area of 79 square metres that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached and semi-detached dwellings and townhouses but not flats or maisonettes.'
32. Since the existing building comprises flatted development, there would be no loss of family housing. The proposed scheme, in only providing flatted development, would also not provide any family housing based on the

- definition. It would, however, provide 9 larger 3-bedroom units, representing a net increase in larger units of 5.
33. It seems to me that the policy requirement for family housing should be applied flexibly depending on the circumstances. The appeal site has a long frontage within the designated shopping area which does not lend itself to traditional suburban family housing. Therefore, the failure of the scheme to provide 'family housing' in accordance with the definition would not make it unacceptable.
34. In coming to this view, I am mindful of the approach taken by the Council in other schemes to which I have been referred including developments within shopping areas at both Alexandra Plaza³ and 76 & 78 Stoke Road⁴ where the Council considered the provision of family housing was not considered necessary or appropriate above ground floor retail uses. A short distance from the appeal site, a scheme at the Tyre Centre on Bath Road⁵ for a development of 75 new flats delivering 63% 1-bed and 37% 2-bed units was recently approved by the Council. I have also been referred to proposal at Akzonobel Decorative Paints, Wexham Road⁶ where the Council officers recognised that due to the high density nature of the proposal, it would be unlikely that typical suburban type family housing could be sought.
35. Caselaw⁷ has established that like cases should be decided in a like manner so that there is consistency and also to secure public confidence in the planning system. Subsequent judgments⁸ to which I have been referred to have upheld this position. I appreciate that none of the aforementioned schemes would be directly comparable as each is located within its own context. Nevertheless, they provide an indication that the policy requirement for family housing is often applied flexibly by the Council. It seems to me that there are broad parallels with the scheme before me.
36. Notwithstanding that the appeal site would not be suitable for family housing in accordance with the definition, a requirement to provide a suitable housing mix to contribute towards mixed and inclusive communities nonetheless exists.
37. The Eastern Berks and South Bucks Housing Market Area is defined in the Strategic Housing Market Assessment (SHMA) February 2016. It recommends a housing mix split between 15% 1-bed, 30% 2-bed, 35% 3-bed and 20% 4-bed. The SHMA covers an area comprising 7 local planning authorities. Given the variation that must exist across such a large area, it seems to me reasonable that the figures should not be applied rigidly on a one size fits all basis. The Council acknowledges that this split set out within the SHMA cannot be achieved at all times and is not always appropriate, depending on the location of development and the character of the surroundings.
38. The scheme would deliver 56 x 1-bed units (67%), 19 x 2-bed units (23%) and 9 x 3-bed units (11%). The general housing mix proposed would not reflect that set out within the SHMA. It seems to me that with a disproportionate number of 1-bed units and a significant shortfall in larger units, the scheme

³ Council Ref: P/08040/020

⁴ Council Ref: P/03678/018

⁵ Council Ref: P/00442/016

⁶ Council Ref: P/00072/096

⁷ North Wiltshire District Council v SSE [1993] 65 P & CR 137

⁸ R (Midcounties Co-Operative Limited) v Forest of Dean District Council [2017] EWHC 2050

would make a limited contribution towards creating mixed and inclusive communities.

39. There is nothing before me to suggest that this location is not suited to family households who would occupy the larger units even if they do not meet the definition of family housing. Indeed, there is a local primary school opposite, a library and local shops and facilities all within easy walking distance and there is no reason why larger households would not benefit to the same extent as a smaller household such as might occupy a 1-bed flat, from the proximity to the recently improved public transport, notably Crossrail which now serves Burnham Station. The proposal also includes communal gardens and balconies so households would benefit from dedicated outdoor space.
40. My attention has been drawn to the key findings in relation to market housing within the SHMA, extracts of which are set out within the appellant's statement of case. This states that Slough has the highest need for 1-bedroom homes amongst the authorities covered by the SHMA. However, I do not have details of what that figure is. The appellant has also indicated that the number of 1-bed units would need to grow by 27% over the 2013 to 2036 period covered by the SHMA, and 2-bed units by more, at nearly 30%. Whilst this is noted, this does suggest that the need for larger units of 3 or more bedrooms would be over 40%. There is therefore evidence of units of all sizes being needed.
41. In the previous scheme for this site, the housing mix was found unacceptable by the Inspector. That previous scheme proposed 71% 1-bed and 29% 2-bed units. In this regard, whilst the appeal scheme housing mix would be better than that earlier scheme, there would still be a disproportionate amount of 1-bed units and a limited number of larger units. For these reasons, I conclude that it would make a limited contribution to achieving the overall aims of providing mixed and balanced communities.
42. I recognise the appellant's frustrations that the Council did not refer to the SHMA in its assessment of housing mix for a nearby scheme at the Tyre Centre of Bath Road. However, this in itself does not negate the relevance of the SHMA to the appeal before me.
43. I conclude that the proposed development would not provide an appropriate mix of housing. It would therefore conflict with Core Policy 4 of the CS as referred to above.

Affordable housing

44. Core Policy 4 of the CS sets out a requirement for all sites of 15 or more dwellings (gross) to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing. The appeal scheme would deliver 84 dwellings which would be a net increase of 70 dwellings.
45. Due to the number of units proposed, the Council has advised that the proposal would attract an on-site requirement for affordable housing provision. The *Developer Contributions and Affordable Housing (Section 106) Developer's Guide Part 2 (2017)* sets out that for brownfield sites of more than 70 dwellings, 35% affordable housing should be provided comprising 22% rent and 13% intermediate housing.
46. Notwithstanding the above, there is some ambiguity in the level of affordable housing being sought by the Council with the Council's statement referring to a

- policy compliant 30% provision of affordable housing but providing no explanation for this departure from either its published guidance or its previously stated position.
47. The appellant has set out that the scheme would provide 30% affordable housing, with 20% provided on site and the remaining 10% proposed as a financial contribution for off-site provision. The on-site provision, which would be 16 units, would however be closer to 19%. This would not meet the requirements set out within policy. The appellant has not provided a viability assessment to demonstrate that the required 35% on-site provision could not be provided.
 48. The previous Inspector noted the constraints for Registered Social Landlords (RSL) of managing affordable housing within a single block alongside market housing, a matter which the appeal scheme has sought to address. However, from my reading of that decision, whilst he noted that a proposed financial contribution for off-site provision had been submitted, he did not conclude that the provision of 30% affordable housing was acceptable or had been justified.
 49. I appreciate that the appellant has sought to address the provision of on-site affordable housing through the creation of an 'independent' block within a 'wing' of the proposed building. This would make the proposed scheme more suitable for managing by a RSL. This element of the scheme, based on the indicative layouts, would provide 16 units on site.
 50. Whilst I have not accepted amendments to the provision of affordable housing due to the absence of consultation, these do indicate that additional affordable housing, such as intermediate housing could be accommodated alongside the market housing within the rest of the proposed building. For this reason and in the absence of any viability assessment, the proposal to make up a shortfall in the required on-site provision through off-site contributions has not been justified.
 51. The affordable housing units would be 1 or 2 bedroom units. I have noted the appellant's reference to the Key Findings Affordable Housing with the SHMA, which suggests that between 2013 and 2036 around three-quarters of the need is for homes with 1- or 2-bedrooms. Whilst this lends weight to the view that the provision of a higher proportion of smaller units as affordable housing may be acceptable, I am unable to reach a firm conclusion on this as the overall provision of affordable housing falls short of policy requirements.
 52. The submitted UU would appear to secure the 16 units on-site but makes no provision for the off-site financial contributions. I recognise this is because the appellant intended to amend the provision of affordable housing and the UU was drawn up on the basis of that amended proposal. However, I have nothing before me to secure the affordable housing as originally proposed. In any event, the overall provision would be less than the 35% required by policy.
 53. This leads me to conclude that the proposed development would fail to provide an appropriate level of affordable housing. It would therefore conflict with Core Policy 4 of the CS as set out above. In addition, it would not comply with the Framework which requires affordable housing to be provided on site, unless a financial contribution towards off-site provision can be robustly justified.

Provision of infrastructure

54. Core Policy 10 of the CS sets out that development will only be allowed where there is sufficient existing, planned or committed infrastructure. Where it is insufficient to meet the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements. This will be secured through planning obligations or conditions attached to planning permissions.
55. The submitted UU secures financial contributions to education, a per dwelling contribution towards recreation facilities in lieu of private amenity space and a contribution towards highway work as well as a Travel Plan and monitoring fees. The Council has confirmed that these obligations would be appropriate but raised a concern about whether the agreement confirmed that the appellant would meet the full costs for undertaking the highway works.
56. I have noted that the definitions set out under Schedule 3, Part 1 of the UU confirm that the highway works would be executed by the owner at the owner expense. On this basis, I am satisfied that the submitted UU would secure the necessary infrastructure. The scheme would therefore accord with the requirements of Core Policy 10 of the CS.

Living conditions

57. No 33 lies to the south of the appeal site. This is a commercial property with a flat above. There are a number of upper floor windows facing towards the appeal site within the side elevation of No 33. These currently look out over a single-storey section of building.
58. The illustrative drawings indicate that that the proposed building would be separated from these windows by an existing access road and the proposed building would be retained as single-storey to provide a gap between these windows and the taller flank wall to the 4-storey element of the building. The Council has indicated that the gap would be around 8 to 10m.
59. The Council has drawn upon its guidance, *Residential Extensions Guidelines Supplementary Planning Document 2010* (the SPD), which advises that a 15m distance is provided between flank walls and primary elevations to avoid harmful overbearing impacts. This guidance relates to residential extensions and the windows in question are within a flank wall facing towards another flank wall. The guidance would not strictly apply but I agree it provides a useful yardstick of acceptability.
60. The appellant has indicated that these windows serve bedrooms and, on this basis, he considers them to be less sensitive. Whilst I note this point, bedrooms are nevertheless habitable rooms which should enjoy a satisfactory degree of outlook and protection from overbearing development.
61. The proximity of these bedroom windows to the flank wall of the 4-storey section of the proposed building would fall below the recommended minimum distance set out in the SPD. However, No 33 is positioned as an angle to the proposed building which, in combination with the single-storey section to the proposed building, would ensure that these bedroom windows would retain a sufficient degree of openness. Consequently, the proposed building would not appear overbearing and would not unduly harm outlook from these windows, which would still benefit from views towards the verdant area on the opposite

side of Elmshott Lane provided by the school grounds and the trees within them.

62. I am therefore led to the conclusion that the living conditions of neighbouring occupiers of No 33 would not be unacceptably harmed by the proposal in respect of outlook or a sense of overbearing. The proposal would therefore comply with Saved Policy EN1 of the LP and Core Policy 8 of the CS which together require a high standard of design that is compatible in terms of its relationship to nearby properties and respects the amenities of adjoining occupiers. Saved Policy EN2 of the LP is not relevant to this appeal for reasons stated above.

Other Considerations

63. The Council cannot demonstrate a 5 year housing land supply (5YHLS). The appellant considers that the Council can currently demonstrate a supply of either 1.92 years or 2.1 years. This lower figure, I note was referred to in the previous appeal decision for this site, which dated back to late 2019. The 2.1 year figure is included in the Council's Annual Monitoring Report 2018/19. I have been provided with no more recent figures and the Council has not disputed the appellant's position. Whether 1.92 years or 2.1 years, the absence of a 5YHLS indicates that the policies for the supply of housing are out-of-date.
64. Paragraph 11 d) of the Framework sets out that for decision taking where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless: i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
65. The 'tilted balance' established under paragraph 11 should therefore apply in this case. I return to this in my planning balance below.
66. The proposal would make a significant contribution to housing, providing a net increase in 70 units and thereby helping to address the significant shortfall in housing land supply within the Borough. The provision of additional housing would help to deliver the Government's objective of boosting significantly the supply of housing. I attach considerable weight to the provision of housing as the previous Inspector did.
67. The scheme would deliver a range of economic benefits both during the construction phase and subsequent occupation of the development. The appellant has suggested there would be a significant improvement in the vitality of the area, and has submitted letters suggesting that there is local demand for this. However, I have limited information about this. I appreciate the artist's impression indicates a vibrant streetscene, but this is just a sketch.
68. Nevertheless, I agree that the scheme would renew the shopping parade in providing modern premises and facilities within the neighbouring shopping centre and secure the ongoing provision of day-to-day services for the local community. There is evidence of local support for this.

