

Date of issue: Tuesday, 18 July 2023

MEETING	PLANNING COMMITTEE (Councillors Iftakhar (Chair), Manku, Carter, Gahir, Khawar, Mann, Naveed and Satti)
DATE AND TIME:	WEDNESDAY, 26TH JULY, 2023 AT 6.30 PM
VENUE:	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	MADELEINE MORGAN 07736 629 349

NOTICE OF MEETING

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



STEPHEN BROWN
Chief Executive

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

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WARD

APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

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| 1. | Declarations of Interest | - | - |
|----|--------------------------|---|---|

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



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Press and Public

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

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

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

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

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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 Wednesday, 28th June, 2023.

Present:- Councillors Iftakhar (Chair), Manku (Vice-Chair), Gahir, Khawar and Mann

Also present under Rule 30:- Councillors Tomar, Ahmed, Steadmond, Mohindra and Dhillon

Apologies for Absence:- Councillor Carter, Naveed and Satti

PART I

1. Declarations of Interest

None.

2. Planning Committee Terms of Reference - To Note

The Planning Committee Terms of Reference were noted. The Democratic Services Officer indicated column one of the Terms of Reference should have included '8 Members of the Authority'. The Chair also requested that the reference to 'Lead Member for Neighbourhoods and Renewal' be updated to the 'Lead Member for Leisure, Community Cohesion, Regulation, Enforcement and Planning'.

3. Guidance on Predetermination/Predisposition - To Note

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

4. Minutes of the Last Meeting held on 24th April 2023

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

5. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

6. 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 as follows:

Planning Committee - 28.06.23

Application P/19443/009 – 30-32 Wexham Road – Councillor Tomar (Slough Central ward) and Councillor Ahmed (Wexham Court ward) 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.

7. **P/19443/009 - 30-32 Wexham Road, Slough, SL1 1UA**

Application
Demolition of the existing buildings and redevelopment of the site at 30- 32 Wexham Road, Slough, SL1 1UA to create 27 new residential units (11no. 1 beds, 14no. 2 beds and 2no. 3 beds) with associated parking and landscaping.
Decision
Deferred for a site visit to further understand the potential impact of the development on the character and appearance of the area and neighbouring amenity.

Councillor Mann requested advice from officers on the procedure for speaking at a Planning Committee. Following advice being given, the Chair concluded that a non-ward councillor could make representations to the committee and speakers were not limited to one speech. Councillor Mann requested that the minutes reflect that in her opinion the officer advice was not being followed.

8. **P/20153/000 - 46-56 High Street, Slough, SL1 1EL**

The application was deferred until the committee meeting in July to enable a review into the proposed Section 106 infrastructure contributions in respect of affordable housing provision, as noted in the Amendment Sheet.

9. **Planning Appeal Decisions**

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

Resolved – That details on planning appeals be noted.

Planning Committee - 28.06.23

10. Date of Next Meeting - 26th July 2023

The date of the next meeting was confirmed as 26th July 2023.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.43 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:	23-Jan-2023	Application No:	P/19443/009
Officer:	Michael Scott	Ward:	Central
Applicant:	Wexham Construction Ltd.	Application Type:	Major
		13 Week Date:	24 April 2023 [EoT 09 June 2023]
Agent:	GA&A Design, Suite 1, First Floor, Aquasulis, 10-14 Bath Road, Slough, SL1 3SA		
Location:	30-32, Wexham Road, Slough, SL1 1UA		
Proposal:	Demolition of the existing buildings and redevelopment of the site at 30-32 Wexham Road, Slough, SL1 1UA to create 27 new residential units (11no. 1 beds, 14no. 2 beds and 2no. 3 beds) with associated parking and landscaping.		

Recommendation: Delegate to the Planning Group Manager for Refusal



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies set out below, the representations received from all consultees and residents; as well as all other relevant material considerations, it is recommended that the application be refused for the following reasons:-

1 The proposed scheme by reason of its scale, height and massing would fail to respect or respond to the established character and appearance of the area and would constitute the overdevelopment of the site. The proposed scale and massing in close proximity to the neighbouring dwellings, in particular, at 28 Wexham Road and 136 Wellington Street, would result in an overwhelming sense of enclosure and overlooking. As a result, the proposed development would significantly harm the character and appearance of the area and the wider street scene, as well as, the amenities of the neighbouring occupiers. The proposal is considered to be contrary to the provisions of the National Planning Policy Framework (2021); Core Policies 7, 8 and 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policies EN1 and H13 of Slough Local Plan, 2004.

2 The applicant has not provided, by way of a Section 106 agreement, for affordable housing and for off-site infrastructure made necessary by the development including funding for education, the mitigation of impacts on Burnham Beeches Special Area of Conservation, and off-site affordable housing. As such, the application is contrary to Policies 4, 9 and 10 The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Slough Borough Council's Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106), advice in the National Planning Policy Framework 2021 and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

1.2 Under the current constitution, this application is to be determined at Planning Committee, as it is an application for a major development comprising more than 10 dwellings.

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for:

- Demolition of the existing residential accommodation comprising one family home (no.30) and four self-contained flats in the other property (no. 32).
- Construction of a part six/part five/part three-storey building.
- Provision of 27 self-contained residential units with a mix of:
 - 11no. 1-bedroom,
 - 14no. 2-bedroom
 - 2no. 3-bedroom flats
- Surface car parking providing 8 spaces (of which one would be designated for accessible use) – each to be provided with electric charging facilities.
- The provision of cycle parking facilities for future residents and visitors.
- Secure bin and recycling storage facilities.
- Redesigned and widened use of the vehicular access to the site from Wexham Road.

3.0 **Application Site**

- 3.1 The application site lies on the south-eastern corner of Wellington Street and Wexham Road. There are currently two detached residential buildings – no.30: a two-storey double fronted Victorian property comprises 4 self-contained flats; and no. 32: a two-storey bay-fronted Victorian property in use as a single-family dwellinghouse. Each has forecourt parking and its own rear garden space.
- 3.2 There are no particular changes in ground levels across the overall application site or between it and the adjacent sites.
- 3.3 To the south, between the site and the High Street are a series of two-storey dwellings, together with a three-storey block of flats at Milford Court and a four-storey block of flats at Neo Apartments.
- 3.4 Opposite to the west across Wexham Road, lies land used by BT for parking, which comprises part of much larger area identified in the Local Plan for future comprehensive residential development as Site SSA16.
- 3.5 To the east lies a series of two-storey domestic properties facing Wellington Street. The western boundary of no 136 abuts the eastern side of the application site.

- 3.6 Wellington Street (A4) is a significant arterial route separating the residential areas to the north from the application site, as such, the character and layout of that area affords little material consideration of these proposals.
- 3.7 Access for proposed development site would be taken from Wexham Road in a similar but redesigned position to that serving no.30.
- 3.8 For completeness, it should be noted: the site adjoins the boundary of the designated Slough Town Centre; does not lie in a conservation area and there are no heritage assets nearby; and it does lie in a Flood Zone. As the site is located in Flood Zone 1, the proposals do not require a Flood Risk Assessment.

4.0 **Relevant Site History**

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

P/19443/000 Demolition of the existing buildings and redevelopment of the site at 30-32 Wexham Road, Slough, SL1 1UA to create 18 new residential units with associated parking and landscaping – APPROVED 06/01/2022.

P/19443/001 Submission of details pursuant to condition 5 (Construction Environmental Management Plan) of planning permission P/19443/000 dated 06/01/2022. Condition complied with - 07/10/2022

P/19443/002 Submission of details pursuant to condition 6 (tree protection measures) of planning permission P/19443/000 dated 06/01/2022. Condition complied with - 22/09/2022

P/19443/003 Non material amendment to application P/19443/000 dated 06/01/2022 involving the reconfiguration of internal layouts of flats, cycle storage and plant room areas. Approved 22/08/2022

P/19443/004 Submission of details pursuant to condition 9 (new surface treatments), 10 (landscaping) and 11 (boundary treatment) of planning permission P/19443/000 dated 06/01/2022. Approved 01/11/2022

P/19443/005 – Unregistered application for Demolition of the existing buildings at (30-32 Wexham Road, Slough, SL1 1UA) and, redevelopment of the site to construct 18 no. new residential units with associated parking and landscaping.

P/19443/006 Submission of details pursuant to condition 3 (New finishes to building works) of planning permission P/19443/000 dated 06/01/2022
Condition complied with - 23/01/2023

P/19443/007 Submission of details pursuant to condition 4 (Drainage (SuDS)) of planning permission P/19443/000 dated 06/01/2022 Condition complied with - 23/01/2023

P/19443/008 Submission of details pursuant to condition 7 (Sound attenuation and ventilation) of planning permission P/19443/000 dated 06/01/2022 Condition complied with - 23/02/2023

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 two site notices were displayed – each on lampposts in the immediate vicinity of the site's location on Wellington Street and Wexham Road respectively on 08/02/2023. The application was advertised as a major application in the 17/02/2023 edition of The Slough Express.

6.0 **Consultations**

6.1 **Local Highway Authority**

Introduction

This document provides Slough Borough Council's (SBC) final consultation response regarding Highways and Transport for application P/19443/009 at 30 – 32 Wexham Road. A Transport Statement (TS) has been produced by Patrick Parsons, dated January 2023.

Vehicular Access

SBC Highways and Transport have no objection to the proposed access arrangements for the site.

SBC Highways and Transport require the applicant to enter into a Section 278 agreement with Slough Borough Council to provide a speed table to reduce vehicle speeds on Wexham Road and a 'build out' to ensure appropriate setback for visibility. This is due to the proximity of the site access to the A4 Bath Road.

SBC Highways and Transport agreed the provision of a speed table as part of the previously approved planning application (Planning Ref: P/19443/000).

The speed table was required because the applicant was unable to demonstrate visibility splays of 2.4 metres x 43 metres in accordance with the Manual for Streets (MfS) requirements for a 30mph speed limit. Visibility had been measured from a setback of 1.8m, which did not accord with the minimum setback of 2.4m required by MfS.

Drawing No. 10229-101-Rev-P2, dated January 2023 demonstrates visibility splays of 2.4m x 33m to the left and 2.4m x 26m to the right. These visibility splays can only be achieved from an appropriate setback with the proposed build out and carriageway narrowing.

A speed survey was completed which recorded an 85th percentile speed of 24.9mph in the northbound direction and 14mph in the southbound direction. The required visibility based on the MfS standards for these speeds would be 2.4m x 16m to the right and 2.4m x 33m to the left. Therefore, the visibility splays are accepted only on the basis of the highway works the developer must deliver under a Section 278 agreement.

The NPPF requires that in assessing applications for development, it should be ensured that: *'Safe and suitable access to the site can be achieved for all users'* and that: *'Applications for development should create places that are safe...which minimise the scope for conflicts between pedestrians, cyclists, and vehicles'*.

Access by Sustainable Travel Modes

The site can be considered an accessible location by sustainable travel modes. The nearest bus stops are 130m (2 minutes' walk) from the site on Wellington Street. The site is located approximately 900m (11 minutes' walk) from Slough Railway Station.

The Town Centre is 200m from the proposed development where a range of facilities and shops are available.

Due to the site's accessibility by sustainable travel modes, SBC Highways and Transport are willing to accept the provision of parking spaces below the adopted Slough Parking Standards.

Trip Generation

SBC Highways and Transport do not wish to raise an objection to the proposed development based on trip generation. The trip generation is not expected to have a severe impact on the capacity of the surrounding road network.

The NPPF para 111 states that: *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.

A Transport Note produced by Patrick Parsons dated 11th August 2021 provides an updated forecast of the site's potential trip generation using TRICS, the National Trip Generation Database which holds trip survey data. The TS states that the 27 units would generate 8 two-way vehicle trips during the AM Peak Hour (0800 – 0900), including arrivals and departures. 9 two-way vehicle trips are forecast during the PM Peak Hour (1700 – 1800) and 79 two-way vehicle trips over a full day.

Car Parking

Planning permission P/19443/000 granted planning permission for 18 residential flats with 9 car parking spaces which would provide a ratio of 0.5 car parking spaces per dwelling.

A total of 8 parking spaces are proposed for 27 flats, at a ratio of 0.30 car parking spaces per dwelling. One accessible parking space for disabled use is shown on the Proposed Site Plan (Doc. Number 19061-GAA-ZZ-XX-DR-T-2028-Rev-P02, dated 10/01/23).

Slough's Car parking standards allow for nil parking provision in the highly accessible town centre area to encourage low car use in close proximity to town centre facilities. The parking restrictions on surrounding roads make it unlikely that parked vehicles will overspill onto the surrounding roads.

Wexham Road is subject to parking restrictions between the A4 Bath Road and the High Street to the south. The eastern side is subject to a single yellow restriction which limits parking between 8am – 9pm, whilst the western side has double yellow parking restrictions and permit controlled parking bays.

The roads listed below also form part of a controlled parking zone with double yellow lines and permit controlled bays for residents only:

- A4 Bath Road;
- Wexham Road;
- Wellesley Road;
- Stratfield Road;
- Aldin Avenue North; and
- Princes Street.