69. The appeal site is previously-developed land with a large area of surface car parking within an urban area. The scheme would make efficient use of the site.
70. The site is in a convenient location with good access to services and facilities and public transport providing access to the wider area, therefore future occupants would not be reliant on the use of the private car to meet their day-to-day needs.
71. The provision of dedicated delivery bays to serve the retail units would help to reduce the risk of conflict arising from delivery vehicles reversing on Elmshott Lane. This would both improve highway safety and the general environment along the road.
72. The proposed development could enhance the appearance of the local area in providing a more up to date building and replacing some buildings of little architectural merit. As recognised in the previous appeal, the existing outlook from surrounding properties is not especially pleasant, onto the car parking and rear of the shops. Some benefit could arise from the redevelopment of the site. However, due to the size and bulk, the environmental benefits from this would be somewhat reduced.
73. In addition, the indicative drawings indicated that the scheme would provide a number of trees and hedges to the site, both within the communal gardens and adjacent to the street as well as landscaping buffers around the edge of the site. These would enhance the appearance of the area and, could potentially improve biodiversity around the site.
74. The scheme would also be constructed to take advantage of renewable energy and to mitigate the impact of climate change through water storage and infiltration. Compared to the existing site with outdated buildings and a large area of surface parking, it would deliver environmental benefits.

Other Matters

75. The appellant has asserted that the Council failed to work proactively during the application process to reach a positive solution on the application. Whilst the appellant's concern is acknowledged, this is a procedural matter and does not affect the merits of the case.
76. The appellant considers that the Council's third reason for refusal in relation to planning obligations in respect of affordable housing and contributions towards infrastructure was pre-emptive and inappropriate. This was on the basis that he had set out that planning obligations would be provided through a section 106 legal agreement. He considers that this reason for refusal could have been avoided. Again, this is a procedural matter.
77. A number of letters of support for the scheme have been provided to me which it is asserted have not been published. Whilst this is noted, this is a procedural matter. Nevertheless, I have been provided with copies of these letters and have taken them into account in my decision.

Planning Obligation

78. The UU would secure contributions to education, recreation facilities and highway works. It seeks to secure affordable housing, although for the reasons I have set out, the provision of this would not be satisfactory.

79. Notwithstanding the shortfall in affordable housing provision, I am satisfied that the other Obligations meet the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and comply with the tests set out in paragraph 57 of the Framework. Since they are to ensure that effects of the development are mitigated, I consider them to be neutral in the final balance.

Planning Balance

80. In the absence of a 5YHLS, the tilted balance as advocated under paragraph 11 should apply.

81. The scheme would deliver 70 additional dwellings in a sustainable location. In the context of a significant shortfall in housing, I give the provision of housing considerable weight.

82. The scheme would deliver a range of social, economic and environmental benefits which together I also attribute considerable weight.

83. The proposed development would cause significant harm to the character and appearance of the area. Notwithstanding that the scheme proposes to deliver some affordable housing, it would fail to make adequate provision for affordable housing in accordance with policy requirements. Furthermore, it has not been secured through a section 106 agreement. Given the need for affordable housing, I attribute significant weight to the failure to make this provision. The scheme would fail to deliver a suitable housing mix and moderate harm would arise from this. These harmful factors are matters that carry very substantial weight and importance in the planning balance.

84. The absence of harm to the living conditions of adjoining neighbours is a neutral factor in the balance.

85. In my view, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. Therefore, the proposal would not constitute sustainable development with regard to paragraph 11 d ii) of the Framework.

Conclusion

86. The proposed development would be contrary to the development plan and there are no material considerations that outweigh this conflict. Consequently, with reference to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal should be dismissed.

Rachael Pipkin

INSPECTOR



Appeal Decision

Site visit made on 3 May 2022

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2022

Appeal Ref: APP/J0350/C/21/3281741

7 Moat Drive, Slough, SL2 5TG

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Nadeem Asghar against an enforcement notice issued by Slough Borough Council.
 - The enforcement notice was issued on 21 July 2021.
 - The breach of planning control as alleged in the notice is the use of outbuilding as a self-contained residential unit ("Unauthorised Use") and shown on the attached Plan edged in blue.
 - The requirements of the notice are:
 - (i) Cease the Unauthorised Use.
 - (ii) Remove the kitchen and bathroom from the outbuilding.
 - (iii) Remove the pipework, boiler and connections associated with the kitchen and bathroom.
 - (iv) Remove the internal walls incorporating the shower room and the bedroom.
 - (v) Remove from the Land all materials, rubbish, debris, plant and machinery resulting from compliance with the above requirements.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2) (f) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the appeal on ground (a) and the application for planning permission deemed to have been made under section 177(5) of the Act as amended have lapsed.
-

Decision

1. The appeal is dismissed, and the enforcement notice is upheld.

The appeal on Ground (f)

2. The appeal on this ground is "that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters (i.e., the matters alleged in the notice) or, as the case may be, to remedy any injury to amenity which has been caused by any such breach".
3. In this case, the purpose of the enforcement notice is to remedy the breach of planning control. This is clear from the requirements of the notice, which requires the unauthorised use to cease together with the removal of the kitchen, bathroom, pipework, boiler, and connections associated with the kitchen and bathroom, and the internal walls incorporating the shower room and bedroom.

4. The appellant wishes to retain the boiler and connections associated with the shower room and the internal walls containing the shower room and the bedroom and contends that these requirements are excessive since these can be constructed within the outbuilding without requiring planning permission.
5. It is clear that these features have all sustained the unauthorised use of the property as a self-contained residential unit. These facilities are part and parcel of the unauthorised use and should not be viewed in isolation as has been suggested by the appellant. Furthermore, no further evidence has been submitted to demonstrate that the boiler and connections associated with the shower room and the internal walls containing the shower room and the bedroom existed within the outbuilding before the unauthorised use took place. Notwithstanding that these facilities may not require planning permission in their own right, a notice directed at a material change of use, as is the case here, may require their removal to restore the land to its condition prior to the breach. I am therefore satisfied the requirements of the notice is proportionate and do not exceed what is necessary to remedy the breach of planning control.
6. On this basis, the Ground (f) appeal fails.

Conclusion

7. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice with corrections and a variation.

R Satheesan

INSPECTOR



Appeal Decision

Site visit made on 24 May 2022

by **David Murray BA (Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th May 2022

Appeal Ref: APP/J0350/D/21/3288543

29 New Road, Langley, Slough, SL3 8JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr and Mrs Okeke against the decision of Slough Borough Council.
 - The application Ref. Y/17291/004, dated 24 September 2021, was refused by notice dated 4 November 2021.
 - The development proposed is the erection of a single storey rear extension (which would extend beyond the rear wall of the original house by 6m, with a maximum height of 3.21m and an eaves height of 3m).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the amenity or living conditions of the occupiers of neighbouring properties.

Reasons

Background

3. The appeal site comprises a semi-detached property lying in a residential area of mainly similar properties. It is of two storey form although at the time of my visit a large dormer window in the rear roof slope of the property was under construction.

Effect on living conditions

4. In assessing this issue I have had regard to the Council's Residential Extensions Guidelines Supplementary Planning Document (SPD) 2010. However, as this was adopted prior to the Government's relaxation of 'permitted development' this limits the weight that can be given to its provisions.
5. The proposal is to extend out 6m with a structure 3m high at the eaves. This exceeds the guidance in the SPD which limits rear extensions at a semi-detached property to 4.25m. However, I give more weight to the actual impact the addition would cause.

6. In terms of the relationship with the neighbouring property No. 27 this is separated from the host property by a narrow pedestrian access alongside both houses. No.27 already appears to have been extended at the rear and there is also a 1.8m high fence (presently covered with ivy) along the party boundary. Given these factors I am satisfied that the proposed extension would not have an adverse effect on the outlook from this property or harm the living conditions of the occupiers.
7. In relation to the adjoining semi No.31 the affect here would be more profound. Again there is a 1.8m fence along this party boundary and although this is covered in ivy and creepers to well above this height, such vegetation could not be retained with the construction of the proposed extension.
8. Having regard to the degree of the projection of the flank wall of the extension almost on the party boundary and the height of the structure, the physical and visual impact of the solid structure would have an overbearing and dominating effect on the outlook of No.31. Moreover as the adjoining property of No.33 also appears to have been extended at the rear, the further extension would enclose the main private outlook from the rear of No.31 and the enjoyment of its garden to an unacceptable degree. On this basis I find that the proposal conflicts with the provisions of Core Policy 8 which in part seeks to ensure that new development respects the amenities of adjoining occupiers.
9. This harm and conflict with the relevant policy in the development plan is not outweighed by any other factor which indicates that prior approval should not be granted.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR



Appeal Decision

Site visit made on 24 May 2022

by **David Murray** BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2022

Appeal Ref: APP/J0350/W/21/3282736

13 York Avenue, Slough, SL1 3HP.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr F Hassan against the decision of Slough Borough Council.
 - The application Ref. P/03147/004, dated 8 January 2021, was refused by notice dated 17 March 2021.
 - The development proposed is the change of use from Class C3 to Class C4 (six person 6 bedroom house in multiple occupation (HMO)).
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects on:
 - the supply of housing and particularly the stock of family houses locally;
 - the living conditions of the occupiers of neighbouring houses; and
 - pedestrian and highway safety.

Reasons

Background

3. The appeal site comprises a two storey semi-detached property situated in a residential area although there is a school at the northern end of York Avenue. The submitted plans of the HMO show: six bedrooms over the two floors of the property, each with a fridge and a cupboard; three bathrooms; a kitchen area and a communal dining area. A further room is shown as a communal study room with two desks.
4. The change of use of a dwelling house to a small HMO, with no more than six residents, can be 'permitted development' as defined by Class L of Part 3 of Schedule 2 of the GPDO¹. However, the Council dispute that the premises were being used as a dwelling house when the application was submitted. Moreover, there is no application for a Certificate of Lawful Development before me to establish the lawful position as to whether it is permitted development and it appears that a previous application for a Lawful Development Certificate

¹ The Town and country Planning (General Permitted Development) (England) Order 2015

for an existing use was rejected by the Council. Therefore this application under section 78 of the Act has to be considered on its individual merits.

Effect on housing stock

5. Core Policy 4 of the Council's Core Strategy (2008) indicates that high density housing should be located in Slough town centre while outside of this area new residential development should predominantly consist of family housing. Further, the policy states that there should be no net loss of family houses as a result of flat conversions, changes of use or redevelopment.
6. In this case I find that the intensity of HMO use proposed means that it should be regarded as a form of high density housing and the site is located in a residential area which is mostly suburban in character rather than town centre related. As such the general location of the site does not support an intensive HMO use and the proposal conflicts with the overall policy on the distribution and location of new housing.
7. I acknowledge the appellant's claim that the property could be reused as a large family house with little physical modification, but the proposal is to use it to meet materially different housing needs for single people. The Council's emerging Local Plan outlines the continuing need for the suburbs to be the main source of housing for families in Slough and the potential reuse for families in the future does not outweigh its loss to the stock of family housing at the moment.

Effect on living conditions

8. The Council's case on the appeal does not provide a detailed analysis on where the alleged impact would be likely to arise but a general reference is made to direct effect on the adjoining property (No.15) which is said to be a dwelling house. However, neither does the appellant's case address the effect on this property. Moreover the Council's assessment refers to the possibility of 12 residents being accommodated in the host premises but although the plans appear to show double beds, the small size of the individual rooms suggests that such degree of use would be unlikely.
9. Nevertheless the intensive HMO use with no separate communal lounge, only a communal dining room and kitchen, tends to suggest that the main place for rest and relaxation within the premises would be the individual bedrooms where a higher degree of noise and activity, such as from TV, radio and electronic devices, could be expected compared with that generally arising from the bedrooms of a dwellinghouse. Two of the proposed HMO bedrooms are located at first floor alongside the party wall with No. 15 and, in the absence of evidence to the contrary regarding the transmission of sound, my concern is that the operation of the HMO would be likely to result in a material level of disturbance to the occupiers of this property and would harm their living conditions. This effect would conflict with part (d) of Policy H20 regarding the change of use to HMOs.

Effect on pedestrian and highway safety

10. The Council advises that the parking standard for an HMO is one space per bedroom whereas only three spaces can be accommodated on the hard surfaced forecourt of the property. The appellant's plans suggest 6 bikes could be accommodated in a rear bike store but neither party has addressed the

PTAL² of the site and therefore I am unable to assess whether the proposed HMO would be well located to public transport or local facilities to the extent that a general standard for parking for new development can be reduced. On the face of it the parking proposed is significantly deficient for the scale of the use and while there are no parking restrictions on the road immediately outside of the property, at the time of my visit there were many cars parked partly on the pavement in York Avenue and this, together with the presence of a school and nursery locally, indicates that further on-road parking pressure would not be in the interests of pedestrian or highway safety. The proposal would conflict with part (b) of Policy H20.

Planning balance

11. On the main issues I have found that the proposal conflicts with Core Policy 4 as the site for the high density housing use proposed would be located in a suburban rather than a town centre area and would result in the loss of a family house from the housing stock. The proposal would also not accord with the specific policy on HMOs, H20, as it has not been demonstrated that the use would integrate well with the adjoining semi-detached dwellinghouse and not result in disturbance to the occupiers of that property, nor would have adequate on-site parking to ensure that pedestrian and highway safety would not be harmed. This results in the proposal conflicting with the main relevant policies in the development plan.
12. This harm must be balanced with the benefits of the scheme. In particular I recognise that the National Planning Policy Framework (the Framework) encourages sustainable development, and it also recognises that the wide ranging needs of different housing groups should be addressed. However, the local policy conflict and other harm that I have identified mean that the proposal does not meet the social and environmental aims of sustainable development. I find that the proposal conflicts with the Framework when this is read as a whole. Moreover, the development plan conflict is not outweighed by any other factors. This indicates that the appeal should not be allowed.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR

² Public Transport Accessibility Level



Appeal Decision

Site visit made on 24 May 2022

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2022

Appeal Ref: APP/J0350/D/22/3293082 10 Cheviot Road, Slough, SI3 8UA.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with a condition subject to which a previous planning permission was granted.
 - The appeal is made by Mr D Ladva against the decision of Slough Borough Council.
 - The application Ref. P/19123/003, dated 30 September 2021, was refused by notice dated 7 December 2021.
 - The application sought planning permission for the erection of a single storey rear extension with two roof lights following demolition of part of the existing extension which is 3.65m in depth, without complying with a condition attached to planning permission Ref. P/19123/002, dated 10 September 2021.
 - The condition in dispute and which the proposal seeks to vary is No.1 which states that:
The development hereby approved shall be maintained only in accordance with the following plans and drawings hereby approved by the Local Planning Authority: (a) Site Location Plan, Drawing No S01 Rev A, Dated November 2020, Received 16/07/2021 (b) Drawing No D101, Dated July 2021, Received 16/07/2021 (c) Drawing No D102, Dated July 2021, Received 16/07/2021 (d) Drawing No D103, Dated July 2021, Received 16/07/2021.
 - The reason given for the condition is:
To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance (amenity) of the area; and
 - the living conditions of the occupiers of neighbouring property, and those of the host property itself.

Reasons

Background

3. The appeal site comprises a mid-terrace two storey property which lies in a residential area. The planning history of the site indicates that the property is in use as a house in multiple occupation (HMO). Planning permission was granted in 2021 for a single storey flat roof rear extension which extended

3.6m from the original rear wall of the property. The scheme now proposed seeks to vary the plans specified in Condition No.1 of that permission to allow a further extension of 1.95m making 5.6m in total. At the time of my visit it appeared that the further extension has been built and the application is retrospective.

4. In assessing the main issues I have had regard to the Council's Residential Extensions Guidance Supplementary Planning Document (SPD) 2010. However as this was adopted prior to the Government's expansion of the scope of 'permitted development' this limits the weight that can be given to its provisions.

Effect on character and appearance

5. The existing host property is a simple two storey mid-terrace house faced in brick and tile hanging. The proposed extension is sited at the rear of the property away from the public realm and is seen in the hinterland of private gardens. The overall flat roof form of the extension is at odds with the design and form of the house but given the other existing house extensions in the vicinity of the site, and as about 3.6m of flat roof extension is already permitted, the 1.95m addition in a similar design would not have a materially harmful effect on the general character and appearance of the area. On the circumstances of this case I find that, overall, the proposal does not conflict with Core Policy 8 in that while the quality of the design is not attractive, it respects its surroundings and the further extension would not harm the street scene or the distinctiveness of the area.

Effect on living conditions

6. This issue is concerned with the effect on the occupiers of the adjoining properties – No.12 to the south-west and No.8 to the north-east; and also on the living conditions for the occupiers of the host property.
7. No.12 is the end terrace with a footway to the side and the property has already been extended to the rear. Although the proposed extension would be sited close to the boundary I am satisfied that the additional projection would not have a material effect on the outlook from the rear of this property or harm the living conditions of the occupiers.
8. Regarding the relationship with No.8, this retains the original rear wall of the house which includes the main window to the rear facing ground floor room. Although I noted at my visit that the outlook from the rear of No.8 was overshadowed by the presence of shrubs in the garden, this dense foliage is not a permanent feature. The deciduous nature of the shrubs is depicted in the Council's photographs shown in the officer report. I have to consider the long term physical relationship between the two properties.
9. Having regard to the height and projection, and proximity to the party boundary of the further projection proposed, it would have a dominating effect on the outlook from the rear facing windows and oppressive effect on the garden. This would harm the living conditions of the occupiers of this dwellinghouse. I find that this aspect would conflict with the final paragraph of part 2 of Core Policy 8 concerning the need to ensure that new development respects the amenities of adjoining occupiers; together with part (k) of saved Policy EN1 of the adopted Local Plan.

10. The Council also raise a concern about the cumulative scale of extensions to the host property and the effect on the residual space of rear garden. The SPD guideline is that a three bedroom house should have a minimum area of amenity space of 50sqm whereas the residual garden would be in the region of 22sqm. I noted that the remaining amenity space is surfaced in artificial grass which means that it will be hardwearing and that the property is used as an HMO rather than as a family house. However, these factors do not outweigh the fundamental reduction in outdoor amenity space that the proposal would result in. This adds to my concern about the proposal.

Planning balance

11. I have taken account of the general provisions for 'permitted development'¹ however, these provisions are qualified and the allowance for 6m extensions to a terraced property is subject to the 'prior approval' regime which takes account of the effect of an extension on the amenity of any adjoining premises.
12. On the main issues I have found that while the visual impact of the further extension would not be harmful to the overall appearance of the host dwelling or the general character of the area, the cumulative effect of the bulk of and siting of the flank wall would have a harmful effect on the outlook from the adjoining property No.8 and would harm the living conditions of the occupiers of this property. The proposal also results in an inadequate residual garden size for the nature of the property.
13. These adverse effects and the conflict with the relevant policies in the development plan have to be balanced with other considerations. However, none outweigh this conclusion which indicates that the appeal should not be allowed.

Conclusion

14. For the reasons given above I conclude that condition No.1 on planning permission Ref. P/19123/002 should not be amended to include the plans submitted with the current application.

David Murray

INSPECTOR

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015



Appeal Decision

Site visit made on 26 April 2022

by **Mrs H M Higenbottam BA (Hons) MRTPI**

An Inspector appointed by the Secretary of State

Decision date: 10 June 2022

Appeal Ref: **APP/J0350/C/21/3279796**

63 Beaumont Road, Slough SL2 1NG

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Mohammed Alyas Khan against an enforcement notice issued by Slough Borough Council.
 - The enforcement notice was issued on 25 June 2021.
 - The breach of planning control as alleged in the notice is 'Without planning permission, the conversion of an outbuilding to form a self-contained dwelling and its use as an independent residential unit (Unauthorised Use) shown on the attached Plan edged in blue.'
 - The requirements of the notice are:
 - (i) Cease the Unauthorised Use.
 - (ii) Remove the kitchen and bathroom from the outbuilding.
 - (iii) Remove the internal walls incorporating the shower room and the bedroom.
 - (iv) Remove the pipework, boiler and connections associated with the kitchen and bathroom.
 - (v) Remove from the land all materials, rubbish, debris, plant and machinery resulting from compliance with the above requirements.
 - The period for compliance with the requirements is six months.
 - The appeal is proceeding on the grounds set out in section 174(2) (d), (f) and (g) of the Town and Country Planning Act 1990 as amended.
-

Decision

1. The appeal is dismissed, and the enforcement notice is upheld.

Appeal on ground (d)

2. In appealing on ground (d) the burden of proof is firmly on the appellant to demonstrate on the balance of probabilities that the use was lawful through the passage of time when the enforcement notice was issued. This means that the alleged use had continued uninterrupted (apart from *de minimus* spells) for a period of four years before the notice was issued. The material date is therefore 25 June 2017.
3. The appellant states that the outbuilding has been as it is for over four years. That at the time of the appeal he had owned the property for almost 2 years and that there had been no building works carried out prior to the purchase. The building was in its current state and during conveyancing no issues were raised in regard to the outbuilding. He also states that at the time of purchase there was a sitting tenant, and he was unaware that this was not allowed. The tenant is stated to have paid council tax.

4. There is no substantiated evidence of when a tenant moved into the outbuilding and began living in the building as a self-contained dwelling. There is no evidence of who has lived in the building or the length of time each tenant has been in occupation or whether it is the same tenant who has lived in the building and over what period of time.
5. On the basis of the evidence submitted it has not been demonstrated on the balance of probabilities that the outbuilding has been occupied for at least 4 years continuously as a self contained dwelling. As such, the appeal on ground (d) fails.

Appeal on ground (f)

6. This ground of appeal is that the requirements of the notice are excessive and that lesser steps would overcome the objections. The appellant states that removal of all items inside the outbuilding is excessive and that removal of appliances would be sufficient to ensure it is not used as a habitable space. The Council consider the requirements are necessary to remedy the breach of planning control as a self-contained dwelling.
7. The requirements of the enforcement notice are to remove the kitchen and bathroom, internal walls incorporating the shower room and bedroom, the pipework, boiler and connections associated with the kitchen and bathroom from the outbuilding. It also requires all materials rubbish debris plant and machinery resulting from the removal of those items from the land.
8. There is no substantiated evidence that any of the items/elements required to be removed pre-existed the material change of use of the outbuilding to a self-contained dwelling. The items required for removal have, in my view and without evidence to the contrary, facilitated the material change of use to a self-contained dwelling. Therefore, I find that it is not excessive to require the removal of all the items/elements so that the land can be restored to the condition before the breach took place.
9. I therefore conclude that the requirements of the enforcement notice would not exceed what is necessary to remedy the breach of planning control that has occurred. The appeal on ground (f) fails.

Appeal on ground (g)

10. This ground of appeal is that the time given to comply with the notice is too short. The Council have given six months to comply with the requirements. The appellant states this period is too short as there is currently a tenant within the property who would need to be given notice and then sufficient time should be allowed for the tenant to find alternative accommodation. No specific alternative time period for compliance has been provided by the appellant.
11. In my view, on the evidence provided, a period of six months is a reasonable period to cease the use and physically comply with the requirements of the enforcement notice. I therefore conclude that the period for compliance specified in the enforcement notice is not too short. For the reasons given above the appeal under ground (g) fails.