The development is unlikely to cause overspill of parked vehicles onto the surrounding roads and cause residual cumulative impacts on the road network which could be considered severe as required by the NPPF. SBC Highways and Transport accept the low parking ratio.

EV Charging

SBC Highways and Transport require the provision of electric charging points for all 8 car parking spaces and for the chargers to be connected to an appropriate power supply.

The Slough Low Emissions Strategy (2018 – 2025) requires the provision of 1 EV Charger per dwelling where parking spaces are allocated/dedicated to each dwelling.

The National Planning Policy Framework Paragraph 112 requires applications for development to: *‘Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations’*. In addition, updated UK Building Regulations came into effect on 15th June 2022 which require the provision of an Electric Vehicle Charging Point for each new dwelling.

Cycle Parking

40 secure and covered cycle parking spaces are proposed in the form of a two bike stores containing two-tier bike racks and 5 provided within bike cages. This is considered compliant with the requirements for residents cycle parking. The SBC Developer’s Guide requires the provision of 1 secure and covered cycle parking space per dwelling.

SBC request further details are submitted showing Sheffield stands as short-stay cycle parking for visitors.

The Slough Developer’s Guide – Part 3: Highways and Transport requires the provision of visitor cycle parking for flatted developments larger than 10 dwellings. The visitor cycle stand should be provided in close proximity to the main entrance lobby for convenience and to enable surveillance of the short-stay cycle rack.

Deliveries, Servicing and Refuse Collection

The site layout remains unchanged from the previously approved layout. Swept path analysis was submitted which demonstrated a 4.6t

light van can ingress and egress the site in a forward gear. The applicant has provided a dedicated area for deliveries only which delivery vehicles will be able to turn in.

The NPPF Paragraph 112 states that applications for development should '*Allow for the efficient delivery of goods, and access by service and emergency vehicles*'. SBC Highways and Transport have no objection to the development based on deliveries and servicing provision.

Summary and Conclusions

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

6.2 **Thames Water**

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 a number of conditions and informatives be attached to this planning permission.

6.3 **Lead Local Flood Authority**

We would advise that there is sufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

We consider that if [the scheme is recommended for approval that] ... planning conditions are included as ..., the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of flooding.

6.4 **SBC Environmental Officer**

The following observations were received under P/19433/000, which are equally applicable in this current form of the proposals:

Air Quality Background

Slough Borough Council (SBC) has designated 5 Air Quality Management Areas (AQMA) due to elevated concentrations of Nitrogen Dioxide (NO₂, annual average), including:

- Slough Town Centre
- M4
- Tuns lane
- Brands Hill
- Bath Road

While particulate matter concentrations do not breach EU Limit Values, levels in Slough are higher than both the national and regional averages and it is estimated that 1 in 19 deaths are attributable to PM2.5 in Slough (PHE).

SBC adopted the Slough Low Emission Strategy 2018-25 on the 17th September 2018. This application has been assessed in relation to air quality considerations in line with the Slough Low Emission Strategy Technical Report: 'Land-Use planning and Development Management' Guidance (Section 3.3). The LES Technical Report can be found on the SBC Low Emission Strategy web page - <http://www.slough.gov.uk/pests-pollution-and-food-hygiene/low-emission-strategy-2018-2025.aspx>

Where mitigation is required and refers to the 'Slough Electric Vehicle Plan' this can be found in Section 4.3 of the LES Technical Report.

The Slough Low Emission Strategy also includes a Low Emission Programme. Again, details can be found on the SBC LES web page.

Air Quality

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 six additional parking spaces. However, as the development is within AQMA 4, an air quality assessment (AQA) has been prepared.

The AQA indicates that during the construction phase, there is a medium risk of dust soiling during the demolition phase. All other elements of the construction phase are considered low risk. For impacts to be considered not significant, the mitigation measures outlined in Table 12 of the AQA must be implemented as part of the CEMP.

Operational phase impacts have been predicted for a future 2023 opening year. Due to the low parking provision and predicted AADT from the Transport Assessment, the impact is low. This is accepted.

There was concern that due to the proximity of the development to Wellington Street, there was potential for exposure of future residents to high concentrations of NO₂. However, data taken from passive and

continuous sites near the development indicate that air quality at the building façade is acceptable. As with all minor impact developments, the scheme requires the integration of Type 1 measures contained in the LES Planning Guidance, outlined below under Noise Comments.

Mitigation Requirements – secured via condition for the following:

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As the scheme includes 9 parking spaces (6 additional to existing spaces), 10% must have access to electric charging infrastructure.
- 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, inclusive of those highlighted in Table 12 of the AQA.
- 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

The noise survey which has informed the assessment was undertaken during the pandemic (18th – 19th February 2021). The report acknowledges the impact that the pandemic has had on noise levels due to reduced traffic, therefore the noise levels have been cross-referenced with strategic noise mapping software to inform a conservative assessment. It is noted that a lane closure on the roundabout where the A4 intersects the A412 may have also influenced traffic flows which further supports the need to utilise noise mapping data.

The noise survey was conducted in two locations, representative of the north and west façade to measure road traffic noise from Wellington Street (A4) and Wexham Road, respectively. The survey at Monitoring Position 1 (northern façade) considered of a 24 hour monitoring period, and the survey at Monitoring Position 2 (western façade) consisted of a 3 hour period, for the purpose of informing a CRTN shortened measurement calculation.

Results from Monitoring Position 1 indicate a daytime noise level of 64.8dB LAeq16h and a night time noise level of 62.3dB LAeq8h, representative of the northern façade. The CRTN shortened method was utilised to calculate road traffic noise incident on the western façade, resulting in 64.0dB LAeq16h and 59.3dB LAeq8h.

Comparing to the Extrium noise maps, daytime noise levels are typically higher than the recorded noise levels at this location, with the north-eastern façade experiencing 70.0 – 74.9dB. Therefore, a noise

level of 70dB LAeq16h has been used to assess façade insulation for the northeast section of the site. Although this is a higher noise level than the measured value, using the upper range value would support a more conservative approach.

The map presented in the report suggests that the north-western and eastern facades typically experience between 65.0 – 69.9dB, therefore it is not clear why the measured value of 64.0dB had been used to assess the façade insulation for these areas, as this does not support a worst case scenario approach.

The night time noise level on the Extrium noise maps is between 60.0 – 64.9dB and 55.0-59.9 dB, for the north and south of the site, respectively. The measured values fall within these ranges therefore using the measured values for the night time noise assessment is acceptable.

Regarding LAmax levels, WHO guidelines allow for exceedances of 45dB up to 10-15 times per night. The maximum measured LAmax level at Monitoring Position 1 was 99.6dB and it is agreed that mitigating up to this noise level is unrealistic. The 4th highest noise event of 88.5dB has been chosen to use in the assessment. The graphs presented in the Appendix suggest that the typical LAmax level is <80dB therefore providing insulation to mitigate up to 88.5dB would provide a high level of noise protection.

As no night time monitoring was conducted at Monitoring Position 2, the LAmax levels recorded during the 3 hour daytime period were used for the assessment of night time noise. In this case, the second highest LAmax noise level of 80.7dB was carried forward for the assessment, as the highest noise level was influenced by passing pedestrians. This approach is accepted.

For acceptable internal noise levels to be achieved, the following glazing specifications are recommended in the noise report:

- *Specification 1: Applicable to northern, eastern and western facades*
 - *Bedroom: double glazed unit and secondary glazing with 10mm glass / 20mm void / 6mm glass / 150mm void / 4mm glass, able to achieve 52dB Rw.*
 - *Living room: double glazed unit with 10mm glass / 12mm void / 6mm glass, able to achieve 36dB Rw.*
- *Specification 2: Applicable to all other facades*
 - *Bedrooms and living rooms: double glazed unit with 10mm glass / 12mm void / 6mm glass, able to achieve 36dB Rw.*

This glazing arrangement would provide a high level of sound protection for future occupants, however the internal noise levels would only be achievable if windows were closed. To allow future occupants to adequately ventilate their property without compromising compliance with internal noise levels, it is recommended that a ventilation system is

implemented. This should be secured via condition should the LPA be mindful to approve the application.

A specific ventilation strategy has not yet been produced for this application. In regards to noise transmission, the noise report recommends a mechanical system or acoustic wall vent such as Greenwoods MA3051 for all facades. However, no comment has been provided on overheating. As mechanical ventilation allows for temperature control, it is recommended that a mechanical ventilation system is installed. If an alternative ventilation system such as acoustic wall venting is used, an overheating assessment must be produced and submitted to the LPA and only installed if risk of overheating is low.

External amenity space is provided on this development in the form of winter gardens overlooking Wellington Street and Wexham Road. As the external noise levels are much higher than the external amenity guideline value of 55dB, balconies would not have been suitable. The report states that rooftop amenity space has been set back to provide 10dB attenuation provided by the structure of the building, although the expected noise level has not been specified. Nevertheless, due to the height of the building and that external amenity space can be used at the occupant's discretion, this is accepted.

Summary:

The noise assessment has been completed in reference to survey results and noise mapping software. Although a worst case approach had not been fully followed in the methodology, the recommended mitigation has been selected with the aim to protect against the L_{max} noise levels and therefore would also protect from the upper range L_{Aeq} noise levels.

As internal noise levels can only be achieved with windows closed, the submission of a ventilation strategy is required. It is recommended that a mechanical ventilation system is installed to mitigate against overheating. If an alternative ventilation system is used, an overheating assessment must be submitted to the LPA for approval.

A number of conditions relating to air quality and noise would be required to mitigate the impacts of the proposed development during construction and operation.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 National Planning Policy Framework and National Planning Policy Guidance: Section 2: Achieving sustainable development

Section 4. Decision-making
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy communities
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 16: Conserving and enhancing the historic environment

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

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

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

EN1 – Standard of Design
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
H9 – Comprehensive Planning
H13 – Backland/Infill Development
H14 – Amenity Space
T2 – Parking Restraint
T8 – Cycle Network and Facilities
T9 – Bus Network and Facilities
OSC15 – Provision of Facilities in new Residential Developments

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

7.4 Slough Local Development Framework Site Allocations DPD (2010)

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.”

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.

7.5 Centre for Slough Interim Planning Framework (2019)

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.

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.

7.6 The Proposed Spatial Strategy (November 2020)

Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This sets 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. 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).

7.7 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 (HRA) 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 Regulation 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).

7.8 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 for schemes of 10 net additional homes.

7.9 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.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2021, the Local Planning Authority cannot demonstrate a Five Year Land Supply. Therefore, when applying Development Plan Policies in relation to the development of new housing, the presumption in favour of sustainable development will be applied, which comprises a tilted balance in favour of the development as set out in Paragraph 11(d) (ii) of the National Planning Policy Framework 2021 and refined in case law. The 'tilted balance' as set out in the NPPF paragraph 11 requires local planning authorities to apply the presumption in favour of sustainable development (in applications which relate to the supply of housing) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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

7.10 The planning considerations for this proposal are:

- Principle of development (section 8.0)
- Impact on the character and appearance of the area (section 9.0)
- Impact on amenity of neighbouring occupiers (section 10.0)
- Housing mix (section 11.0)
- Living conditions for future occupiers of the development (section 12.0)
- Crime prevention (section 13.0)
- Highways and parking (section 14.0)
- Flooding & Drainage (section 15.0)
- Trees & Landscaping (section 16.0)
- Heritage issues (section 17.0)
- Land contamination (section 18.0)
- Environmental issues (section 19.0)
- S.106 Contributions (section 20.0)
- Presumption in favour of sustainable development (section 21.0)
- Equalities (section 22.0)

8.0 **Principle of development**

8.1 The National Planning Policy Framework (NPPF) 2021 encourages the effective and efficient use of land. These proposals involve the replacement of a single house and four flats and the formation of 18 new self-contained units of residential accommodation. As such, the proposals comply with the overall thrust of the NPPF.

- 8.2 Core Policies 1 and 4 which seek high-density, non-family type housing to be located in the Town Centre. In the urban areas outside of the town centre, new residential development is expected to be predominantly family housing.
- 8.3 Whilst the site is located outside of the Town Centre, its immediate close proximity to the designated area justifies considering that flatted accommodation is more appropriate in this case, as it replaces four flats existing within the site.
- 8.4 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high-quality homes which should be considered in the context of the presumption in favour of sustainable development. The site is considered to be located in a sustainable location as it benefits from access to public transport, education, retail, leisure, employment and community facilities.
- 8.5 Paragraph 8 of the NPPF sets out that achieving sustainable development means that the planning system has three over-arching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 8.6 Paragraph 9 of the NPPF stresses that sustainable solutions should take local circumstances into account, to reflect the character, needs and opportunities of each area
- 8.7 In Core Policy 1 the Council seeks a scale and density of development that will be related to a site's current or proposed accessibility, character and surroundings.
- 8.8 In Core Policy 8 the Council seeks all development to be sustainable, of high-quality design that respects its location and surroundings, in that it should respect the amenities of adjoining occupiers and reflect the street scene and local distinctiveness of the area.
- 8.9 Accordingly, in Core Policy 9 the Council states development will not be permitted where it does not respect the character and distinctiveness of existing townscapes. The impact of the current proposals is considered in section 9.0 below.
- 8.10 Having regard to the National Planning Policy Framework 2021 and the Local Development Plan, there are no objections to the principle of flatted residential development on this site.
- 8.11 As a scheme that entails an infilling of the street scene, attention must be paid to each limb of Policy H13, of which criteria (a), (b), (c), (d) and (f) are relevant. In summary, the issues turn on the scale of any infilling development.