Hilda Higenbottam

Inspector



Appeal Decision

Site visit made on 26 April 2022

by Mrs H M Higenbottam BA (Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 15 June 2022

Appeal Ref: APP/J0350/C/3283190

58 Long Readings Lane, Slough SL2 1PZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Sajjad Hussain Syed-Bukhari against an enforcement notice issued by Slough Borough Council.
 - The enforcement notice was issued on 17 August 2021.
 - The breach of planning control as alleged in the notice is 'The conversion of an outbuilding as shown edged blue, and its use as a self-contained unit of residential accommodation (Unauthorised Use).'
 - The requirements of the notice are:
 - (i) Cease the Unauthorised Use.
 - (ii) Remove the kitchen and shower room from the outbuilding.
 - (iii) Remove the internal walls incorporating the kitchen and the shower room
 - (iv) Remove all plumbing, boiler, and associated pipework in connection to the kitchen and shower room within the outbuilding.
 - (v) Remove from the land all materials, rubbish, debris, plant, and machinery resulting from compliance with the above requirements.
 - The period for compliance with the requirements is six months.
 - The appeal is proceeding on the grounds set out in section 174(2) (b), (c), (d), (f) and (g) of the Town and Country Planning Act 1990 as amended.
-

Decision

1. It is directed that the enforcement notice be varied by:

- The insertion of the words 'Requirement 5 (i)' before the word 'Six' and the insertion of the word 'and' after the word 'effect' and the deletion of the full stop in paragraph 6(i).
- The insertion of the following words after the amended paragraph 6(i) ' (ii) Requirements 5 (ii), 5(iii), 5(iv) and 5(v) seven (7) months after the notice takes effect.'

Subject to these variations the appeal is dismissed, and the enforcement notice is upheld.

Application for costs

2. An application for costs was made by Slough Borough Council against Mr Sajjad Hussain Syed-Bukhari. This application is the subject of a separate Decision.

Preliminary Matters

3. The appeal was originally lodged on grounds (b), (c), (d), (f) and (g). No grounds of appeal were provided for grounds (b) and (c). The Planning Inspectorate wrote to the appellant on 27 September 2021 confirming that the appellant was not pursuing ground (b), and it was removed as a ground of appeal. The appellant was informed at that time, that unless a response was received the appeal would proceed on grounds (d), (f) and (g) only. No response was received from the appellant. I will therefore consider the appeal on the basis of grounds (d), (f) and (g) only.

Appeal on ground (d)

4. In appealing on ground (d) the burden of proof is firmly on the appellant to demonstrate on the balance of probabilities that the use was lawful through the passage of time when the enforcement notice was issued. This means that the alleged use had continued uninterrupted (apart from *de minimus* spells) for a period of four years before the notice was issued. The material date is therefore 17 August 2017.
5. The appellant has provided two unsigned and undated statements. The first statement states that the outbuilding has been a separate self-contained residential unit for a period in excess of four years. It is also stated that the individual stated to occupy the outbuilding independently is not related to the appellant and that the outbuilding is heated by a boiler which is independent to the main house. The second statement is from an individual who states she has occupied the outbuilding continually and without interruption as an independent residence for a period exceeding 4 years.
6. Unsigned and undated letters are forms of evidence can only be given little or limited weight in considering whether or not the evidential burden is discharged.
7. In this case the Council rely on the signed and dated statement in the application reference Y/15000/001 relating to the appellant's application for prior approval for an extension at the appeal property. In the application form the agent confirmed that the plans and information in that application are true and accurate. The application was dated 15 December 2020. The plans showed a single dwelling with an outbuilding. Nothing on the submitted plans or information indicated the existence of a self-contained dwelling in the outbuilding. This application was refused on 28 June 2021 because there was more than one dwelling house within the curtilage of No 58 and as such it did not benefit from permitted development rights under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
8. Therefore, there is inconsistency between the current undated and unsigned statements submitted to support the appellant's case in this appeal and the signed and dated documents submitted in support of the earlier prior approval application. In my view, the evidence in support of the occupation of the outbuilding for a continuous period of four years before the service of the enforcement notice, lacks precision and clarity. Moreover, there is no explanation of the contradictory assertion in the 2020 application as part of the the evidence submitted with the appeal.

9. On the basis of the evidence submitted it has not been demonstrated on the balance of probabilities that the outbuilding has been occupied for at least 4 years continuously as a self-contained dwelling. As such, the appeal on ground (d) fails.

Appeal on ground (f)

10. This ground of appeal is that the requirements of the notice are excessive and that lesser steps would overcome the objections. The appellant states that the steps are excessive. The appellant accepts that the requirement (i) to cease the use is necessary to remedy the breach of planning control. However, requirements (ii) to (v), in the appellant's view, do not facilitate the new use as a separate dwelling. He states that all the works undertaken i.e the fittings and fixtures to create the kitchen and shower room, were ancillary to the lawful use of the whole property as a single planning unit. The appellant considers that the requirements (ii) to (v) are therefore excessive
11. The Council consider the requirements are necessary to remedy the breach of planning control as a self-contained dwelling. The purpose of the enforcement notice is to remedy the breach of planning control.
12. It is for the appellant to demonstrate on the balance of probabilities that the kitchen, shower room, boiler etc were installed prior to the material change of use of the outbuilding to a self contained unit of residential accommodation. The appellant has provided no substantiated evidence of when the kitchen, shower room and boiler etc were installed, by whom and how the building was being used and by whom at the time of installation.
13. On the basis of the information available, I consider that the installation of the kitchen, shower room and boiler etc facilitated the material change of use to a self contained unit of residential accommodation, and as such, were integral to and solely for the purpose of facilitating the material change of use. It is therefore appropriate and not excessive that the requirements include the removal of the kitchen, shower room, boiler, internal walls to the kitchen and shower room.
14. I therefore conclude that the requirements of the enforcement notice would not exceed what is necessary to remedy the breach of planning control that has occurred. The appeal on ground (f) fails.

Appeal on ground (g)

15. This ground of appeal is that the time given to comply with the notice is too short. The Council have given six months to comply with the requirements. The appellant considers that it would be reasonable to allow time for the current occupiers to look for alternative accommodation and that a 12 month compliance period would strike the appropriate balance between competing public and private interests so as not to place a disproportionate burden on the appellants or on the occupiers of the outbuilding. He also states that if ground (f) fails the steps required to complete the required works can only be carried out once the occupiers have moved out and an additional 6 months to the aforementioned 12 months would be more appropriate. He is also concerned that the pandemic has affected the housing rental market and local trades availability to comply with the requirements.

16. The requirements of the enforcement notice would result in the occupier losing their home. This would represent a serious interference with the occupiers right to respect for private and family life and the home (Article 8 of the Human Rights Act 1998). Article 8 establishes a right to respect for private and family life and prohibits interference with it by a public body except where it is (1) lawful and (2) necessary in the interests of such matters as public safety, national economic wellbeing, and the protection of health. Article 1 establishes a right to the peaceful enjoyment of a person's possessions and prohibits interference except in the public interest and thus is engaged for both the appellant and the occupier. It does not impair the right of a state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest. The enforcement notice seeks to address the unauthorised use of the outbuilding and is necessary to regulate the use of land.
17. While I note the assertions of the appellant there is no substantiated evidence in relation to the availability of rental accommodation or builders to carry out the works. In my view, six months is a reasonable period for the occupier to look for alternative accommodation. I appreciate that the works to comply with the requirements will take place once the occupier has vacated the outbuilding, which could be earlier than six months. The works associated with removal of the kitchen, shower room, boiler, and walls etc are not onerous and would be likely to take a day or two. However, to enable the works to be carried out after the occupier has left the outbuilding I will allow a further month for compliance with requirements (ii) to (v).
18. Subject to the increase in the compliance period for the later requirements I consider the enforcement notice would be a proportionate interference with the occupiers and landowners rights under Articles 1 and 8. The protection of the public interest cannot be achieved by means that are less interfering of their rights.
19. For the reasons given above I conclude that a reasonable period for compliance would be six months for requirement (i) and seven months for requirements (ii) to (v), and I am varying the enforcement notice accordingly, prior to upholding it. The appeal under ground (g) succeeds to that extent.

Hilda Higenbottam

Inspector



Appeal Decision

Site visit made on 7 June 2022

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 June 2022

Appeal Ref: APP/J0350/D/22/3290278 104 Blumfield Crescent, Slough SL1 6NJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mrs Lucy Pickering against the decision of Slough Borough Council.
 - The application Ref Y/07960/004, dated 12 July 2021, was refused by notice dated 13 October 2021.
 - The development proposed is prior approval for the removal of the present roof and the additional of an additional two storeys on the dwelling house with one of the additional storeys will be in the roof space.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues in this appeal are
 - i) whether the proposed extension would comply with the relevant conditions and limitations,
 - ii) whether or not the external appearance would be acceptable and
 - iii) the impact of the proposal on the amenity of adjoining premises.

Reasons

Background

3. Under Schedule 2, Part 1, Class AA of the *Town and Country Planning (General Permitted Development) (England) Order 2015* as amended (the GPDO), planning permission is granted for the enlargement of a 2-storey dwelling by up to 2 additional storeys, subject to limitations and conditions given under paragraph AA.1. Where the scheme accords with those conditions, then under paragraph AA.2.(3)(a) the developer must apply to the local planning authority for prior approval as to, amongst other things, (i) the impact on the amenity of any adjoining premises and (ii) the external appearance of the dwelling house, including the design and architectural features of the principal elevation.

Conditions and limitations

4. A plan (the plan) was submitted concerning the recent construction of an extension to the side of No 104 to form a separate dwelling. At that time No 104 appeared to have a hipped roof treatment, and, on the plan, extending this roof over the new extension involved alterations that would be removed by the works before me now. Consequently, the Council considers the appeal scheme would not be built entirely on a principal part of the building and the house has already been enlarged by one or more storeys. As such, it would breach 2 of the conditions and

- limitations (criteria (d) and (i)) with which any development to be built under Class AA must comply, or with which it must not conflict.
5. This though is denied by the Appellant, who states that all the existing roof of No 104 is original. Based on my observations of the roof and the changes in tiling I concur with such an opinion. I am therefore not confident that, in relation to this specific detail, the plan accurately depicted the situation. Furthermore, as the extension shown on the plan was to the side, I consider the original property has not been enlarged by one or more storeys above the dwelling house.
 6. However, even assuming the plan to be correct, I am of the view that the roof works it indicates would not constitute the enlargement of No 104 by a storey. Moreover, the additional floors now proposed would be built onto the original front and rear elevations of the dwelling. While the plan shows this would involve the removal of the new element, that comprises a very minor addition to the original structure. As a result, in such a scenario to my mind it could still be said the extra storeys subject of this appeal would be constructed on the principal part of the building.
 7. On the evidence before me, I therefore find that the dwelling has not been enlarged by the addition of one or more storeys above the original dwelling house, and the proposal would not comprise the construction of any storey other than on the principal part of the dwelling, and so I conclude it would not conflict with GPDO paragraph AA.1.(d) or (i).

Appearance

8. It is the Appellant's contention that, when considering a scheme under GPDO paragraph AA.2.(3)(a)(ii) the only relevant building is the appeal property rather than its effect on the wider area. As she says that what is proposed is in keeping with the dwelling, she maintains that the scheme is acceptable in this regard.
9. However, I see nothing in the GPDO to justify such an interpretation. Paragraph AA.2.(3)(a)(ii) simply requires a developer, before beginning the development, to obtain prior approval as to the "*external appearance of the dwelling house including the design and architectural features of the principal elevation ...*". To my mind the wording of the Order does not limit my assessment only to the impact of the external appearance in relation to the dwelling itself. Moreover, the use of '*including*' means it is not a closed list.
10. The appeal property sits within a terrace. Apart from the recent subservient side addition on what is now No 106 at the end, the dwellings in the terrace have constant eaves and ridge heights, and similar window treatments and patterns. These factors give the terrace a strong uniformity and a notable horizontal emphasis, and while there have been some subsequent alterations, these have not been so significant as to affect the character of this row of houses to any appreciable extent. Elsewhere on Blumfield Crescent are terraces and semi-detached properties of a similar scale and height to the terrace containing the appellant's house. While some have had dormer windows built, these are on the rear or side elevations and so maintain a sense of being 2-storey properties when looking from the road. The dwelling and the terrace therefore respect the wider street scene.
11. The roof pitch and the size and arrangement of the proposed window openings would be sympathetic to what is already present on No 104. However, adding these extra storeys would mean the dwelling's height would be notably at odds with that of the rest of the terrace, and it would give No 104 a more pronounced

vertical emphasis. As a result, the works would detract from the appearance of the house, and make it a discordant element in the terrace.

12. Paragraph AA.3.(12) of the GPDO requires that regard must be had to the *National Planning Policy Framework* (the Framework) so far as relevant to the subject matter of the prior approval, as if the application were a planning application. In the Framework, paragraph 130 states, amongst other things, planning decisions should ensure that developments are sympathetic to local character and the surrounding built environment. In paragraph 120(e) it supports upward extensions 'where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene'. For the reasons given, the proposed works would be contrary to these 2 policy objectives.
13. Accordingly, whilst I recognise that the development would reflect some of the characteristics found in the appearance of No 104, I find that it would nonetheless result in the dwelling being a discordant element in the terrace that was detrimental to the character and appearance of the street scene. It would therefore be contrary to the Framework. As a result, I conclude that the external appearance of the building would be unacceptable.

Amenity

14. The rear of the property faces the side of 2 Phipps Road over the back garden. In this side elevation at first floor level is a bathroom window that, being obscured, should not experience any loss of privacy. The other window is to the stairs and landing. Although I note the neighbour's concerns about being observed as they move around their house, this is not a primary room and so again any overlooking there should not be unduly harmful. Whilst views may also be possible through doorways on that landing into the neighbour's bedrooms, they should not be so pronounced as to impinge unacceptably onto the privacy the residents there enjoy. I am aware too that there is no doubt already a certain amount of intervisibility between those windows and the first-floor window that I assume serves a bedroom at No 104. Overall, I find the development would not lead to further unacceptable harm from overlooking.
15. Views of the gardens of adjacent properties are possible now to a greater or lesser degree from No 104, and indeed are to be accepted to some extent in this suburban estate. Therefore, the proposal would not cause additional harm.
16. Mindful of the separation and the height of the works, and again taking account of the use of the rooms served by the windows in the side elevation of No 2, the proposal would not cause an unacceptable loss of daylight or sunlight in that neighbour.
17. Accordingly, I conclude the scheme would not have a harmful effect on the amenity of adjoining premises.

Conclusion

18. For the reasons given I conclude the appeal should be dismissed.

JP Sargent

INSPECTOR



Appeal Decision

Site visit undertaken on 24 May 2022

by **J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision Date: 30th June 2022

Appeal Ref: APP/J0350/D/22/3294404

138 Spackmans Way, Slough SL1 2SB

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ahmed against the decision of Slough Borough Council.
 - The application, ref. P/14557/001, dated 17 December 2021, was refused by notice dated 3 February 2022.
 - The development proposed is described as a three storey side extension.
-

Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr Ahmed against the Slough Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. During the appeal process, the appellant has included a revised Floor Risk Assessment (FRA)¹ in order to accompany their Statement of Case (SoC) and provide further information to Reason for Refusal No.4. The FRA does not change the nature of the proposal and when judging this information in accordance with the 'Wheatcroft principles'², I see no prejudice towards either party in accepting this FRA and will base my decision upon it.

Main issues

4. The main issues are:
 - The effect of the proposed development upon the character and appearance of the building and the locality;
 - The living conditions of existing and future occupiers which regards to the provision of private garden space;
 - Whether the vehicular access and parking layout is appropriate for the proposed development, with regards to highway safety; and

¹ Dated 1st March 2022, Ref No.WTFR-FRA-2021/11/Q12_RevA

² Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

- Whether Flood Risk Assessment (FRA) provides sufficient details of escape routes during a flood event and adequately deals with surface water when assessed against the Development Plan policies.

Reasons

Character and Appearance

5. The appeal site is part of the Chalvey Estate, which has similarities in design, appearance and layout to the housing constructed from development corporations in the 1960s -1970s which introduced Radburn style housing projects. During this time a number of estates were formed around a collection of small cul-de-sacs and parking courts with rows of terraced housing placed amongst green infrastructure where there is a separation between vehicular and pedestrian movement giving an emphasis of spaces in and around the buildings. The dwellings within the Chalvey Estate have a very symmetrical design in placement and dwelling types with simple and functional construction utilising brown brick, pitch and gabled roof forms with concrete tiles and feature boarding applied to front facades.
6. Spackmans Way is one of the main thoroughfares into the estate and the terraces are three storeys tall which have a higher design status than dwellings on smaller cul-de-sacs which are two storeys tall. There is a deliberate emphasis in the area of spaces in and around dwellings with green and landscaped surrounds within and surrounding the estate. Whilst there have been some alterations to the estate, such as the removal of undercroft garages for living space, and a three storey extension set back from the main façade of No.140 Spackmans Way (which is on the opposite side of the road from the appeal property), the estate retains many of the qualities of the original design such as spaces in and around dwellings, vegetation and symmetry that contribute to the character, appearance and local distinctiveness of the area.
7. The appeal site is one of the characteristic three storey properties and is an end terrace that has previously converted the ground floor from a garage into residential accommodation. The dwelling is setback from the side boundary and presents as a bookend to the other row of terraces to the opposite side of one of the smaller cul-de-sacs that passes along the side boundary. Whilst originally the dwellings along Spackmans Way would have had vegetated front gardens, many of these gardens have unfortunately been laid with hardstanding for the parking of vehicles.
8. In undertaking extensions to existing buildings, the Slough Borough Council's Core Strategy (CS) Core Policy 9 Seeks that development respects the character and distinctiveness of the existing buildings, townscapes and landscapes, amongst others. The Local Plan for Slough 2004 (LPS) Saved Policy EN1 sets a number of design principles to consider such as scale, height, massing, building form, amongst others with LPS Saved Policy H15 containing specific design considerations for residential extensions such as assessing remaining amenity space, high quality design and impact upon the existing street scene. LPS Saved Policies H14 and EN3 also contain specific design considerations around landscaping and garden space which are relevant considerations regarding design. The design policies are also supported by the Residential Extensions Guidelines Supplementary Planning

Document (2010) (SPG) which offers guidance on design principles and detailed design considerations that for side extensions places an emphasis on subservience and responding to the existing site and context of the locality, amongst others.

9. The appellant's Statement of Case (SoC) disagrees with the application of CS Core Policy 9 in justifying the Council's opinion that the scheme has been overdeveloped. However, the second bullet point of this policy specifically seeks that development will not be permitted unless it '*respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations.*' The policy is clearly relevant to the consideration of this scheme.
10. The SPD does not specifically relate to scenarios involving three storey side extensions, however the guidance and principles provided with regards to two storey side extensions is relevant in terms of needing to ensure subservience³ and have a sense of proportion and balance⁴. Given the symmetrical design which is mimicked throughout the estate, I disagree with the appellant's SoC that the rhythm and proportions would remain the same. The addition of an additional three storey bay would give the existing dwelling an unusually wide appearance when compared to existing three storey dwellings along Spackmans Way and would affect the proportions and rhythm of dwellings in the locality.
11. The extension would remove much of the gap to the side of the dwelling which gives a sense of spaciousness as one turns the corner into the smaller cul-de-sacs and parking courts. I appreciate reference to No.140 Spackmans Way which also has a three storey side extension which was constructed some time ago and has a large setback from the front façade. The extension opposite is not a positive characteristic of the area and would not be to the extent of visual bulk and massing as proposed under this appeal. The increase in width of built form over three storeys, together with the lack of setback from the front facade would narrow and enclose the remaining space around the road which is compounded by the tall wall of the three storey extension to the side of No.140 Spackmans Way.
12. Whilst the main concerns around visual bulk, scale and dominance are key considerations that lead to an incongruous development, Saved LPS Policies H14 and EN3 seek appropriate design of landscaping that reinforces positive qualities of the character and appearance of the area. The proposed retention of the hard surfacing with no real improvement upon the car dominated environment to the front of the dwelling accentuates the lack of consideration that the scheme has towards the character and appearance of the area. Turning to the side extension, whilst I acknowledge the appellants comments regarding the brick wall that encloses the side garden, this is still undeveloped garden behind which is a different experience than an enclosed built form, particularly when the built form is three storeys tall. The removal of this side garden would therefore cause detriment to the character and appearance of the area.

³ Paragraph 2.13

⁴ Paragraph 2.1.5

13. In conclusion of this matter, the proposed scheme would cause a significant impact towards the character and appearance of the existing building and of the surrounding locality. The proposal would therefore be contrary to CS Core Policy 9; and LPS Saved Policies EN1, EN3, H14 and H15 and described previously.

Living Conditions regarding private garden space

14. LPS Saved Policies H14 and H15 seek to ensure adequate sized garden spaces are provided with new development, which includes extensions. Amongst considerations are the type and size of dwelling and type of household, quality of space in terms of area, depth, orientation, usefulness; proximity to existing public space and play facilities, amongst others. The Council has referred to Standard EX48 of the SPG which specifies minimum sized rear gardens that should be provided as a result of undertaking rear extensions. I agree with the appellant that this guidance specifically relates to rear extensions, however I can also appreciate the logic employed by the Council Officer in that this specific guidance is not as much related to whether the extension is a rear or side extension; but relates more to useability of rear garden space, by specifying appropriate sizes and areas of garden space that is typically appropriate to different sizes of dwellings. Whilst not specifically mentioned as for side extensions, considerations around the principle size of a garden would be the same whether the extension is to the side or to the rear.
15. In any event, based on my site visit, the current gardens along Spackmans Way are square and to me, quite small and undersized given that according to the appellant that dwellings along the street contain 5 bedrooms. No information is given in the appeal as to the proposed occupancy of the scheme, however the appellant has calculated the number of rooms to overall amenity space as being greater per room (8.75m²) as when compared to other dwellings along the street (7.85m²). These calculations do not acknowledge the potential for each room to have dual occupancy with some of the proposed room sizes being large enough for a double bed. I also acknowledge and give some consideration to the greenspace across the road. This space is informal grassed area which could be used for informal passive and active recreation, however would not be able to cater for all needs, such as play equipment, multi-use games area and associated equipment.
16. I agree with the appellant that the private amenity space was considered appropriate at the time of construction. However this was likely fifty years ago when the emphasis on private amenity space and the policy position was very different to today. The amenity space provided currently would not be suitably large enough for a five bedroomed property, and hence the increase in bedrooms to eight, would further exacerbate the historically poor standard of provision to the detriment of current and future occupiers of the site. In conclusion of this matter, the proposal therefore would leave an inadequate and undersized rear garden space in order to cater for an eight bedroomed dwelling. The proposal would therefore result in detrimental living conditions to existing and future occupiers as a result of lack of provision of private garden space. The proposed scheme is therefore contrary to LPS Saved Policies HP14 and HP15 as described previously.

Highway Safety

17. I appreciate that the road conditions I experienced on my site visit was only a snapshot of the road at this particular time, however I have also considered the evidence submitted by both main parties and, in light of this, I am satisfied that what I saw represents typical conditions.
18. Spackmans Way, like many urban residential streets suffers from on-street parking congestion on one side of the road which impedes simultaneous two-way flow. The result being that vehicles often have to stop momentarily to give way to traffic coming in the opposite direction. However, based on my site visit it appears that traffic volumes are fairly low and driven speeds are well under the 30mph speed limit. I have not been made aware of a poor accident record and therefore I deduce that despite its deficiencies, Spackmans Way operates satisfactorily without any significant safety issues.
19. The main concerns from the Council are with regards to the existing conditions and lack of visibility to both pedestrians and vehicles manoeuvring on the road as well as in and out of existing spaces. The appellant has drawn my attention to a previous planning approval⁵ in 2009 where the application permitted the changing of the garage to residential accommodation as well as the three car spaces to the front of the appeal property.
20. Whilst I appreciate that the current situation for parking are not ideal, they are existing and have been there for a number of years. Whilst the Council do not consider that the proposed 3 additional bedrooms do not require additional car spaces, the main concerns are regarding visibility. Whilst the addition of 3 bedrooms may expose more users to the already inadequate visibility, this in my mind would not result in significant additional detriment to road users and pedestrians that would likely cause adverse impacts towards highway safety. Consequently, based on the information before me, I do not consider that the proposal would cause highway safety issues and would be compliant with CS Core Policy 7 which seeks to ensure new development is accessible, and does not cause detriment to highway safety, amongst others.