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

- 9.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policies 8 and 9 of the Core Strategy, and Local Plan Policies EN1 and H13.
- 9.2 As described above, the application site lies in that part of Wexham Road between the High Street and Wellington Street. This area is characterised by properties that are either flatted blocks or former dwelling houses converted to flats. As such, these proposals would reflect the character of this area. Furthermore, these proposals are for a three-storey flatted block, as such, the scheme would be not out-of-keeping with the general massing and scale of the area.
- 9.3 The proposals would replace a more domestic set of residential buildings with a contemporary block of flats. These current proposals match the design style of the approved scheme under P/19443/000, when it was noted that *“The design and use of materials would give the new building a fresh and modern style to enhance an approach to the town centre.”*
- 9.4 However, the current proposals represent a much enlarged form involving an increase in the overall height by some two-storeys and changes to the approved massing by bringing the higher elements of the bulk some 5800mm. closer to the adjacent two-storey property at no. 136 Wellington Street. Also, the changes entail those additional two storeys in height facing the boundary with no. 28 Wexham Road, which would feel overbearing.
- 9.5 These changes produce a significantly larger envelope of building, which is considered to be wholly out-of-keeping with the scale of its setting. Whereas the approved scheme was to be four storeys at the road junction, which then reduce to three storeys as it came closer to the neighbouring two-storey buildings, these current proposals would rise to six-storeys and five-storeys across a large part of the form and then reduce to three-storeys only a short distance from the neighbouring properties. It is considered that previously consent scheme was the maximum development parameters that could be achieved on the site, the proposed development push the envelope too far which results in an incongruous, dominant and prominent building to the streetscene. The scale and bulk therefore fails to respond to the character of the area and the proposal does not achieve a high quality of design which would enhance the quality of the built environment.
- 9.6 As such, it is considered that the proposed scale, bulk and massing demonstrates an overdevelopment of the site with a lack of respect of neighbouring relationships. The feel of the scheme is one of a sheer and

over-dominating form without the context or space to accommodate its presence. The proposed development does not take account of its adjacent building and the immediate context of scale and mass around the site.

- 9.7 The current application scheme retains the approved undercroft access from Wexham Road to a courtyard of parking at the heart of the layout.
- 9.8 As with the approved scheme, the site would be laid out with soft and hard landscaping but given the substantial change to the bulk and massing of these proposals there are concerns that this would not mitigate the sense of an overdevelopment of the site and so lead to harm to the general feel and visual amenities of the locality.
- 9.9 Based on the above, it is considered that these current proposals would have an unacceptable impact on the character and visual amenity of the area. The proposals therefore do not comply with Policies EN1 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policies 8 and 9 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 amenity of neighbouring occupiers**

- 10.1 The National Planning Policy Framework 2021 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and H13.
- 10.2 Under the assessment of P/19443/000, it was noted *“the scheme entails a part-three/part-four storey block with the higher elements at the corner and the lower wings adjacent to the existing properties beyond on Wellington Street and Wexham Road. ... As the proposals would be a storey higher and the internal arrangement would be new, consideration must be made of the impact on the neighbouring occupiers’ amenities, in terms of any potential harm from overshadowing, overlooking and loss of privacy, as well as daylighting and sunlighting impacts. ... The adjacent residential properties at no. 28 Wexham Road and no. 136 Wellington Street, each have a blank flank wall facing the application site. There are rear additions to each of these properties with small openings that appear to serve non-habitable rooms. ... The massing of the proposed scheme in relation to the orientation and siting of the adjacent properties and those openings has been assessed in terms of daylight/sunlighting and potential overlooking. It is considered there would be no significant impact on the amenities of occupiers at these neighbouring properties.”*

- 10.3 These current proposals are for a part three/part five/part six storey building in a similar footprint, with a significant difference in height and massing, together with the substantial number of additional windows and balconies/terraces due the enlargement of the block.
- 10.4 The submitted Daylight & Sunlight Assessment sets out that there would be impacts exceeding the BRE guidelines in terms of the reduction in daylight (of over 20%) for existing occupiers at a limited set of windows at 28 Wexham Road and 136 Wellington Street. However, it draws attention to the source of mitigation that these particular windows are either secondary and/or serve bedrooms or kitchens. As such, BRE advice is that in a built-up urban area these impacts should be treated more flexibly. In conclusion, it is considered that these impacts alone would not warrant a Reason for Refusal.
- 10.5 More importantly it is considered that the proposed changes in bulk, scale and massing would significantly alter the balance of the impact on the neighbouring properties occupiers to their detriment, in terms of a harmful sense of enclosure and overbearing, as well as, the degree of overlooking.
- 10.6 The changes proposed increase the height and extent of the footprint at the higher floor levels leading to a significantly more fulsome infilling of the space between the neighbouring properties. The perception would be of a dominant and overbearing form, which would be the outcome from this overdevelopment of the site.
- 10.7 Overall, the proposal would result in a highly adverse manner on amenity for the neighbouring residential occupiers and therefore would fail to comply with local and national policies which requires development to protect the amenities of adjoining residential areas. Given the sheer scale and massing of the development, this detrimentally impacts the amenities of neighbouring occupiers which is a symptom of the site being overdeveloped
- 10.8 In conclusion, it is considered that there would be adverse harm for neighbouring properties and therefore the proposal is considered not to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and H13 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2021.
- 11.0 **Mix of housing**
- 11.1 The National Planning Policy Framework seeks to deliver a variety of homes to meet the needs of different groups in the community. This is largely reflected in local planning policy in Core Strategy Strategic Objective C and Core Policy 4.

- 11.2 The proposals would provide a mix of one, two and three-bedroom flats, as follows:

1 bed/1person = 1
1 bed/2persons = 10
2bed/3persons = 10
2bed/4persons = 4
3bed/5persons = 1
3bed/5persons = 1

So, were the scheme to have been acceptable in all other terms, given the location of the site and its particular circumstances, it is considered that the mix would be appropriate and thus the mix would have been acceptable.

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

- 12.1 The National Planning Policy Framework 2021 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policy EN1.
- 12.2 All of the units would meet the Council's internal space standards, as set out in the Technical Housing Standards – Nationally Described Space Standards 2015 (as amended).
- 12.3 In terms of the levels of daylight, aspect, and outlook, it is considered that each unit would have satisfactory levels of amenity for future occupiers.
- 12.4 The proposed building would have a communal entrance on the Wexham Road side with a secondary access direct to/from the southern parking courtyard. One ground floor unit would have an independent access, which can be approached both from the car parking courtyard and from Wellington Street. The block would be provided with a lift.
- 12.5 Two of the three ground floor units would have a private garden. Whilst the upper units would have some form of amenity space either in the form of a roof terrace or a balcony. Those facing Wellington Street would be enclosed with glazing.
- 12.6 Further to the advice of the Council's Environmental Quality Officer, were the scheme to have been acceptable in all other terms, the proposed accommodation would have been provided with an appropriate specification of glazing and a ventilation system to mitigate the potential for traffic noise at this location. The EQ officer had

confirmed that with the enclosure of the terraces and balconies these could be satisfactorily used in these circumstances.

12.7 So, were the scheme to have been acceptable in all other terms, and based on the above, on balance, it would be concluded that the living conditions for future occupiers in this case would have been considered satisfactory and thus to have been in accordance with the requirements of the NPPF and Core policy 4 of Council's Core Strategy.

13.0 **Crime Prevention**

13.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed; so, as to reduce the potential for criminal activity and anti-social behaviour.

13.2 The communal access would have a good level of natural surveillance within the site. So, were the scheme to have been acceptable in all other terms, a condition requiring details of the measures to be incorporated to reduce and prevent criminal activity would have been adequate to deal with this particular issue.

14.0 **Highways and Parking**

14.1 The National Planning Policy Framework states that planning should seek to promote development that is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians and where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8.

14.2 Paragraph 109 of the National Planning Policy Framework states that: *'Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.

14.3 It is noted that the site lies immediately adjoining the Town Centre and benefits from a high level of accessibility to a range of public transport and all the facilities for retail, entertainment, employment, education and health. The site is therefore considered to be sustainable.

14.4 There is an existing vehicular access from Wexham Road. This arrangement would persist with a modified details to ensure safety and visibility that is acceptable to the Highway Authority.

- 14.5 The proposed scheme would provide 8 parking spaces with EV charging points.
- 14.6 The Highway Authority (HA) is satisfied by the proposed arrangement, quantum and layout of the parking in terms of circulation and manoeuvrability and as the site lies immediately adjacent to the Town Centre, they consider that the provision would be satisfactory for this specific mix of accommodation.
- 14.7 Cycle storage facilities have been provided to the satisfaction of the HA.
- 14.8 The proposals include an enclosed bin and recycling facility, which is close to the highway.
- 14.9 So, were the scheme to have been acceptable in all other terms, and based on the above, and pursuant to conditions set out in the comments at 6.1 above, it is considered that the proposals would not lead to severe harm to highways users and thus it would have been considered to be in accordance with the requirements of policies T2 and T8 of the adopted Local Plan, as well as the provisions of the NPPF.

15.0 **Flooding & Drainage**

- 15.1 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 15.2 According to the EA flood maps, the site is located in Flood Zone 1. It is at low risk of tidal, fluvial, groundwater flooding, surface water flooding and flooding from artificial sources. As the site is located in Flood Zone 1, the proposals do not require a Flood Risk Assessment.
- 15.3 Changes in government legislation from April 2015, require major developments to provide measures that will form a Sustainable Drainage System. Sustainable Drainage Systems (SuDS) are an effective way to reduce the impact of urbanisation on watercourse flows, ensure the protection and enhancement of water quality and encourage the recharge of groundwater in a natural way. The National Planning Policy Framework states that the surface run-off from site cannot lead to an increase from that existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. In the scenario where infiltration techniques are not possible, attenuation will be required in order to reduce surface water run-off.
- 15.4 Submission documentation setting out the applicant's drainage strategy has been forwarded to the Council's consultant, who acts as the Local

Lead Flood Authority. So, were the scheme to have been acceptable in all other terms, conditions as recommended by the Local Lead Flood Authority would have been sufficient to ensure the scheme meets with appropriate standards.

16.0 **Trees & Landscaping**

16.1 The scheme entails a new residential block set in hard and soft landscaping, which would provide limited communal areas. There would be some scope for soft landscaping and two new trees would be provided, subject to careful consideration of the specific spacing and choice of species.

16.2 So, were the scheme to have been acceptable in all other terms, conditions seeking details of planting and boundary treatments, as well as, the measures to protect the health of the existing trees adjacent to the site, would have been sufficient to ensure the scheme enhanced the visual amenities of the locality.

17.0 **Heritage Issues**

17.1 As reported above, there are no heritage assets nearby and the site does not lie in a conservation area.

18.0 **Land Contamination**

18.1 Further to a review of Council records, the issue is not of particular concern in respect of the redevelopment of this site. Therefore, no further investigation is required. So, were the scheme to have been acceptable in all other terms, a suitable “watching brief” condition would have been sufficient to ensure any issues would be adequately handled.

19.0 **Environmental Issues**

19.1 The application site is situated within an Air Quality Management Area (AQMA). As is fully set out above at 6.4, the Council’s Environmental Quality officer has concluded that there would be a minor risk of dust from demolition but a low risk to air quality during the construction phase. This could be controlled by a Construction Environmental Management Plan.

19.2 Electric charging points would have been sought in accordance with the Local Environmental Strategy, which seeks to mitigate air quality concerns from additional traffic and parking. The Low Emission Strategy

does not form part of the Local Development Plan, the presumption in favour of sustainable development within the National Planning Policy Framework applies.

19.3 As is fully set out in 6.4 above, the Council's Environmental Quality officer examined the proposals under P/19443/000 and concluded that the scheme was capable of being completed to a level that ensures future occupants would be able to satisfactorily occupy the accommodation. That conclusion would be applicable to the current scheme, which is higher, and were it to have been acceptable in other terms, it could have been subject to a controls on the glazing specification and the use of a ventilation scheme which would have been secured via condition.

20.0 **Infrastructure and Section 106 requirements**

20.1 The proposals entail the introduction of 27 new residential units in place of the five existing units of accommodation (resulting in a net increase of 22 residential units). As such, the scheme would trigger affordable housing and educational contributions under the Council's policies, as set out in the Developer's Guide.