Flood Risk Assessment

21. The proposed site is within Zone 3 which means that the site is within the functional floodplain in the event of a flood. The Council have two concerns with regards to the ability for the extension to prevent/reduce surface water discharge as well as the ability to ensure safe exit for persons during a flood event.
22. The amended FRA states that fluvial water could be discharged via a 1m³ soakaway within the ground which could provide storage of water and prevent the water entering the public sewerage network. I consider this to be an appropriate way to deal with surface water flooding which would resolve the first component of the reason for refusal.

⁵ Slough Planning Ref: P/14557/000

23. Turning to the second component, regarding escape routes, the amended FRA states that as there is no subdivision of property that there is no increase in vulnerability. The proposed extension is large in that it would provide 3 additional bedrooms and depending on occupancy of these bedrooms could increase vulnerability of additional single or dual occupants of this extension. Of concern is also the proposed escape route which means that either persons would need to wait on the first floor of the dwelling for rescuers to arrive, or to walk to Chalvey Road West via an access that would also be subject to both zone 2 and zone 3 areas of flooding. This route would not be appropriate to utilise during a flood event if it is too part of this flood event.
24. Based on the above, and in conclusion of this matter, whilst I agree that the matter regarding surface water is resolved, I am not persuaded that sufficient escape routes for existing and new occupants can be provided in a flood event. When taken as a whole, the proposed scheme would therefore not be in accordance with CS Core Policy 7 which seeks that new development is safe and minimises exposure to flooding.

Other Matters

25. I note that there is an interested party that has objected to the scheme on the basis that the extension would block sunlight from entering their property at 182 Spackmans Way which lies to the rear of the appeal site. The Council has assessed the proposed extension as not causing a significant loss of light to surrounding properties, and I have no reason to disagree with this assessment.
26. There is commentary within the appeal documents with the appellant feeling aggrieved by the application process in relation to length of time for decision making, correspondence with the Council and a refusal which the appellant feels is not in accordance to the pre-application advice that they received. Whilst pre-application advice is a positive method for gaining further insight into potential issues to be addressed, unfortunately it is not binding on the final decision taken by the council, albeit it may provide some influence and consideration. Whilst I have taken on board comments expressed within the pre-application advice, I have assessed the appeal based on the merits of the application when assessed against the development plan and any relevant material considerations.

Conclusion

27. Whilst I have agreed with the applicant with regards to highway safety and the ability to deal with surface water, this is not sufficient to overcome concerns regarding character and appearance, access to private garden space, and escape routes during a flood event. Taken as a whole, for the reasons given above, the appeal is dismissed.

J Somers

INSPECTOR



Appeal Decision

Site visit made on 10 May 2022

by **M. P. Howell BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th July 2022

Appeal Ref: APP/J0350/W/21/3287846

37 Cranbourne Close, Slough SL1 2XH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Abdul Hamid Suleiman against the decision of Slough Borough Council.
 - The application Ref P/00066/006, dated 24 February 2021, was approved on 19 August 2021 and planning permission was granted subject to conditions.
 - The development permitted is for the construction of a part single/part two storey side and rear extension following demolition of the existing outbuilding.
 - The condition in dispute is No 2 which states that: The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved by the Local Planning Authority: (a) Location Plan, Block Plan, Proposed Plans (Dwg No PL-01 Rev P3) received 07/07/2021 (b) Proposed Elevations (Dwg No PL-02 Rev P2) received 07/07/2021.
 - The reason given for the condition is: To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.
-

Decision

1. The appeal is allowed, and planning permission is granted for part single/part two storey side and rear extension following demolition of the existing outbuilding at 37 Cranbourne Close, Slough SL1 2XH in accordance with the terms of the application, Ref P/00066/006, dated 24 February 2021, is varied, by deleting condition No 2 and substituting it for the following condition:
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL-01 Rev P1 and PL-02 Rev P1.

Procedural Matters and Background

2. Application Ref P/00066/006 was submitted seeking planning permission for a single storey and two storey extension to No 37. The scheme was approved, but in amended form on account of design (insofar as the original ground floor layout was concerned). That is hereafter referred to as the 'approved scheme'. There is no indication, were I to dismiss the appeal, that the appellant would not seek to implement the approved scheme.
3. The appellant seeks the removal of condition 2, and its replacement with a condition setting the plans that reflect the originally submitted design. For clarity, the plans submitted originally and being considered are referenced PL-01 Rev P1 and PL-02 Rev P1. I have hereafter referred to that scheme as the 'development proposed'.

4. The Council states that the property has been extended extensively in terms of a two-storey side extension, single storey rear extension and hip to gable roof alterations. For clarity, although there are approvals for these works, No 37 has not been extended in this manner. From what I saw, there was only a rear conservatory extension.

Main Issue

5. The main issue is the effect of the development proposed on the character and appearance of the area.

Reasons

6. Cranbourne Close is a residential cul-de-sac predominately of semi-detached two storey dwellings with bay windows and hipped roofs. The properties have a fairly consistent building line, set behind front gardens and driveways, which are largely open with low-lying fences and walls. The dwellings, for the most part, sit within spacious plots, front the road and a large central area of grassed land. The low density, consistent building line together with the low-lying enclosures and central area of green space produces an openness that results in a pleasant character and appearance to the area.
7. 37 Cranbourne Close is a semi-detached two storey property, which is positioned on a curve in the Close. The resultant plot is tapered with a large rear garden that narrows towards the front. The adjoining semi-detached dwelling along with several other dwellings within the Close have been extended. Despite the extensions, the scale and appearance of the dwellings as well as the spaces in-between the properties at first floor have largely been maintained. This consistency of scale and appearance as well as the appreciable spaces in-between contributes positively to the open character and appearance of the area.
8. The development proposed would be very similar to the approved scheme. The two storey elements to the side and rear remain the same, but the ground floor side extension has a greater length, which extends just beyond the proposed rear ground floor extension. The development proposed would be finished in materials to match the existing dwelling.
9. The development proposed, while substantial, is nonetheless of a scale, design and form that has due regard to the character and appearance of the host dwelling. The two-storey elements are proportionate to its scale, with the more prominent side extension having a notable set back from the front elevation and a set down from the main roof. Due to the shape of the plot, the most prominent aspect of the ground floor side extension would be tapered to a narrow width to the front. The remaining single storey extensions are sizeable, but they are subordinate to the host dwelling, proportionate to the large plot size and mostly contained to the rear. As such, despite a considerable increase in the floorspace, the proposed development would have a scale, height and design that would appear subordinate, and would not unduly dominate the appearance of the host dwelling.
10. The two-storey side and rear extensions of the proposed development would be proportionate to the changes made on the adjoining semi, maintaining a good balance and symmetry between the pair of dwellings. On the other side, the two-storey side extension would retain a gap between the neighbouring dwelling at first floor level. Although the gap would be smaller, it would be consistent with

the built form and spaces present within the Close, which contribute positively to the open character and appearance of the area. The single storey side extension would have a splayed wall, but this is not uncharacteristic in the Close. Furthermore, the orientation of the dwelling, its set back from the road and the position of the neighbouring property ensures the splayed wall would not be a prominent or incongruous feature from public vantage points on the Close.

11. Accordingly, the proposed extension would not be detrimental to the scale, design or appearance of the host dwelling or the wider character and appearance of the area. The proposed development would comply with the relevant provisions of Core Policy 8 of the Slough Borough Council Local Development Framework Core Strategy 2008, saved Policies H15, EN1 and EN2 of the Slough Borough Council Local Plan 2004 and guidance in the Slough Borough Council Residential Extension Guidelines Supplementary Planning Document 2010. These policies, and guidance, seek to ensure proposals are of a high-quality design, which respects its location and surroundings, improving the quality of the environment and street scene. It would also accord with the general design objectives of the National Planning Policy Framework.

Conditions

12. As I have concluded that the proposed development would be acceptable in respect of character and appearance, it would be necessary to remove condition 2 of the permission and replace it with a condition detailing the plans approved. This is to ensure that the proposed development is carried out in accordance with the approved details. The remaining conditions were not in contention and remain unaltered.

Conclusion

13. I accept that allowing the appeal would effectively revert to a design which has been amended through a process of modification and acknowledge that the approved scheme would have a lesser effect on its surroundings than the scheme before me. However, as reasoned above, given the nature of the proposal and its surroundings, I have determined that the proposed development would be acceptable.
14. Consequently, I find that the disputed condition is not reasonable or necessary in the interests of the character and appearance of the area. I conclude that planning permission should be allowed, and the condition varied as set out above.

M. P. Howell

INSPECTOR



Appeal Decision

Site visit made on 30 June 2022

by **L Page BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 July 2022

Appeal Ref: **APP/J0350/D/22/3294195** **106 Blumfield Crescent, Slough SL1 6NJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs Lucy Pickering against the decision of Slough Borough Council.
 - The application Ref Y/19485/000, dated 12 July 2021, was refused by notice dated 18 November 2021.
 - The development proposed is removal of the present roof and the addition of two storeys on the dwellinghouse. One of the additional storeys will be in the roof space.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The decision notice refers to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the GPDO). However, it is clear from the evidence that the actual dispute is in relation to Class AA. The appeal has been dealt with accordingly.

Main Issue

3. The main issue is whether the proposal is permitted development under Schedule 2, Part 1, Class AA of the GPDO.

Reasons

4. Paragraph AA.4.(1) makes clear that the "principal part" under Class AA, in relation to a dwellinghouse, means the main part of the dwellinghouse excluding any front, side, or rear extension of a lower height, whether this forms part of the original dwellinghouse or is a subsequent addition.
5. The Council argue that the proposal is not permitted development because it extends above part of the dwellinghouse that is not an original feature. However, the definition of "principal part" includes both original features and subsequent additions and so the Council's assessment of this point is not correct.

6. Notwithstanding, it appears that there is a side extension part of the existing dwellinghouse that is of a lower ridge height compared to the main part of the dwellinghouse. Consequently, the proposal would extend beyond the principal part of the dwellinghouse and would not be permitted development as set out under Paragraph AA.1.(i).
7. The definition of "principal part" differentiates between extensions and the main part of the dwellinghouse based on scale. There is no evidence that the internal function of rooms can factor into my assessment, or that such an assessment made on this basis would be lawful.
8. The Council has not substantiated that the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse.
9. It is inferred in their assessment that the existing dwellinghouse is not the original dwellinghouse for the purposes of applying the GPDO. However, I am not clear that this would be the case given that the dwellinghouse has been constructed and designated as a dwellinghouse separate from 104 Blumfield Crescent by way of planning application P/07960/002.
10. Whatever the case may be, even if the existing dwellinghouse is not regarded as the original dwellinghouse for the purposes of applying the GPDO, it is a product of a sideward extension and not an upward extension of the dwellinghouse 104 Blumfield Crescent. Consequently, I cannot reasonably conclude that the proposal would not be permitted development as set out under Paragraph AA.1.(d).
11. Altogether, whilst the Council has not fully substantiated its reasons for refusal under Paragraph AA.1.(d), it is clear that the proposal would not be permitted development as set out under Paragraph AA.1.(i) of the GPDO.

Other Matters

12. Given that I have found the proposal is not permitted development, it is not necessary for me to consider matters relating to prior approval because it would not alter the outcome of the appeal.

Conclusion

13. For the reasons given, the appeal is dismissed.

Liam Page

INSPECTOR



Appeal Decision

Site visit made on 1 March 2022 by Ms S Maur

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 August 2022

Appeal Ref: APP/J0350/D/21/3287374

Site Address: 5 Severn Crescent, Slough SL3 8AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sunesh Koshy against the decision of Slough Borough Council.
 - The application Ref P/19414/001, dated 26 July 2021, was refused by notice dated 28 September 2021.
 - The development proposed is a single storey side & rear & part two storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the proposed single storey side & rear & part two storey rear extension at 5 Severn Crescent, Slough SL3 8AT. In accordance with the terms of application Ref P/19414/001, dated 26 July 2021, 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: 2154/PL/01, 2154/PL/02, 2154/PL/03, 2154/PL/04, 2154/PL/05 and 2154/PL/06.
 - 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.

Appeal Procedure

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

Main Issues

3. The Council has raised no concerns in respect of the ground floor elements of the extension, and a proposal which was similar to this was approved in 2021. Accordingly, the main issues are the effect of the first floor rear element of the extension on:
 - i) the character and appearance of the host dwelling and surrounding area; and
 - ii) the living conditions of the occupiers of 11 and 13 Torridge Road, with regard to whether it would be overbearing.