20.2 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.

20.3 Were the application to have been supported the following Section 106 financial contributions would have been required:

Financial contributions	
Education	£87,181
Burnham Beeches SAC mitigation	£15,390
Total	£102,571

Affordable housing

20.4 The NPPF requires that planning policies should specify the type of affordable housing required, and that in most cases this need should be met on-site.

20.5 Core Policy 4 provides for residential developments for 15 or more dwellings to have between 30% and 40% of the dwellings as social rented units, along other forms of affordable housing, with the affordable housing should to be secured by a section 106 planning obligation.

- 20.6 In the case of a net gain of 22 further units, the Developer's Guide recognises, for certain reasons, that when number of units required for affordable housing is small it may be impractical to provide this on site, and therefore, it sets out the possibility of having a financial contribution towards off-site provision of affordable housing in lieu.
- 20.7 In this case that would have equated to a sum of £233,946.
- 20.8 A Financial Viability Assessment (FVA) has been submitted with the application, which sets out that with no contributions to the LPA and all the units being sold at market rates the scheme would have a deficit of some £3,608,575.
- 20.9 Indeed the sensitivity analysis section of the FVA concludes that the assumed costs would have to be reduced by some 40% and the returns on sales improve by some 10% for the scheme to 'break-even'.
- 20.10 Given the consideration that the proposed form of development could not be supported, no further analysis and negotiation has been pursued regarding this matter.
- 21.0 **Presumption in favour of sustainable development/Tilted Balance**
- 21.1 The application has been evaluated against the Development Plan and the National Planning Policy Framework 2021 (NPPF) and the Local Planning Authority (LPA) has assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development."
- 21.2 The LPA cannot demonstrate a Five-Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing, as set out in Paragraph 11 of the NPPF and refined in case law, should be applied.
- 21.3 This report identifies that the proposal complies with some of the relevant saved policies in the Local Plan and Core Strategy, but identifies where there are is conflict with the NPPF and the Local Development Plan.
- 21.4 It is noted that the scheme would create employment at the construction stage and subsequently the occupiers of the proposed accommodation would help to support local facilities and services; so there would be economic benefits arising from the implementation of these proposals.
- 21.5 Therefore, in coming to a conclusion, officers have given due consideration to the benefits of the proposal in providing a net gain of 22 no. further dwellings towards the defined housing need at a time where

there is not a Five-Year Land Supply within the Borough, as well as, some economic benefits.

21.6 However, the LPA considers that the potential adverse impact of the development upon the character and appearance of the area must be given substantial negative weight, to be applied to the planning balance.

21.7 Therefore, it is considered that the current scheme would significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the NPPF taken as a whole.

22.0 Equalities Considerations

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

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

22.2 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access. Furthermore, were the scheme to have been acceptable in all other terms, a condition would have been set out to ensure level thresholds at any entrance to the block.

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

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

23.0 **PART C: RECOMMENDATION**

23.1 Having considered the relevant policies set out below, the representations received from all consultees and residents; as well as all other relevant material considerations, it is recommended that the application be refused for the reasons set out in full at 1.1 above.

24.0 **PART D: INFORMATIVES**

1 It is the view of the Local Planning Authority that the proposed development does not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.

2 The development hereby refused was submitted with the following plans and drawings:

- (a) Drawing No. 19061-GAA-ZZ-00-DR-T-0101 S2 Rev. P03; Dated 24/10/22; Recd On 23/01/2023
- (b) Drawing No. 19061-GAA-ZZ-XX-DR-T-0301 S4 Rev. P01; Dated 27/04/21; Recd On 23/01/2023
- (c) Drawing No. 19061-GAA-ZZ-XX-DR-T-0302 S4 Rev. P01; Dated 27/04/21; Recd On 23/01/2023
- (d) Drawing No. 19061-GAA-A3-GF-DR-T-2021 S4 Rev. P01; Dated 07/09/22; Recd On 23/01/2023
- (e) Drawing No. 19061-GAA-A3-01-DR-T-2022 S4 Rev. P01; Dated 07/09/22; Recd On 23/01/2023
- (f) Drawing No. 19061-GAA-A3-02-DR-T-2023 S4 Rev. P01; Dated 07/09/22; Recd On 23/01/2023
- (g) Drawing No. 19061-GAA-A3-03-DR-T-2024 S4 Rev. P01; Dated 07/09/22; Recd On 23/01/2023
- (h) Drawing No. 19061-GAA-A3-04-DR-T-2025 S4 Rev. P01; Dated 07/09/22; Recd On 23/01/2023
- (i) Drawing No. 19061-GAA-A3-05-DR-T-2026 S4 Rev. P02; Dated 12/09/22; Recd On 23/01/2023
- (j) Drawing No. 19061-GAA-A3-RF-DR-T-2027 S4 Rev. P01; Dated 07/09/22; Recd On 23/01/2023
- (k) Drawing No. 19061-GAA-ZZ-XX-DR-T-2028 S4 Rev. P02; Dated 10/01/23; Recd On 23/01/2023

(l) Drawing No. 19061-GAA-A3-XX-DR-T-2121 S4 Rev. P02; Dated 25/01/23; Recd On 30/01/2023

(m) Drawing No. 19061-GAA-A3-XX-DR-T-2122 S4 Rev. P03; Dated 25/01/23; Recd On 30/01/2023

(n) Drawing No. 19061-GAA-A3-XX-DR-T-2221 S4 Rev. P01; Dated 01/11/22; Recd On 23/01/2023

(o) Drawing No. 19061-GAA-A3-XX-DR-T-2320 S4 Rev. P03; Dated 25/01/23; Recd On 30/01/2023

(p) Air Quality Assessment by Gem ref. no. AQ2227; Dated December 2022; Recd On 23/01/2023

(q) Arboricultural Impact Assessment by Hallwood Associates ref. no. HWA10594_APIII Version 1.0; Dated 14/04/2021; Recd On 23/01/2023

(r) Daylight & Sunlight Report by Jonathan Nash LLB (Hons) ref no. 1941/JN; Dated 6th September 2022; Recd On 23/01/2023

(s) Design & Access Statement by GAA ref no. 19061-GAA-XX-XX-DA-A-0001 S4 Rev. P03; Dated 24/01/2023; Recd On 30/01/2023

(t) Drainage Strategy by Patrick Parsons Limited ref: no. A20303; Dated 09.01.2023; Recd On 23/01/2023

(u) Environmental Noise Impact Report by Sound Testing ref. no. 14420 version 4; Dated 31/10/22; Recd On 23/01/2023

(v) Financial Viability Assessment by Aspinall Verdi ref. no. Report 230316 V2; Dated 16th March 2023; Recd On 23/01/2023

(w) Unnumbered Habitat Regulations Assessment by The Ecology Partnership; Dated May 2021; Recd On 23/01/2023

(x) Undated Landscape Masterplan by Studio Loci ref. no. 10374-GA-01 rev. P3; Recd On 23/01/2023

(y) Undated landscape Maintenance Plan document no. 10374-MP-01A by Studio Loci; Rec'd 23/01/2023

(z) Phase 1 Site Appraisal by Patrick Parsons Limited ref: no. A20303/DTS/Rev. 0; Dated 21/04/21; Recd On 23/01/2023

(aa) Planning Statement by KR Planning ref: no. 10229 v1.0; Dated January 2023; Recd On 30/01/2023

(bb) Surface Water Drainage Pro-forma completed by Patrick Parsons Limited; Dated 27/04/21; Recd On 23/01/2023

(cc) Transport Statement by Patrick Parsons Limited ref: no. 10229 v1.0; Dated 09/01/2023; Recd On 23/01/2023

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Registration Date:	15-Feb-2023	Application No:	P/20153/000
Officer:	Alex Harrison	Ward:	
Applicant:	Chris Connaught House (Slough) Limited (CHSL) and Oxford House (Slough) Limited (OHSL)	Application Type:	Major
		13 Week Date:	17 May 2023
Agent:	Chris Brown, Rolfe Judd Planning Rolfe Judd Planning, Old Church Court, Claylands Road, Oval, London, SW8 1NZ		
Location:	46-56 High Street, Slough, SL1 1EL		
Proposal:	Demolition and construction of an 8-storey mixed-use development comprising flexible retail (class E) and residential (Class C3) use with associated communal terraces, cycle parking, accessible car parking and waste storage		

Recommendation: Delegate to Planning Manager to approve



1.0 SUMMARY OF RECOMMENDATION

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

A. Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure affordable housing, and infrastructure contributions, a viability review mechanism and highway works, including clarification and conclusion of adoption discussions relating to the unadopted part of Burlington Avenue.
- (ii) The satisfactory acceptance of Natural England over habitat impacts and mitigation.
- (iii) 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 January 2024 unless a longer period is agreed by the Planning Manager, or 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 The application seeks full planning permission for the demolition of the existing buildings on site and the redevelopment to provide a new single building that provides 390sq.m of commercial floorspace which is subdivided into 4no units and 104 residential units. The building will range between 6 and 8 storeys in scale.

2.2 Accommodation will be provided in the following housing mix:

- 33no – 1 bed flats
- 69no – 2 bed flats
- 2no – 3 bed flats.

The proposed commercial floorspace would be occupied by Class E uses which is defined as:

Use Class E – Commercial, Business and Service –

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,*
- 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,*
- c) *for the provision of the following kinds of services principally to visiting members of the public—*
 - i. *financial services,*
 - ii. *professional services (other than health or medical services),*
or
 - 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,*
- 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,*
 - ii. *the research and development of products or processes, or*
 - iii. *(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.*

2.3 The proposed building will be between 6-8 storeys and will effectively occupy the entire footprint of the site. The building is proposed to be finished in predominantly brickwork with variations in materials proposed. Soft landscaping is provided through plants and communal garden areas.

2.4 Vehicle access to the site is gained via Burlington Avenue to a car park that provides 19 parking spaces, 5 of which are accessible. Pedestrian access to the commercial units are provided via the High Street and Burlington Avenue and pedestrian access to the residential units is also of Burlington Avenue through 2 entrance cores. The site will be serviced from Burlington Avenue with a new layby proposed for service vehicles and bins are located in a communal arrangement that can be accessed from the layby.

2.5 The application was originally submitted with the following technical content:

- Planning Statement
- Daylight/Sunlight Report
- Statement of Community Involvement
- Design and Access Statement
- Townscape and Visual Appraisal

- Energy Statement
- Overheating Statement
- Surface Water Drainage Strategy
- Transport Assessment
- Travel Plan
- Pedestrian Level Wind Desk-Based Assessment
- Preliminary Roost Assessment
- Landscape Concept Drawings
- Noise Assessment
- Air Quality Assessment
- Concept Fire Strategy
- Gateway 1 Fire Statement
- Phase 1 Desk Study for ground conditions
- Viability Assessment

Since first submission, the plans have been amended to accommodate comments relating to Fire Safety and the following additional reports were received:

- Amended Fire Safety Assessment
- Habitat Regulations Screening Assessment
- Amended Microclimate Study

2.6 The development proposed at this site has been subject to lengthy pre-application discussions with the applicant and the application is brought to the Committee under a Planning Performance Agreement that has committed the Council and applicant to pro-active working and a timely management and consideration of the application.

3.0 Application Site

3.1 The application site is 46-56 High Street, a site that comprises two plots with two principal buildings that front the high Street to the north and Burlington Road running down the west side. At ground floor level the building house 4-5 commercial units. The 2 buildings vary between 3 and 4 storeys with the upper floors all having commercial uses. Generally, the buildings themselves are faced in a mixture of facing brick and concrete.

3.2 The application site lies within the designated Town Centre and is located in Flood Zone 1. The character of the area on this part of the High Street comprises a mix of building forms and scale, ranging from 3 to 7 storeys. To the east of the site is the recently completed Moxy Slough development which tops 9-10 storeys.

3.3 To the immediate east of the site is a 3 storey terrace building providing shops at ground floor level with what appears to be a mix of commercial and residential uses on the floors above. To the west is an office building on the other side of Burlington Road with a development of flats beyond that. To the south is a residential area with 2-3 storeys being the prominent scale of

development. To the north is Cornwall House which is a former commercial building converted to residential units.

4.0 Site History

4.1 There is no planning history of relevance on this site.

4.2 In the immediate vicinity of the site there have been previous applications permitted for residential development. Notably:

Mosaic House, 26-40 High Street (east of the application site)

P/03436/026

Demolition of existing buildings, erection of a five storey building comprising ground floor either A1 and/or A2, and/or A3, upper floors B1(A) offices with plant, and associated works within public highway (Amended Plans 12/06/2000, 06/09/00 and 17/08/01)

Approved 08/03/2002

Cornwall House, 67 High Street (opposite the application site, to the north)

P/05898/028

Variation of Condition 2 of planning permission P/05898/023 dated 15-Sep-2014 (as amended by planning permission P/05898/024 dated 01-Jun-2015) for change of use of upper floors from offices (Class B1A) to residential (Class C3) and construction of extensions to building to create 53 no. new apartments, and change of use and extension to existing ground floor unit to leisure use (Class D2) to amend configuration of apartments and increase total number from 53 no. units to 54 no. units.