Reasons for the Recommendation

Character and appearance

4. The appeal property sits on the end of a terrace of three two-storey dwellings with a gable end roof on Severn Crescent. The dwelling is situated within a housing estate comprised of mostly terraced dwellings. The character of the area is residential with a relatively consistent design and form. This terrace is a smaller terrace than others in the area and has a light brick colour, stone porches and there is only a small amount of white cladding under the windows. No.1 Severn Crescent has a ground floor rear extension that is about 3m deep with a tall parapet that is visible from the appeal property. The appeal dwelling is set back from and faces perpendicular to the road and is only accessible by footpaths to the front and the rear gardens. To the rear of the property is a veranda with a flat roof at ground floor level.
5. The proposal includes a part two storey rear extension. It would include a hipped roof that would sit well below the ridge of the main roof. The proposed extension would have a minimal projection and would follow a similar building line to the ground floor extension at No.1. There are not any first-floor extensions on this terrace. However, due to a complimentary and subordinate design with its modest projection and height it would integrate well with the character and appearance of the dwelling and area.
6. For the reasons detailed above, the first-floor extension would not cause harm to the character and appearance of the host dwelling and surrounding area. The proposal is considered to accord with Policies EN1, EN2 and H15 of the Local Plan for Slough 2004 (Local Plan). Together, these policies permit development that is of a high-quality design, that respects the identifiable character of the street scene and surrounding area by being compatible with the scale, form, materials, design and architectural style of the existing property and has a suitable relationship to nearby properties.
7. The proposal would also not be in conflict with the Slough Development Framework Residential Extensions Guidelines Supplementary Planning Document 2010 (SPD) DP3 and EX28, which advises that extensions should be in keeping with and respect the original form of the house and its surroundings by being subordinate and in proportion to the original house.

Living conditions

8. The host property is situated perpendicular to the rear gardens of a row of terraced properties on Torridge Road and there is an alleyway between them to the west. The terrace runs from no.1 at the north of the host dwelling to 19 in the south. There is also a gap between the host dwelling and its own boundary. The proposal includes a first-floor extension of 2.49m in depth from the original rear wall of the property. The roof would be pitched and significantly set down from the ridge of the main roof.
9. Guideline EX18 of the SPD is only relevant to side extensions and, as the first floor element of the proposed extension would be to the rear, there would not be a direct breach of this guidance in the SPD. The first floor part of the extension would be off set from the rear boundaries of the neighbouring dwellings including by the alleyway and step in from the side boundary at the appeal property. It would also be of a modest height. Although the

neighbouring gardens are relatively short in length, the separation, together with the low ridge height would be sufficient to avoid an undue overbearing effect or loss of light.

10. The reasoning behind guideline EX32 of the SPD relates to overlooking, which was not a concern raised by the Council in its reason for refusal. This suggests that a minimum distance of 15 metres be maintained between the first-floor rear wall of a two-storey rear extension and the side boundary of an adjacent property. In respect of some of the properties in Torridge Road, the distance would be less than this. However, overlooking would be at an oblique angle and not significantly greater than can occur from the current rear elevation of the appeal property. The SPD is a guidance document, and, in this case, the proposal would not be contrary to the overarching aims of the relevant Policies.
11. For the reasons detailed above, the proposed development would not cause undue harm to the living conditions of the occupiers of the neighbouring properties. The proposal is considered to meet Core Policy 8 of Slough Core Strategy 2006 -2026 and Policies H15, EN1 and EN2 of the Local Plan (2004) which together require that proposals for extensions to existing dwelling houses to have an appropriate relationship to nearby properties and that there is no significant adverse impact on the amenity of adjoining occupiers.

Other Matters

12. The positioning of the rear wall of the first-floor elevation would partly change. However, the level of overlooking towards the adjoining 3 Severn Crescent would be similar to that which already exists. The Council have found no harm in respect of privacy, and I have no reason to disagree with them.
13. The drawings demonstrate that the first floor element of the extension would comply with the 45-degree code on the horizontal axis when measured from the window at the attached neighbouring dwelling. Given the scale of the extension it would not be overbearing or in breach of the principles set out in the SPD in respect of this neighbouring dwelling.
14. The proposed extension would be modest and offset from the neighbouring dwellings. Any increased effect on overshadowing or light would not be significant and would not substantially affect any pre-existing issues including those related to mould and energy. Therefore, in this regard, it would not conflict with Core Policy 8 from the Slough Local Development Framework Core Strategy (2006).

Conditions

15. In addition to the standard time period for commencement of the development, a condition has been recommended requiring the development accord with the approved plans, as this provides certainty and precision. In the interests of the character and appearance of the area, a condition to secure matching materials is recommended.
16. The Council requested a condition to remove permitted development rights in relation to the addition of new windows in the flank elevation of the development. However, this would not be necessary as legislation requires that any new windows, above ground floor level, be obscure glazed with restricted opening and therefore privacy would be retained.

Conclusion and Recommendation

17. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR



Appeal Decision

Site visit made on 14 June 2022

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2022

Appeal Ref: APP/J0350/W/21/3285076

Victoria Court and Eastbridge, Victoria Road, Slough SL2 5NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Lorienwood Limited against the decision of Slough Borough Council.
 - The application Ref Y/05383/002, dated 29 January 2021, was refused by notice dated 9 June 2021.
 - The development proposed is for a two-storey pitched roofed extension above the principal elevation to provide 28 additional flats.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's second reason for refusal refers to a lack of information to demonstrate that the extension to the building would not cause significant harm to the occupiers of the notification building by way of loss of light. In order to address this reason for refusal the appellant has submitted additional information in the form of a Daylight, Sunlight and Overshadowing Report by Syntegra Consulting (2021). I am satisfied that no party, including the Council who have not formally commented on the additional information, would be prejudiced by my assessing the scheme with regard to it.
3. The appellant has provided a copy of the approved site layout plan for the original apartment block, Ref P5383/1. A copy of the submitted plan indicates that 67 car parking spaces were approved. The Council indicate that 41 spaces are available, not 67, and the appellant states that parking provision would not be provided to future occupants as part of the proposed scheme. As such, for clarity I have based my assessment on the number of spaces indicated as available by the Council (41) rather than what is shown on the historically approved plan.

Background and Main Issues

4. The provisions of Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO 2015) require the local planning authority to assess the proposed development on the basis of, amongst other things, the transport and highway impacts of the proposed development, and the impact on the amenity of the existing building and neighbouring premises, which includes the loss of light.

5. The main issues are therefore the impact of the development on transport and highway safety and the impact on the living conditions of the occupants of the existing building, with particular regard to light.

Reasons

Transport and Highway Safety

6. The appeal site is an existing three storey apartment block, accommodating 42 one bedroomed properties. A railway line is present to the south and the apartment block is accessed via Victoria Road situated off Uxbridge Road (A412). The A412 is a busy highway with two-way traffic with a central reservation, in contrast Victoria Road and Eastbridge is a small cul-de-sac with a single access and exit point.
7. The proposed scheme would increase the capacity of the apartment block by 28 residential units, which could result in a sizable increase in traffic to and from the site. The site has sufficient access to accommodate additional traffic, but the appellant has indicated that no additional parking provision would be provided. It is stated that the site is an accessible location, and the intention is to make the scheme 'car free', implementing measures set out in a submitted Travel Plan.
8. The Council confirm that the appeal site is close to the town centre, but not at location where zero parking would be acceptable. The Council has set out that an additional 35 spaces would be needed¹ and that there is no evidence to show on street parking demand from the development could be accommodated within the nearby areas. This would lead to parking pressure on the surrounding streets to the detriment to highway safety.
9. The apartment block is currently served by 41 parking spaces to the sides and front of the building, which are controlled by parking permits enforced by a private company. The remainder of the cul-de-sac is controlled by double yellow lines but allows for kerbside parking either side of the access road and outside the adjacent terraced blocks. However, the parking bays outside the terraced blocks are largely in front of dropped kerbs. As such, parking in front of the dropped kerbs would be limited when the owner/occupant of the property would require access. The parking arrangements are similar in the adjoining residential estate of Goodman Park, but it also includes some laybys for unrestricted on street parking.
10. At the time of my two site visits (both approximately 10.30am on Tuesdays) the on-street parking was at a reasonable level of occupancy, but it is likely that overnight and at weekends, parking demand in the area would be much higher.
11. I have had regard to the location of the site and the information contained within the Transport Statement, however, there are limitations to its accessibility. Manual for Streets indicates in section 4.4 that walkable neighbourhoods are typically characterised as having a range of facilities within 10 minutes (800m). However, most of the jobs, schools, the town centre and the train station are over 1km away from the appeal site. Furthermore, the bus services are accessible, but the timetable set out within the Transport Statement state that they are only on an hourly basis and stop between approximately 1930 and 0630. Due to the limitations of the public transport provision, coupled with the distance needed to walk to certain locations, the site would not represent a highly accessible location.

¹ Based on The Council's Parking Standards indicated in 'Transport and Highway Guidance Developer's Guide Part 3' 2008.

12. As such, the proposed development is likely to result in an increase in traffic, including future occupants having to rely upon private vehicles to access the site and park. I have had regard to the appellants proposal to make the scheme a 'car free' development. However, no conditions have been proposed and no legal agreement has been submitted as evidence. As such, I have no mechanism to ensure the proposed development would be car free. Furthermore, limited evidence is before me to demonstrate what the current level of car parking occupancy is at the site and what level of on street parking could be accommodated for on the surrounding streets.
13. Consequently, based on the evidence before me, the proposed development would be likely to contribute to parking stress on the surrounding streets. Having regard to the level of additional accommodation proposed and the high demand for on-street parking on the surrounding streets, the proposed extension would adversely affect highway safety. Due to the single access and exit point, indiscriminate parking is likely to result in congestion, multi-point manoeuvres and reversing out of the cul-de-sac onto a junction. This would result in an unacceptable level of risk of vehicle conflicts to the detriment of highway safety.
14. Accordingly, the development proposed would cause harm to transport and highway safety. This would conflict with the objectives of the National Planning Policy Framework (the Framework), particularly paragraph 111, which indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. I have also had regard to the policies of the development plan, but only insofar as they are a material consideration relevant to this issue. The development proposed would conflict with Policy T2 of the Slough Local Plan 2004, which states residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems.
15. The Council also cite Core Policy 8 of the Slough Development Framework Core Strategy 2008. This policy seeks to ensure that all development in the Borough is of a high-quality design and improves the quality of the environment. I do not consider the proposed development to be contrary to aims and objectives of this policy.

Loss of Light to Existing Building

16. The appellant has submitted an additional Daylight, Sunlight and Overshadowing Report to consider the loss of light to rooms in the existing apartment building. This model analyses the daylight, sunlight and overshadowing impact of the new development on the affected buildings².
17. The report outlines that the surrounding properties would not be adversely affected in regard to daylight, sunlight and overshadowing. Although some windows at the existing flats of Victoria Court will experience loss of daylight from the proposed development, the development would not result in an unacceptable loss of daylight and sunlight to the existing flats.
18. I acknowledge that some of the representations have questioned the report's methodology and compliance with the BRE guidelines. However, I have not been presented with alternative evidence that would lead me to conclude that the

² 2-14 Victoria Road, 27-29 Victoria Road, 1-6 Eastbridge, Land adjacent 1 Eastbridge and Victoria Court

extension would result in a significant loss of daylight and sunlight to existing flats or neighbouring properties.

19. Accordingly, the development proposed would not cause unacceptable harm to the living conditions of the occupants of the existing building, by virtue of an unacceptable loss of light. The proposal would conform to the policies on neighbouring impacts set out within paragraph 130 of the Framework. I have also had regard to the policies of the development plan, but only insofar as they are a material consideration relevant to this issue. The development proposed would comply with Policy E2 of the Slough Local Plan 2004, which states that extensions to existing buildings should not result in the significant loss of sunlight or create significant overshadowing as a result of their construction.
20. The Council also cite Core Policy 8 of the Slough Development Framework Core Strategy 2008 and Policy E1 of the Slough Local Plan 2004. These policies, amongst other things, seek to ensure that all development in the Borough is of a high-quality design, scale, layout, materials and improving the quality of the environment. I do not consider the proposed development to be contrary to aims and objectives of these policies.