Approved 21/10/2015

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 21/02/2023. The application was advertised in the 24/02/2023 edition of The Slough Express.

5.2 3 letters from neighbouring parties have been received raising the following comments pertaining to this application (objections summarised below):

- Parking and congestion problems on the High Street and wider area, resulting in bad habits - blocking access roads, pavement parking, parking in traffic flow.
- No significant official space for deliveries to the flats/shops.

- Unless traffic flow is addressed and current behaviours then the additional flats will add to existing problems.
- Traffic going east and west on to the A4 from Windsor Road turns left down the narrow High Street causing congestion. Could William Street, be altered so that traffic could turn east/west directly onto the A4.
- High Street could be pedestrianised - cars access only, change of layout would improve area - allow for some outside spaces on the new pavements outside retail units under Novus.
- An 8 storey building will block light to Flat 21 Cornwall House, causing the property to be in shadow for the majority of the day until late evening. The flat's windows are tinted so the light level is already restricted.
- Use of Burlington car park and linked to different sites.
- Many new flats being built and remaining unsold in the locality, resulting in lack of car parking for residents and visitors.
- Concerns over the construction, level of obstruction and noise to users of Regal Court will impact business.

In terms of objections raised construction works, level of obstruction and noise – a construction management plan condition has been attached which will mitigate the impacts during construction works. In terms of the car parking, the requirement is nil provision in the town centre and in terms of flats being built - the town centre does not restrict flatted development. The use of Burlington Car Park and linked to different sites is not within the remit of this application or applicant to resolve these matters.

The rest of the objections received have been addressed within relevant sections of this report.

6.0 Consultations

6.1 Highways and Transport

Vehicle and Pedestrian Access

The NPPF Para 110 and 112 requires that applications for new development ensure: *'Safe and suitable access to the site can be achieved for all users and 'create places which minimise scope for conflicts between pedestrians, cyclists and vehicles'*.

SBC Highways and Transport have no objection to access arrangements for the proposed development, subject to the applicant entering a Section 278 agreement for improvement of the private access road along the site's western boundary. The private access road will also need to be adopted under the private street works code.

The site forms a boundary with a small section of public highway on Burlington Road which is one-way. To exit the site residents and

employees will pass over a private road to join Slough High Street and therefore adoption is required to ensure the road does not fall into disrepair.

The Section 278 improvements and highway adoption would guarantee long term maintenance of the road and ensure residents, refuse vehicles and delivery vehicles will be able to egress the development for the perpetuity of its operation. The amendment of the kerblines is also required to allow a refuse vehicle to egress the site without crossing the kerb.

The Section 278 Agreement should also include a speed bump to reduce vehicle speeds on approach to the site access given the visibility of oncoming vehicles is restricted by the wall for Regal Court (visibility has not been drawn to the nearside kerb by the agent).

The access is wide enough for two vehicles to pass each other and the gate is setback 5m from the back of the footway to allow vehicles to wait clear of the highway. Swept path analysis demonstrates a large estate car 4.85m long can enter and exit the development; with suitable turning space provided inside the development.

The proposed development offers an on-street loading bay which will ensure delivery vans do not need to enter the site and land for a new footway along the eastern side of Burlington Road providing an improved pedestrian route between Burlington Road and Slough High Street.

Section 38 Agreement

SBC Highways and Transport require the developer to enter into a Section 38 Agreement for the adoption as public highway of the new footway, streetlighting and loading bay proposed on the site's western boundary.

Section 106 Contributions

SBC require the following Section 106 contributions towards transport improvements:

- £6,000 towards Traffic Regulation Order costs for a loading bay, car club bay and amended parking restrictions;
- £3,000 towards Travel Plan Monitoring

Deliveries and Servicing

SBC Highways and Transport are satisfied that deliveries and servicing can be completed under the proposed arrangements.

An on-street loading bay is proposed on the eastern side of Burlington Road which measures 16 – 20m in length. The Transport report includes swept path analysis which demonstrates that a 10m rigid truck and refuse lorry can ingress the loading bay but may mount the kerb on egress from the loading bay.

Therefore, minor amendment of the kerblines on the private access road will be made to ensure vehicles do not mount the kerb and can pass with 300mm clearance. The amendment will be made using the Section 106 contribution from the applicant.

Car Parking

SBC Highways and Transport have no objection to 20 car parking spaces proposed on site and do not expect there to be parking overspill onto the surrounding roads.

Slough's Car Parking Standards allow Nil Car Parking Provision within the defined Town Centre Area, with the Slough Core Strategy and Slough Local Plan stating that:

'Maximum restraint will be applied to parking for residential schemes in the town centre' and;

'Residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems, protect the amenities of adjoining residents, and not result in and adverse visual impact upon the environment'.

The applicant has agreed to allocate 12 car parking spaces to the proposed dwellings and 8 to the 4 proposed retail units which will be used solely by staff. The provision of 12 parking spaces for 104 dwellings is equivalent to a ratio of 0.11 car parking spaces per dwelling.

There is no likelihood of car parking overspill onto roads surrounding the development which are subject to double yellow parking restrictions preventing car parking 24 hours a day. The town centre is subject to regular patrols by Slough's Parking Enforcement officers.

Visitor car parking can be accommodated in pay and display parking bays along the site frontage and within nearby public car parks on Burlington Road, Buckingham Gardens and Herschel Street.

Access by Sustainable Travel Modes

There is high potential for residents to travel by walking, cycling and public transport. The site is located 350m (5 minutes' walk) from the centre of Slough High Street, 550m from Slough Railway Station (7 minutes' walk) and 600m from Tesco Extra.

There are 6 trains per hour to London Paddington and Reading during the AM Peak and PM Peak Hours. Residents can reach Reading in 25 minutes, Paddington in 35 minutes and Canary Wharf in 49 minutes train journey.

The Library Bus Stops (E and F) are 100m (1 minute walk) from the site. Bus Services No. 4, 5, 6, 83, 103, X74 and 6 offer services to Heathrow, High Wycombe, Hedgerley, Maidenhead, Wexham Court and Cippenham.

A walking distance of 200m to bus stops 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

The NPPF Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Transport Assessment forecasts trip generation from the proposed development. During the peak hour, the development is forecast to generate 12 single occupancy car trips, 62 walking trips, 44 bus trips, 44 rail trips, and 12 bike trips.

SBC Highways and Transport do not expect the proposed development to have a noticeable impact on the capacity of the surrounding road network.

Travel Plan

As previously requested, SBC require amendment of the Travel Plan to state that a TRICS SAM survey will be completed 1 year after first occupation of the development. The results of the Travel survey should be uploaded to the TRICS database.

This is required to ensure effective monitoring of Travel Plan progress and the effectiveness of low car parking provision in this location. Monitoring is important to allow introduction of other Travel Plan measures.

Electric Vehicle Parking

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

In addition, updated UK Building Regulations came into effect on 15th June 2022 which require the provision of an Electric Vehicle Charging Point for each new dwelling.

Cycle Parking

SBC have no objection to the proposed cycle stores. The cycle stores proposed on site include 117 cycle parking racks with 111 cycle parking spaces for residential dwellings and 6 cycle parking spaces for the commercial units.

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

Summary and Conclusions

I can confirm that I have no objection to the proposed development on highways and transport grounds.

6.2 Lead Local Flood Authority

We would advise that there is **sufficient information** available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

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

6.3 Thames Water

Waste Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests a Piling Method Statement condition to be added to any planning permission.

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

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.

Water Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests a Piling Method Statement condition to be added to any planning permission.

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 a condition be added to any planning permission requiring confirmation that appropriate infrastructure is in place.

6.4 Environmental Quality

Air Quality Comments

In line with the Slough Low Emission Strategy (LES), the scheme is considered to have a medium impact on air quality. As such, the scheme requires the integration of Type 1 and 2 Mitigation measures, contained in the LES Planning Guidance and replicated below:

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. Electric vehicle charging points should be provided for 10% of parking spaces (2 spaces) and provide passive provision for the remaining spaces.
- A full dust impact assessment must be completed. The required mitigation to control dust must be included within a Construction Environmental Management Plan (CEMP) which shall be produced and submitted to SBC for approval prior to commencement of works. The CEMP must also provide details of noise control.
- 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
- As stated in the Transport Assessment, one car club space should be provided with the development. The second car club space should be provided within 5 years of the scheme opening. The first occupants of the development will be provided with 3-years Car Club membership. The car club should have access to electric vehicle charging to support the Slough Car Club programme.

Environmental Noise Comments

Concluded that the noise assessment adequately demonstrates that noise can be controlled on site and the development proposal should not be refused on noise grounds. To ensure that the development is acceptable in terms of noise conditions relating to extraction and glazing should be attached to the permission.

6.5 Contaminated Land Officer

No comments received.

6.6 Crime Prevention Design Advisor

No comments received.

6.7 Natural England

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

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

6.8 HSE Fire Safety

Drawings for the upper and lower ground floor levels show stair cores A and B, being the only escape route from a flat connect with ancillary accommodation including places of special fire hazard, such as a covered car park, plant rooms and cycle stores (likely to contain lithium-ion batteries).

The cited fire safety standard states that where a staircase forms part of the only escape route from a flat, it should not also serve any covered car park, boiler room fuel storage space or other ancillary accommodation of similar fire risk. Resolving this issue is likely to affect land use planning considerations such as the design, layout and appearance of the development.

Following the submission of amended plans

No issues raised.

7.0 Policy Background

7.1 Slough Local Development Plan and the National Planning Policy Framework (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, December 2008:

- Core Policy 1 (Spatial Strategy)
- Core Policy 3 (Housing Distribution)
- Core Policy 4 (Type of Housing)
- Core Policy 5 (Employment)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability and the Environment)
- Core Policy 9 (Natural, Built and Historic Environment)
- Core Policy 10 (Infrastructure)
- Core Policy 12 (Community Safety)

Local Plan for Slough March 2004 policies:

- EN1 (Standards of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- H14 (Amenity Space)
- T2 (Parking Restraint)
- T8 (Cycling 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

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 sets 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 Written Ministerial Statement (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 (HRA) 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 Regulation 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
- Landscape
- Impacts on neighbouring residential amenity
- Impacts on amenity of future occupiers of the development
- Transport, Highways and parking
- Drainage
- Energy and Sustainability
- Air Quality
- Crime Prevention
- Affordable Housing and Infrastructure
- Habitat Impacts
- 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 Development Plan Document.

- 9.3 The National Planning Policy Framework encourages the effective and efficient use of land, which includes supporting under-utilised land that can incorporate a mix of uses. This is reflected within Core Policies 1 and 4 which seek high density non-family type housing to be located in the town centre or urban areas. As the site is located within the town centre and the proposal would be similar in scale and density to the surrounding buildings, the proposal for accords with these objectives.
- 9.4 The site is located within the designated town centre and is in a central location close to existing shops, services and transport links. It is not currently in residential use but it is considered a suitable location for a higher density development in accordance with Core Policy 4. The application description does not specify a number of residential units but the scheme proposes 104. The applicant refused to include the number of units in the description of development and therefore it would be necessary and reasonable to limit the number of units through condition.
- 9.5 The proposal does result in a loss of existing commercial floorspace which comprises a mix of retail and office space. The proposal does propose retail units to the ground floor frontage onto the High Street which is considered acceptable in this central location. The size of the units is reflective of the nature of small units that currently form the run of commercial units to the immediate east of the application site.
- 9.6 On the basis of the above, having regard to the National Planning Policy Framework and the Local Development Plan, there are no objections to the principle of residential flatted development on this site.

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 period between 2020 and 2041.
- 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 104 residential units would make a contribution to the supply of housing, it is unclear as to how quickly the units could be built out which lessens the weight the units are afforded. 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:

- 33no – 1 bed flats
- 69no – 2 bed flats
- 2no – 3 bed flats.

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 located within the town centre and other services and a number of other high density schemes have been allowed and implemented in the area. The scheme proposes a majority of 2-bed units which would be a preferred arrangement for a scheme that proposes smaller units in general. The scheme also includes the provision of 2no 3-bed units which is considered beneficial. While the housing mix would be improved with the inclusion of larger units, the town centre location is suited for smaller properties and no objection is raised.

10.7 The housing mix proposed is considered to align with the goals of Core Policy 4 in respect of housing location and while it does not strictly match the recommended mix set out in para 10.4, it does not result in a mix that would fail to provide appropriate accommodation in a town centre 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 The existing buildings occupying the site, are part 3/4 storeys with the tallest elements of these developments occupying the High Street

Frontage. The area to the south of the site currently features a single storey offshoot to the main building, (of 50-56 High Street), and a surface-level car park. The quality of the architecture of the current buildings varies with the development occupying 50-56 High Street, having slightly more interest, and detailing compared to 46-48 High Street; however, both buildings are considered to provide a neutral contribution to the existing townscape. The scale of development within the immediate context of the site ranges between 2 and 8 storeys, and the wider context rises further to 10 storeys with The Moxy (to the northeast) being a point of reference here. The site is not within a Conservation Area and does not feature any designated/non-designated heritage assets.

- 11.3 The applicant has engaged with the Council with numerous pre-application proposals that have seen alterations made to the scale, height and massing of the scheme. The proposed development of the site will result in a larger scale of building that varies between 6 and 8 storeys. The footprint of the development would follow a u-shaped perimeter block approach; providing frontages to both the High Street and Burlington Road; the central portion of the site would be undeveloped and accommodate surface level car-parking/landscaped communal space at first floor. The layout, scale and massing of the application proposal has been revised and is considered to have taken account of Officer feedback at the pre-application stage. The High Street elevation shows the scheme has incorporated a 'step' in building heights that shows a rise from the 3 storey height to the east up to the larger heights to the west. The proposed creates an appropriate transition in scale within the streetscene of the High Street and complements the scale of Mosaic House to the west. Although the development would be 8 storeys overall, which is the same storey height as Mosaic House to the west, the overall height of the building is taller than this due to increased floor-to-ceiling heights required for new residential development. The building would be taller than its neighbours as a result.

To reduce the visual dominance of the scheme, the design also incorporates set-backs at the upper floor levels; with the main parapets of the building reading more positively within the existing townscape. The application is accompanied with a townscape assessment that considers the impact of the overall scale on the area. The incorporation of set-backs at the upper floors and variations in external materials means that the proposed development would not be out of scale in the area. From the public realm, at street level around the site the upper floor of the building would not be visible in the immediate vicinity of the site and would not be prominent in views from further afield. In longer views the development would be seen in the context of other larger buildings, (including Mosaic House and The Moxy), and therefore would not be out of character.

- 11.4 When viewed from the south the context of the area changes to one of suburban character rather than town centre. The proposal would represent a notable increase in built form. However, it would be viewed in context with existing building and, while bringing the bulk closer to these lower scaled

dwellings, would not result in an adverse impact on its character. The scheme also incorporates a step down to the south to aid the transition. As a result, the proposed scale and bulk of the development are not considered to have an adverse impact on the character of the area. The part 6/7 storey elements have been carefully designed to ensure a successful transition in the scale of the development to this context; with the applicant also undertaking some work to assess how this development could be complemented by future redevelopment of adjacent sites.

- 11.5 The proposed scheme retains the ground floor frontage of the site and provides a consistent form to the development. As the proposal turns into Burlington Avenue a new frontage is created to serve the proposed residential use. The frontage incorporates a new footway and service layby and this is considered to contribute positively to the character of the area. Burlington Avenue is a well-used route for pedestrians in the town and the proposed scheme will enhance this area. The scheme has evolved to amend the service areas and include planting and detailing that generates visual interest and the resulting impact is considered to be acceptable in design terms.
- 11.6 The design details of the scheme have been emphasised from an early stage by officers. Often the difference between a high quality and poorer quality development lies in the detail and implementation of the scheme. This proposal brings forward a scheme which has well-ordered and complete architecture and elevations including a well-defined base, middle and top. The elevations of the scheme are broken-up through use of recessed balconies, brickwork reveals and strong building parapets which will give the scheme additional quality. In detail the elevations incorporate variations in brick type and include variations in brickwork such as soldier courses and recesses to achieve contrast. Secondary materials include render and metalwork also serve to add detailing and breaks up the extent of solid brickwork. The approval of specific materials to be used on the development would be reserved by condition but the details in the application suggest that the scheme can be regarded as a high-quality development.
- 11.7 On the basis of the considerations above the design of the scheme is considered to be acceptable, representing an effective use of the site and a high-quality development which is in line with policies EN1 of the Local Plan for Slough March 2004 and Core Policy 8 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.
- 12.0 **Landscaping**
- 12.1 The proposal includes some street landscaping and a communal podium garden within the scheme for the use of occupiers of the proposed residential units.

- 12.2 Detailed landscape proposals are not submitted with this application, and they will need to be secured by condition as a result. Conceptual landscape details were submitted.
- 12.3 The existing site is devoid of landscaping features and therefore the proposals represent an improvement to the landscaping character at the site. The gains are minimal however they are considered to be acceptable from the perspective of a town centre location. Detailed landscaping proposals will need to consider soft landscaping that will be effective given the scale of the building and the effects it would have on light levels to the communal garden.

13.0 Impact on neighbouring amenity

- 13.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policy EN1.
- 13.2 The site is located close to existing residential properties to the east and south of the site. There are properties to the north as well that are separated by highways and, in respect of the west, by existing non-residential buildings. There has been an objection received from the occupier of Cornwall House, Flat 21, to the north of the site on the grounds of loss of light to their flat.
- 13.3 The application was submitted with a Daylight and Sunlight Assessment that considered the impact of the scheme on the light to neighbouring residents. The assessment considered the impact on all windows at Cornwall House that face toward the site. The assessment concludes that the windows of this building, the building known as being to the rear of 58 High Street and those of the rear of 56 High Street and to neighbours on Beechwood Crescent to the south. The results show that the development does not result in a significant adverse impact on the level of daylight to the rooms that they serve. All windows are able to retain over 80% of their existing value or have an acceptable 'Vertical Sky Component' which indicates suitable light levels will be achieved. The assessment does use an outdated criteria for assessing light levels as the use of vertical sky components was removed from the 2022 BRE Guidance but it is not so far out of date that it should be objected to if included in schemes that have been devised during the period it was relevant. On the basis of the findings of the assessment it is considered that there would not be a substantial or significant adverse impact to neighbouring daylight and sunlight that would warrant a reason to refuse planning permission.
- 13.4 In terms of overbearing impact, the proposed development will be visible from the rear windows of neighbouring residents in adjacent properties. However, this does not entail that new development is overbearing as a result. The scheme has been designed to ensure it is not dominant from the

outlooks of neighbouring residents and while visible, will not be overbearing from within the units that are close by.

- 13.5 In terms of noise impacts there would be a negligible impact from the residential units and antisocial noise impacts can be addressed under Environmental Health Legislation, this is also considered to address the objection received from Regal Court in terms of noise. The ground floor commercial uses would not have any increased noise impact over what would currently be experienced from existing uses at the site.
- 13.6 There is always a risk of amenity impacts during the construction phase of the development however the practices can be controlled through conditioning a construction management plan that would seek to consider issues such as noise impacts and dust dispersion to neighbouring sites. These impacts are, in any case, only ever temporary and are not apparent once the scheme is built. The recommendation includes the need for a construction management plan to be submitted for approval which is considered to be appropriate.
- 13.7 Comments were received from a neighbouring business occupier over concerns relating to noise and obstruction during construction. There will be temporary impacts resulting from the construction phase as would be expected with any development. To reduce and mitigate impacts the recommendation includes a condition requiring construction environmental management plan which will ensure that the roads and paths are not obstructed during construction and the deliveries are undertaken at appropriate times and locations. As the impacts are only temporary it is not considered that there would be adverse impacts in planning terms but the plan required to be approved would mitigate impacts to neighbouring residents and workers.
- 13.8 As a result of the above assessment, the proposal is considered to be acceptable with regards to its impact on neighbours and broadly in accordance with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 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 The submitted details show that the proposed units will be compliant with the Nationally Described Space Standards for accommodation which is considered to be acceptable.
- 14.4 Each unit will have its own private balcony or terrace which affords private amenity space for the whole development. The successful incorporation of integral balconies means that there are no concerning circumstances where the balconies and terraces are closely related or adjacent to each other, resulting in potential amenity impacts within the development. The proposal also include provision of a communal podium garden area and rooftop garden area which would be accessible to all residents. The amenity space provision for the development is therefore considered to be acceptable.
- 14.5 In respect of daylight and sunlight provision, the application was submitted with an assessment to consider the light levels to the proposed unit as well as the communal amenity space. The assessment concludes that the development will receive levels of daylight that exceed the guidance requirements for new developments. The communal garden has impacts due to its relationship with the building that affects its sunlight provision. However, it does exceed the minimum standards and can be considered acceptable. It would be necessary for the landscaping scheme to ensure that any planting proposals utilises species that can thrive in their location relative to the amount of light they will or will not receive.
- 14.6 With regards to environmental noise impacts, the application included a Noise Assessment that has been reviewed by the Environmental Quality Officer. The assessment identified that the dominant noise sources audible on site included road traffic noise from Wellington Street and the High Street, and other nearby smaller roads, in addition to overhead aircraft noise. The assessment concludes that there would be impacts on amenity levels through noise but that these can be addressed through the implementation of appropriate glazing and mechanical ventilation to the proposed units. This is not uncommon for development on busy roads within the Borough such as Wellington Road and Bath Road and these details can be secured and considered through appropriately worded conditions. The use of mechanical ventilation will be considered against the merits of incorporating natural ventilation as part of the energy strategy (para 17.2) for this development to ensure an appropriate balance is achieved.
- 14.7 The application included a wind assessment at pedestrian level on Burlington Avenue. It was requested as Officers were conscious that the development could result in a potential wind-tunnel effect for pedestrians on what is a well-used route currently and would see increased footfall with the implementation of the proposal. The assessment concludes that there would be no adverse impact in this regard and that the new taller façade will not create wind conditions that would create problems for pedestrians.

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 Policy EN1 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 application was accompanied by a Transport Assessment and Travel Plan which has been considered by the Highways Officer and no objections are raised in highways terms. The change in vehicle trip rates is considered to be acceptable for a town centre location and the impact of traffic movements from the development on the local area is considered to be negligible.

15.3 The proposal shows 20 parking spaces provided with the proposal. Discussions have been held with the applicant to finalise the allocation of spaces to the development and it was agreed that 12 spaces would be provided to the residential development and 8 spaces to the 4 commercial units. This split is secured by way of a proposed condition. In accordance with the parking standard, flat developments in the town centre have a parking requirement of 0 spaces due to its sustainable location and closeness to services and public transport. This scheme provides 12 residential spaces in spite of this and the provision of these spaces is considered to be a benefit.

15.4 The proposal shows the provision of 117 cycle parking spaces with 111 being allocated to the flats and 6 to the commercial units. These are securely provided. Visitor cycle spaces are also provided on the Burlington Avenue frontage and the level of cycle parking and the nature of its design are considered to be acceptable.

15.5 The proposal is proposed to be serviced from Burlington Avenue and the scheme includes the provision of a layby on the western side of the site that would allow delivery and service vehicles to pull into and not congest the road itself and this layby is technically acceptable and would ease potential issues on High Street with such vehicles accessing the site. The provision

of the layby for deliveries and service vehicles addresses the objection received which states that there is no significant official space for deliveries to the flats/shops.

- 15.6 The layby provision does not compromise pedestrian access on Burlington Avenue as the footway is realigned as part of the works.
- 15.7 The Highways Officer has made a number of requests for Section 106 contributions associated with the development which are addressed in detail from para 20.0 onwards. In summary the following contributions are required:
- £6,000 towards Traffic Regulation Order costs for a loading bay, car club bay and amended parking restrictions;
 - £3,000 towards Travel Plan Monitoring
 - Provision of a speed bump on Burlington Avenue
- 15.8 There is also a requirement for the applicant to enter into a legal agreement to dedicate the new layby and footway as adopted highway to ensure its long-term maintenance and access by waste vehicles. As part of Burlington Avenue is currently unadopted and the Council will seek to adopt this part so that the road can be maintained to accommodate traffic long-term. The applicant will be required to enter into a S278 agreement to upgrade the west side of Burlington Avenue and to provide a speed bump in order to make the scheme acceptable in planning terms. The agreement can be secured as part of the Section 106 requirements and the applicant has no objection to this requirement.
- 15.9 Subject to conditions, the scheme is not considered to have an adverse impact on highway safety and convenience and the scheme is therefore considered to be acceptable in light of Core Policy 7 of the Core Strategy, Policy T2 of The Adopted Local Plan for Slough 2004 and the parking standards set out in Developer Guide 3 (Parking Standards Table 5) and the NPPF.

16.0 Drainage and Flood Risk

- 16.1 The site is located within flood zone 1 and therefore flood risk is minimal. Detailed drainage information was submitted with the application and considered by consultees.
- 16.2 Thames Water have reviewed the application and have raised no objection in respect of surface drainage proposals and flood risk subject to conditions. The Local Lead Flood Authority similarly has no objections subject to conditions, all of which are included in the recommendation.
- 16.3 There are no objections in respect of drainage and flood risk as a result.

17.0 Energy and Sustainability

- 17.1 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.
- 17.2 The application included an Energy Statement which concludes that the proposal can achieve the required minimum of 30% reduction in CO₂ emissions over the baseline figures of Building Regulations Part L 2021. This is achieved through the inclusion of high levels of thermal insulation, incorporation of LED lighting and air permeability through the development.
- 17.3 The residential units proposed will have heating and hot water provided through a combination of air-source heat pumps and water sourced heat pumps. This proposal is acceptable.
- 17.4 The energy proposals are considered to be acceptable in planning terms subject to a condition that would require development to be implemented in accordance with the proposals in the applicant's submitted statement.
- 18.0 **Air Quality**
- 18.1 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. The 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.
- 18.2 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.
- 18.3 The application site is not situated within an Air Quality Management Area (AQMA), therefore there will not be an unacceptable exposure to air pollution for future occupiers of the development.