Other Matters

21. The appellant has highlighted a legal case³ relating to Part 3 Class Q of the GPDO 2015. The case states it was wrong to apply the Framework policies in respect of accessibility to residential development for the prior approval process as would have been applied to an application for planning permission. However, this is prior approval under Part 20 Class A of the GPDO 2015, not part Q. Notwithstanding this, since 2017, the GPDO 2015 has been amended with respect to Part 3, Class Q where the decision maker would need to have regard to the policies in the Framework as if it were a planning application. This is also the case with Part 20 Class A cases. As such, the policies on transport and highway impacts, such as paragraph 111 of the Framework outlined above, are relevant to the determination of this case.
22. Furthermore, I appreciate that the prior approval process for Part 20, Class A does not allow for engineering operations that would be needed to create additional parking spaces. However, that is not a reason to suggest that parking associated with the development, and its impact upon transport and highway safety, cannot be considered as part of prior approval under Part 20 Class A of the GPDO 2015, nor that a deficiency in this respect and the resultant adverse impact can be disregarded because of on-site constraints.

Conclusion

23. The proposal would not comply with one of the prior approval matters set out by Schedule 2, Part 20, Class A of the GPDO. Namely that concerned with the traffic and highway impacts of the proposed extension to the building. It would not therefore benefit from the provisions thereof. As such, the appeal should be dismissed.

M. P. Howell

INSPECTOR

³ East Hertfordshire DC v Secretary of State for Communities and Local Government [2017] EWHC 465 (Admin)



Appeal Decision

Site visit made on 26 July 2022

by **S A Hanson BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 September 2022

Appeal Ref: APP/J0350/C/22/3297657

Land at 15A and 15B Oatlands Drive, Slough SL1 3EH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Mr Bashir Ahmed against an enforcement notice issued by Slough Borough Council.
 - The notice, numbered 2020/00683/ENF, was issued on 5 April 2022.
 - The breach of planning control as alleged in the notice is: Without planning permission, the change of use of outbuilding to form a self-contained dwelling and facilitating works (shown edged blue and including the wooden addition to the outbuilding shown edged green on the Plan).
 - The requirements of the notice are to: 1. Cease the use of the outbuilding as a self-contained dwelling. 2. Remove the kitchen and bathroom from the outbuilding. 3. Remove the internal walls incorporating the bathroom. 4. Remove all plumbing, boiler and associated pipework in connection to the kitchen and shower room within the outbuilding. 5. Demolish the wooden addition. 6. Remove from the land all materials, rubbish, debris, plant and machinery resulting from compliance with the above requirements.
 - The period for compliance with the requirements is: 6 (six) months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (d) of the Town and Country Planning Act 1990 as amended (the Act). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
-

Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

The appeal on ground (d)

2. In an appeal on ground (d), the onus is on the appellant to demonstrate, on the balance of probabilities, that at the time the notice was issued, it was too late to take enforcement action in respect of the alleged breach of planning control. Section 171B(1) of the Act sets out the relevant time period for taking enforcement action.
3. The council has determined that the building is in use as a single dwelling house and the appellant's case is that this use has been continuing for some years. For the development to be immune from enforcement action the appellant must demonstrate that the outbuilding has been in use as a single dwellinghouse for at least four years before the date the notice was issued. In this instance, that date is 5 April 2018.
4. The plan which accompanies the notice includes the property to the front which has been subdivided into 2 flats (15a and 15b Oatlands Drive), which I am led

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

to believe, are owned by the appellant. It is noted that the primary address for the appellant is 518 Barking Road, London although he says that he spends every Saturday and Sunday staying at the appeal property and has been doing so for more than five years.

5. As part of the appeal the appellant says that he moved into the outbuilding in 2017. However, I note the email from the appellant to the council dated 9 February 2017 advising them that 'Mr Ahmad' had moved into the property on 1 August 2016. The email further informs the council of the 'flat' behind '15 Oatland Drive, Slough' having 'water and electricity'¹ and which is lived in from 'time to time' by the appellant to 'look after my tenants'. A copy of an email from the council tax department dated 2 March 2017 advises the appellant of the request made for an inspector to visit the premises to establish whether banding is required. The appellant says that they had further correspondence with the council tax department. However, I have not been provided with such or indeed any evidence of council tax banding or payments. The appellant has provided a copy of a visual structural assessment of the outbuilding which was surveyed on 1 April 2021. This document provides that the internal floor area is approximately 20sqm and consists of an open plan living room and kitchen, a bathroom and a bedroom. There is no information referring to how long the building has been occupied on a residential basis.
6. Photographs provided by the council dated 2 August 2021 show the building with sparse facilities and no real sign of the property being lived in. Furthermore, photographs which accompany the structural report show a similar situation and at the time of my site visit, the inside of the building was in a similar state. Although the building may provide the facilities for domestic use, I find that the information provided does not paint a clear picture to show how the property has been occupied. While the appellant claims intermittent, if regular use, on the limited information provided it is far from clear that the building was in use as a separate dwellinghouse for a continuous 4 year period within which the council could have taken enforcement action at any time. Therefore, on the balance of probabilities, the evidence provided is not sufficiently precise and unambiguous to justify a finding that the use of the building to the rear of 15a and 15b Oatlands Drive, Slough, SL1 3EH as a separate dwellinghouse has been sustained for the requisite period.
7. The alleged breach of planning also refers to the wooden addition to the front of the building which appears to have been constructed to provide a second access. The extension was clearly erected to facilitate the unauthorised use and can be required to be removed on that basis, but in any case, there is no evidence to suggest that it was substantially completed more than 4 years before the notice was issued and might have acquired immunity in its own right.
8. Consequently, I cannot be certain that the alleged breach of planning control is not immune from enforcement action. The appeal on ground (d) therefore fails.

¹ Supplied by the flat to the front

The appeal on ground (a) and the deemed planning application

Main issues

9. This part of the appeal seeks planning permission for the development enforced against. The main issues concern the effect of the development on: i) the living conditions of occupants of neighbouring properties with regard to amenity space, privacy, noise and disturbance; ii) whether the use of the outbuilding as a dwelling is acceptable for its current and future occupants in terms of space, privacy, outlook, accessibility and design iii) the character and appearance of the area; and iv) car parking provision.

Reasons

Living conditions of neighbouring occupants

10. The appeal building is situated within the yard area to the rear of the flatted properties No.15A and 15B ("the flats"). There are two entrance doors to the building. One is positioned on the side of the building. The other to the front and access to this door is through the yard which, at the time of my visit was occupied by bicycles, a trampoline, children's toys and items of a domestic nature.
11. The front windows and entrance door of the outbuilding and the rear elevation of the flats directly face each other across the hard surfaced yard area. There is no physical barrier to subdivide the area. Given the restricted area a physical barrier would likely be impracticable and would result in a claustrophobic setting for the flats and the outbuilding. Taking into account the layout of the appeal site, the normal activities associated with residential occupation of the outbuilding and of the flats, including comings and goings by occupiers, would be likely to cause mutual disturbance and mutual loss of privacy between the properties. This would be exacerbated by the proximity of the outbuilding to the ground floor of the flats where there would be direct views into internal private space.
12. Access to the outbuilding can be gained through a side entrance off a vehicular-width track which provides access to some neighbouring buildings beyond. If this access were to be used, disturbance to occupiers in the flats would be less than if the yard between the two were used. However, there is no guarantee that occupiers of the outbuilding would always use the side entrance. Furthermore, the use of the outbuilding as a dwelling means that neither the outbuilding nor the main house has any usable outside space which is private to the occupants.
13. The use of the outbuilding for residential purposes in these circumstances would be harmful to the occupants of the existing flats in terms of general disturbance and loss of privacy. In this respect there is conflict with Policy EN1 of the Local Plan for Slough (March 2004) (the LP) which requires development to be compatible with and/or improve their surroundings in terms of, amongst other things, relationship to nearby properties.

Current and future occupants

14. The council considered in its reasons for issuing the notice that the outbuilding fails to provide a good level of amenity for existing or future occupiers and is substandard in terms of its floorspace, outlook, privacy and its amenity space

provision in terms of area, depth, orientation, attractiveness, usefulness and inadequate accessibility. I am not aware of the council's internal space standards for such accommodation. Nevertheless, from my inspection of the building, I found it to be a cramped and low quality living environment. The design of the outbuilding is basic due to its intended use as a subsidiary domestic garage/store which does not lend itself naturally to independent residential use.

15. Furthermore, the outbuilding is positioned close to the rear of the flats with windows allowing for unrestricted views directly towards the existing flats and their outdoor space. This results in a poor outlook and a compromised area of private outdoor space which would be harmful for current and future occupiers of the appeal development. The use of the building is thus found to conflict with Policy H13 of the LP which requires backland development to be, amongst other things, designed to have appropriate access, amenity space and landscaping; be designed so that existing residential properties retain appropriate garden areas and do not suffer from overlooking or loss of privacy. The appeal development also conflicts with Policy ENV1 of the LP which requires development to be compatible with and/or improve their surroundings in terms of, amongst other things, relationship to nearby properties.

Character of the area

16. Core Policy 1 of the Core Strategy Development Plan Document 2006-2026 (December 2008) (the DPD) requires all development to take place within the built up area with the scale and density related to the site's current accessibility, character and surroundings. The pattern of buildings in this neighbourhood is typical of many residential areas, with houses fronting the street and outbuildings in some back gardens. There are also some garages reached by rear accesses. While there may be similar buildings to the rear of properties within the area, as far as I am aware, they are used for purposes incidental to the main residential use of the house and not as a separate dwellinghouse.
17. In this respect, the physical presence of the 'outbuilding' at the appeal site does not detract from the area's general character. However, 'backland development' for residential purposes is not a principal component of the area's character, particularly where the area occupied is within the modest sized rear private space of a domestic property. This has also resulted in an increased density with three residential properties within the appeal site and this is not reflective of the immediate surroundings. Accordingly, the appeal development is considered harmful to the character of the area and this conflicts with Core Policies 4 and 8 of the DPD and Policy H13 of the LP.

Car parking provision

18. Whilst there is parking provision to the front of the flats, there appears to be no dedicated space for a vehicle to park off the public highway for any occupant of the outbuilding. The vehicular track which leads from Oatlands Drive to the rear of the outbuilding provides access to neighbouring properties. Policy H13 of the LP requires backland development to be provided with appropriate car parking provision to accord with the aims of the integrated transport strategy. However, I have not been provided with a copy of this document.

19. While the lack of dedicated car parking for the self-contained residential unit located in the outbuilding may result in on street parking, I do not consider that this would be harmful to highway safety. Most residential properties nearby benefit from off-road parking leaving available room to park along roads where there are no parking restrictions. Furthermore, the appeal site is close to the town centre and the train station and there are several bus stops close by allowing for a choice of transport options. Therefore, I consider that the development complies with the essence of Core Policy 7 of the DPD which requires new development to be sustainably located in the most accessible locations and thereby reduce the need to travel by private means.

Other matters

20. I note the frustration of the appellant due to their perceived lack of support and advice by the council in dealing with the planning matters. However, my assessment of the appeal development is based on an impartial appraisal of the planning merits regarding relevant planning policies. Dissatisfaction with the Council's procedure should appropriately be made in the first instance through the authority's own complaints procedure.

Conclusion on ground (a) and the deemed planning application

21. Although I have found that the absence of private parking for the occupants of the appeal building would not have a harmful effect on highway safety, I have identified harm to the character of the area and to the living conditions for the occupants of the flats and for existing and future occupants of the outbuilding. There are no material considerations that indicate the deemed planning application should be determined other than in accordance with the Development Plan. For the reasons given, the appeal on ground (a) should not succeed, and I shall refuse to grant planning permission.

S A Hanson

INSPECTOR

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	25/04
Carter	P		P								
J Davis	Ab		Ap								
Akbar	P		Ap								
Dar	P		P								
Gahir	P		P								
Mann	P		P								
Mohammad	P		P								
Muvvala	P		Ap								
S Parmar	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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