- 18.4 An Air Quality Assessment was submitted as part of the application and no objection is raised by Environmental Quality. There are identified areas where there could be a temporary impact during the construction phase however these can be mitigated through the approval of a construction management plan. Further mitigation to reduce air quality is through the provision of EV charging points which can be secured by condition. There is a request for the provision of a car club space within the development as part of the mitigation which aligns with the request for a contribution towards such a space from Highways. The request is noted however there is limited space within the site for an accessible car club space and that, in this instance the car club consideration should be limited to considerations of a financial contribution only, which is considered at para 20.0 onwards.
- 18.5 On the basis of the above considerations there are no objections in respect of air quality impacts.
- 19.0 **Crime Prevention**
- 19.1 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.
- 19.2 No comments have been received from the Crime Prevention Design Advisor at the time of writing this report. Members will be updated of any comments made via the Amendment Sheet and, in anticipation of comments being received, a condition requiring the development to achieve a secured by design accreditation is included as part of the recommendation.
- 19.3 As a result, a condition is included in the recommendation that will require the development to achieve a secured by design accreditation and no objections are raised as a result.
- 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 claims that the development would not be viable if it were required to

provide full 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 104 units and has been submitted stating there are viability issues. In accordance with the Developer's Guide there is an affordable housing requirement of 35% which equates to 37 units from this development.

Education

On the basis of the housing mix proposed, the following contributions towards education will be required:

1-bed units – 33no x £903
2+-bed units – 71no x £4,828

Total = £372,587

Recreation/Open Space

No contribution is sought in this instance as the proposal provides private amenity space for all units as well as soft landscaped community space.

Highways

The following contributions have been identified:

- £6,000 towards Traffic Regulation Order (TRO) costs for a loading bay, car club bay and amended parking restrictions;
- £3,000 towards Travel Plan Monitoring
- Provision of a speed hump on Burlington Avenue

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.

The Council's consultant has reviewed the information and as part of their assessment and has identified areas of disagreement with the applicant's viability appraisal although the disagreements were minor in terms of affecting the overall conclusions. Where differences were discovered, the consultant recalculated viability using more appropriate figures. For this proposal the assessment by the Council's consultant concluded that there would be a deficit of approximately £3.6million as opposed to a concluded deficit from the applicant of approximately £4.1million.

20.7 In spite of the viability issues, the applicant has proposed a number of contributions which are included in a table below. The discussions on Section 106 contributions have taken place over a number of meetings. The initial offering was considered against the requirements as set out in the Developer's Guide. Officers were of the view that there could be room to review and improve the affordable housing offer and discussions took place to request a review with a view to increasing to better reflect one of the Council's priorities.

Contribution	Amount required	Initial Amount offered	Review/final amount offered
Education (overall)	£372,587	£372,587	-
Slough Car Club (Highways)	£30,000	£30,000	-
Affordable Housing	37 units within the development	5 units within the development (amounting to 4.8%)	13 units within development (amounting to 12.48%)
TRO costs for a loading bay, car club bay and amended parking restrictions	£6,000	£6,000	£6,000
Travel Plan Monitoring	£3,000	£3,000	£3,000
Provision of speed hump on Burlington Avenue		To be secured via section 106	To be secured via the section 106

The table will be referred to in the additional commentary on Section 106 contributions below.

20.10 Members will note that the education contribution and car club contribution have been removed. In terms of the education contribution, this is directly related to the change in ground floor occupation of the commercial units proposed to an Early Years Nursery/Daycare facility that is intended to occupy the full commercial floorspace proposed. The Early Years Team have stated that there is currently insufficient capacity within the town centre to accommodate existing demand for early years provision and this site would make a positive contribution to meet the need. There is also

likely to be increased pressure and demand for early years provision within the town centre to accommodate the future need for such provisions. The floors plans, in terms of the layout, will be required to be changed to accommodate a day nursery as it would occupy all the non-residential floorspace on the scheme. The proposal is for flexible retail Class E and as a day nursery would fall within Class E, it is not considered that changes to the layout would result in a material change as the commercial floorspace overall would remain at 390sqm. In the event for matters outside the applicant's control, such as not being able to find a suitable provider to take the day nursery, then the full amount of the education contribution would be secured through a Section 106 mechanism, which amounts to £372,587. As previously advised, discussion were held to try to increase the amount of affordable housing that the scheme provides, which is discussed below.

- 20.11 The affordable housing proposal remains less than the figures set out in the Developer's Guide but has been increased to 13 units or an equivalent commuted sum following discussions with Officers aimed at achieving more. Officers recommend that for this development, in this location, the affordable housing contribution should be the 13 units offered. The increased offering has come at the expense of the car club contribution however the applicant has also committed to securing occupancy of the commercial floorspace for early years provision which will come at an additional cost. The viability circumstances with this proposal are such that the development could not afford to provide any affordable housing without resulting in a deficit. The final offer of 13 units on site is made in spite of the viability circumstances. The Council has been able to secure some form of affordable housing contribution or provision on the vast majority of schemes that are proposed with viability issues. The offer should be considered on its individual merits and the offer of 13 on site units, while less than the Developer's Guide target and a small provision in general, is considered to be a benefit of the development and therefore attracts some positive weight. Positive weight can also be applied to a commitment to securing early years facilities at ground floor level. This can be secured as a commitment through the Section 106 agreement.
- 20.12 With regards to the requirement to provide First Homes, which requires at least 25% of affordable housing, Officers have secured 12.48% towards affordable housing within the Borough. The tenure and type of housing that will be secured through the section 106 agreement will meet the needs and demands of local people. Given that the scheme is not viable, at this stage, it would not be possible to secure any further affordable housing provision. The Applicant has proposed that the affordable housing provision will be shared ownership, and officers will secure that this is reasonably accessible and affordable to local residents in the section 106. Officers consider the affordable housing provision represents the optimum affordable housing provision for the development and therefore, the shared ownership tenure is preferred by Slough over First Homes, at this time.

20.13 In accordance with the Developer Guide, it will be required that the applicant agrees to review mechanisms in a Section 106 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 in the future. Such obligations have been secured in other proposals and is considered to be consistent with other decisions. It is recommended that the initial review is undertaken prior to the commencement of development with the second 'late-stage review' taking place at an appropriate point. As the affordable housing proposal provides on-site units the viability review should be looking principally to secure further units. On this basis it is recommended to Members that the second review is required relatively early in the sales process, at 30%. This is a trigger point that is recommended by the Council's viability consultant giving the optimum opportunity for securing additional units on this development and it is recommended that it is adopted.

21.0 Habitat 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 Screening Assessment as part of the application which has concluded that an appropriate assessment is required. The assessment was only preliminary and a more detailed assessment is required in order to enable the Council to make an informed appropriate assessment. At the time of drafting the report the Council had not received the assessment and the recommendation reflects this circumstance. The Council has a mitigation solution, in place with a fee of £570 per dwelling towards enhancements and proposals at Upton Court Park for development such as this where an appropriate assessment identifies a requirement for such mitigation. The issue regarding mitigation therefore remains outstanding but it is considered that the matter can be linked to the completion of a section 106 agreement if payment is identified. Therefore, the recommendation includes a requirement for the mitigation package to be secured by the Council and for an appropriate assessment to be carried out by SBC in advance of issuing any decision.

22.0 Fire Safety

- 22.1 The building exceeds 6 storeys in scale which makes it a 'relevant building' in respect of requiring a fire safety assessment. The Health and Safety Executive (HSE) were consulted on the application and requested additional information to be submitted as the applicant's fire assessment was incomplete.
- 22.2 The initial comments from the HSE highlighted an area where there would be concerns regarding fire safety. In response to this the applicant submitted amended plans to alter the layout to ensure the issues identified were addressed.
- 22.3 The amended plans have resulted in no issues being raised from HSE and there are no fire safety concerns from a planning perspective as a result.

23.0 Neighbour Representations

- 23.1 Three neighbour letters have been received through the course of this application. The report has specifically addressed impacts on neighbouring residents and highways as part of considerations.
- 23.2 There were also objections received regarding surrounding parking and congestion problems on the High Street, traffic flow issues, alterations to William Street and for the High Street to be pedestrianized. The highways officer has reviewed this application in detail and secured mitigation which is directly related to the proposal and application site. The issues raised are wider matters which would form considerations outside the scope and remit of this application and would therefore not be reasonable for the applicant to resolve. Furthermore, the mitigation sought in terms of the highways works which are set out in the highways section of this report, are considered to be proportionate, appropriate as they result directly to the impact of the development and therefore necessary.

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. The applicant has advised that 5% of the proposed units will be constructed to meet Part M of Building Regs requirements to provide units for wheelchair users. 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 rear via a lift. The proposed commercial units are shown to have a level threshold access and all floorspace is at ground floor level.
- 24.7 In relation to the car parking provisions, the plans show the provision of disabled spaces that are closely located to access points to the building. Internal corridors are designed to accommodate the needs of residents and visitors with disabilities
- 24.8 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 some benefits from the scheme.

- The provision of 104 residential units in a sustainable location should be given positive weight although this weight is slightly reduced through not meeting the desired housing mix. Nevertheless, it is recommended that this benefit be given substantial positive weight.
- 13 of these flats are proposed as affordable housing units which are offered in spite of viability issues with the site. The offer is lower than required through the Developer Guide, coming in at 12.48% but it is something that should be afforded positive weight and in this instance it is recommended to apply significant positive weight in light of the viability circumstances at the site.
- The application includes the provision of some financial contributions towards transport infrastructure and education provision (on-site provision or financial contribution) and these are considered to be positive benefits that should be given considerable positive weight as they benefit the local users within the town centre in addition to the residents within the development.

In terms of adverse impacts, the development will result in a significant increase in height and massing within the streetscene and the building will be notably higher than its adjacent neighbours. While the design has been through pre-application processes to address these issues there remains a change to the character of the streetscene. Officers consider the development would have a minor adverse impact on the character of the area as a result of the step change in height and massing, but this would not be significantly harmful to townscape character and should be afforded only limited adverse weight in the planning balance.

25.4 As is the case with proposals when para 11 of the NPPF is engaged, the application does present a balanced case. The significant benefits of housing provision, considerable benefits of transport infrastructure contributions and limited benefits of the affordable housing provision and parking spaces are considered to outweigh the identified impacts and the proposal should be regarded as sustainable development. It is considered that the proposed development would comply with the Development Plan as a whole as the most important policies are broadly complied with. It is noted that the minor conflicts with the Core Strategy housing policies (with

regards to affordable housing) are given limited weight as they are considered to be out of date.

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 approval subject to the completion of a Section 106 Agreement to secure habitat and infrastructure mitigation contributions, a viability review mechanism and highway works and the following conditions listed below.

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 Number 222035/PA/001, dated 02/2023, received 15/02/2023
- b) Drawing Number 222035/PA/010, dated 02/2023, received 15/02/2023
- c) Drawing Number 222035/PA/110, dated 02/2023, received 15/02/2023
- d) Drawing Number 222035/PA/120 Rev A, dated 26/04/2023, received 02/05/2023
- e) Drawing Number 222035/PA/121, dated 02/2023, received 15/02/2023
- f) Drawing Number 222035/PA/122, dated 02/2023, received 15/02/2023
- g) Drawing Number 222035/PA/123, dated 02/2023, received 15/02/2023
- h) Drawing Number 222035/PA/130, dated 02/2023, received 15/02/2023
- i) Drawing Number 222035/PA/131 Rev A, dated 26/04/2023, received 02/05/2023
- j) Drawing Number 222035/PA/132, dated 02/2023, received 15/02/2023
- k) Drawing Number 222035/PA/133, dated 02/2023, received 15/02/2023
- l) Drawing Number 222035/PA/134, dated 02/2023, received 15/02/2023
- m) Drawing Number 222035/PA/140, dated 02/2023, received 15/02/2023
- n) Drawing Number 222035/PA/141, dated 02/2023, received 15/02/2023
- o) Drawing Number 222035/PA/142, dated 02/2023, received 15/02/2023

In respect of the development hereby permitted, it shall provide no more than:

- 104 residential units (Class C3)
- 390 sqm of commercial (Class E) uses at ground floor level

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. Materials

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

REASON: To ensure a satisfactory external appearance of the development and in accordance with Policy EN1 of the Local Adopted 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).

4. Secure by Design

No part of the development hereby permitted shall be occupied until details of the measures to be incorporated into the development to demonstrate how 'Secured by Design Gold Award' accreditation will be achieved has been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall not be occupied or used until written confirmation of Secured by Design accreditation has been submitted to the Local Planning Authority. The approved security measures shall be retained thereafter.

REASON In order to minimise opportunities for crime and anti-social 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 requirements of the National Planning Policy Framework (2021).

5. Landscaping

Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a. details of all hard surfacing;
- b. details of all boundary/barrier treatments;
- c. details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.
- d. details of irrigation system for soft landscaping aftercare
- e. details of equipment storage for the care and maintenance of the roof terrace.

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

6. Landscape Management Plan

None of the uses hereby approved shall commence until a landscape management plan, which include the maintenance regime for drainage, has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas shown on the approved landscape plan, and should include a time scale for the implementation and be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

7. Lighting

No part of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme and retained thereafter.

REASON In the interests of safeguarding the amenities of neighbouring properties an to provide safer access to the cycle store in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework 2021.

8. Construction Traffic Management Plan

No construction or development shall commence on site until a Construction Traffic Management Plan (CTMP) has been submitted and approved in writing by the Local Planning Authority. The CTMP shall include a site set up plan and details of:

- hours of construction, duration of construction,
- hours of deliveries,
- traffic management measures,
- construction traffic routing, wheel washing facilities,
- storage of materials,
- 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 machinery to comply with the emission standards in Table 10 in the Low Emissions Strategy Guidance.

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

REASON: In the interest of minimising danger and inconvenience to highway users and in the interests of air quality and to ensure minimal disruption is caused to existing businesses in the shopping centre area in accordance with policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021.

9. Construction and Environmental Management Plan

No development shall begin until details of a scheme (Construction and Environmental Management Plan) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations

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

REASON: In the interests of the amenities of the area in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance set out in the National Planning Policy Framework (2021).

10. Mechanical Filtered Ventilation

Prior to the occupation of any residential unit hereby approved, details of the proposed system of Mechanical Filtered Ventilation (including proposals for overheating mitigation) within each flat shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried in full accordance with the approved details prior first occupation and retained thereafter. Each Mechanical Filtered Ventilation unit shall then be used and maintained in accordance with the manufactures 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 (2021).

11. Noise

None of the residential units hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) Specifications of the proposed windows and glazed door installations. The details shall demonstrate that the proposed windows/glazed doors ensure that internal noise levels in line with BS8233:2014 are not exceeded
- b) Details of the proposed mechanical ventilation including details of ventilation noise outputs along with a noise assessment in accordance with any mitigation in accordance with ProPG: Planning and Noise Guidance and BS8233:2014 shall be submitted to and approved in writing by the Local Planning Authority.
- c) If the proposed system of ventilation does not include temperature control, an overheating assessment must be submitted that sets out specific mitigation measures to ensure residents will not be subject to overheating in the residential units hereby approved.

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

maintained in accordance with the manufactures requirements for the lifetime of the development.

REASON to ensure future residents are not subjected to unacceptable temperature levels once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework (2021).

12. Shop front – to be confirmed - nursery use requirements

The windows in the shop front elevations for the E class uses at ground floor shall be constructed in clear glass and there shall be no obstruction, colouring, laminating, or similar behind the glass that would prevent or restrict views into the ground floor unit.

REASON In the interests of protecting the visual amenity, vitality and viability of Slough town centre in accordance with the provisions of Policies S1 and EN1 of The Adopted Local Plan for Slough 2004 and Policy 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework (2021).

13. Sustainability and Energy Statement

The development hereby approved shall be implemented to fully include the proposals and measures set out in the Sustainability and Energy Statement produced by Ensphere, reference 20-E110-004 dated April 2022 unless otherwise agreed in writing with the Local Planning Authority.

Reasons: To ensure that the development provides sustainable energy benefits to the development in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

14. Surface water drainage scheme (LLFA)

Before any above ground works commence a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

i) Details (i.e., designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, and attenuation structures

- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which will include a 10% allowance for urban creep.
- iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iv) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.
- v) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.

Reason: To reduce the risk of flooding both on and off site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and the National Planning Policy Framework 2021 by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

15. Surface water drainage system (LLFA)

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

- Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.
- The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- A site plan including access points, maintenance access easements and outfalls.
- Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
- Details of expected design life of all assets with a schedule of when replacement assets may be required.

REASON To ensure the future maintenance of drainage systems associated with the development, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

16. Flood Risk

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood

Risk Assessment & Sustainable Drainage Strategy, from RMB Consultants (Civil Engineering) Ltd, dated 02/2023 has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:

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

REASON To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site and with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

17. Piling Method Statement – Thames Water

If the proposed construction works include 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 sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

18. Thames Water

No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand 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.

19. Bins

No part of the development shall be occupied commence until bin storage has been provided in accordance with the standards set out in the Slough Developers Guide.

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

20. Travel Plan

No part of the development hereby approved shall be occupied until an amended Travel Plan has been submitted to and approved in writing by the Local Planning Authority. Once agreed, the development shall operate in accordance with the agreed Travel Plan. The Travel Plan shall specify initiatives to be adopted by the operators of the site to encourage access to the site by a variety of non-car means. It shall set targets and shall specify a monitoring mechanism to ensure compliance with the Travel Plan objectives. The Travel Plan shall identify the travel plan coordinator and outline their responsibilities in pursuing the objectives of the Travel Plan; it should also state who the Travel Plan Co-ordinator will report to. Should the targets within the Travel Plan not be met, the operator should undertake whatsoever measures, as may first have been agreed in writing by the Local Planning Authority, as are necessary to cause a reduction in the number of car borne trips to ensure the targets are achieved. The Plan shall set out a five year plan with measures introduced within three months of receiving approval from the Local Planning Authority. The Plan shall be under constant review with further surveys every two years thereafter. An Annual Report providing a review of progress towards targets and of the implementation of the Travel Plan shall be sent to the Local Planning Authority.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway, to reduce travel by car in accordance with Policy T15 of the Slough Local Plan 2004 and to meet the objectives of the Slough Integrated Transport Strategy.

21. Means of 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, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

22. Car parking

Prior to the development hereby approved first being brought into use, 12 no. car parking spaces shall be provided and made available for use in connection with the residential development and 8 no. car parking spaces shall be used in connection with the 4 no. retail units. The car parking spaces shall not be used for any separate business, commercial or residential use and retained thereafter.

REASON: In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of the amenities of the area in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

23. Electric vehicle charging

Prior to the first occupation of each unit, the residential car parking provision for the development shall be provided, including 1 electric vehicle charge point per dwelling – and a total of 12 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 (2021).

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Registration Date:	27-Apr-2023	Application No:	P/09811/002
Officer:	Christian Morrone	Ward:	
Applicant:	Stephen Vickers, PDC UK 7 Ltd	Application Type:	Major
		13 Week Date:	27 July 2023
Agent:	Taylor Cherrett, Turley Turley, The Pinnacle, 20 Tudor Road, Reading, RG1 1NH		
Location:	Jupiter House, Horton Road, Poyle, Slough, SL3 0BB		
Proposal:	Demolition of the existing buildings (Valerie House and Jupiter House) and the development of a commercial building with flexible general industrial and storage and distribution employment floor space, with associated service yards, car parking and landscaping.		

Recommendation: Delegate to Planning manager for Approval



1.0 SUMMARY OF RECOMMENDATION

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

A) For approval subject to:-

- 1) receiving the consultation from the Environment Agency and addressing any issues raised that would not result in any substantive changes to the proposal;
- 2) the satisfactory competition of a Section 106 agreement to secure the following:
 - a) To enter into a highways agreement for the highway works
 - b) Dedication of private land as public highway if required by the Local Highway Authority
 - c) To secure and monitor the Travel Plan
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) finalising conditions; and any other minor changes.

B) To return the application to the Planning Committee in the event that addressing any issues raised by the Environment Agency would result in any substantive changes to the proposal.

C) Refuse the application if the above have not been finalised by 19 March 2024 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

1.2 Under the current constitution, this application is being brought to Committee as it is a major planning application due to the floor area being over 1,000 square metres.

PART A: BACKGROUND

2.0 Proposal

This is a full planning application for the following:

- Demolition of the existing buildings (Valerie House and Jupiter House)
- Construction of a two commercial storey building comprising a total of 7,156sqm GIA of to fall within any of the following uses:
 - General Industrial [B2Use Class], and / or
 - Storage and Distribution [B8Use Class], and;
 - ancillary office space

- 2.1 The external areas of the site would accommodate:
- 7no. lorry loading bays
 - 59no. car parking spaces:
 - Includes 2no. wheelchair accessible bays and
 - 12no EV Charging bays
 - 20no. cycle stands in a secured covered cycle shelters.
 - Hardstanding areas, footways, fencing and boundary treatment
 - New pant rooms and bin store
 - External welfare area
 - Alterations to existing vehicular access to Horton Road and associated works
 - Infilling redundant access, new footway access, widening of existing footway on Horton Road and associated works
 - Tree planting and soft landscaping
 - Net gains in biodiversity

3.0 Application Site

3.1 The application site is located to the southern end of the Poyle Estate which is an Existing Business Area as identified in the Local Plan. The site is currently being demolished and previously contained two large, detached buildings. Valerie House was a detached three storey building to the west of the site and comprises approximately 4,191 square metres (GIA) of storage and distribution uses and ancillary offices. To the east was Jupiter House which was a two storey building and comprises approximately 2,541 square metres (GIA) of storage and distribution, light industrial and ancillary offices. Externally the site comprised HGV loading bays, vehicular parking, external storage, and landscaping with trees mostly along the west boundaries, although there was some landscaping to the front.

3.2 The site is accessed by the south at Horton Road. Junction 14 of the M25 is circa. 500 metres to the east. To the north, east, and west, the site neighbours other businesses within the Poyle Estate and these are discussed in detail further within this report. On the southern side of Horton Road is the Poyle Park Private Estate which comprises a number of residential static homes. Approximately 120m to the south is the Wraysbury Reservoir Site of Special Scientific Interest and approximately 250m to the south-east is the Staines Moor Site of Special Scientific Interest.

4.0 Site History

4.1 P/09811/001 Demolition of the existing buildings (Valerie House and Jupiter House) and the development of 7,320m² GEA of flexible light industrial, general industrial and storage and distribution employment floor space, with associated service yards, car parking and landscaping.
Approved with Conditions; Informatives; 13-Apr-2022
[Implemented]

5.0 Neighbour Notification

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was advertised as a major application in the 12/05/2023 edition of The Slough Express. Site notices were displayed outside the application site on 18/05/2023. The consultation period has expired.

No representation letters have been received at the time of writing this report.

6.0 Consultations

6.1 The following are comments received from the relevant consultees. These comments are taken into consideration within the planning assessment within Part B: Planning Appraisal.

6.2 Local Highway Authority

Vehicle Access:

SBC would have no objection to the proposed vehicle access arrangements for the development. The NPPF states in Paragraph 110 that: 'In assessing applications for development it should be ensured safe and suitable access to the site can be achieved for all users'.

SBC are satisfied with vehicle access proposed for the site.

The Transport Statement includes Drawing No. J32-7293-PS-001 which demonstrates visibility splays of 2.4m x 43m are available in accordance with the Manual for Streets visibility requirements for a 30mph speed limit. There have been no collisions causing injury on Horton Road in proximity to the site access junction during the most recent 5-year period, according to publicly available collision data.

Swept path analysis has been provided which demonstrates a 16.5m articulated HGV can enter/exit the site using the proposed access junctions. There is suitable turning space for a 16.5m HGV to turn within the site and enter/exit in a forward gear.

Access by Sustainable Travel Modes:

There is some potential to travel to the site by bus. The nearest bus stops are the Golden Cross Bus Stops 200 metres (3 minutes' walk) from the site. The No.5 Bus provides an hourly service between Heathrow, Slough Town Centre, Datchet, and Cippenham.

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

Car Parking:

SBC Highways and Transport have no objection to the proposed development based on the proposed number of car parking spaces for the site.

The development proposes 59 car parking spaces, split between two accesses with 31 car parking bays via the western access and 28 served from the eastern access. A parking demand calculation has been submitted which estimates 54 – 58 vehicles will be parked on site based on the square floor area and survey data from similar B2 and B8 industrial sites.

The adopted Slough Car Parking Standards for B8 Warehousing are provided in the table below:

B8 Warehousing	Car Parking Standard	Requirement at Jupiter House (7,165sq.m)
Car Spaces	Min. 1 to 200m sq.m	36
Lorry Spaces	Min. 1 to 500 sq.m upto 2000sq.m, then 1 to 1000 sq.m	9
Cycle Spaces	Min. 1 to 500m sq.m	14

Source: Slough Developer's Guide: Part 3 – Highways and Transport (2008).

The adopted Slough Car Parking Standards for B2 Light Industrial Warehousing are provided in the table below:

B2 Warehousing	Car Parking Standard	Requirement at Jupiter House (7,165sq.m)
Car Spaces	Min. 1 to 50m sq.m	143
Lorry Spaces	Min. 1 to 500 sq.m upto 2000sq.m, then 1 to 1000 sq.m	9
Cycle Spaces	Min. 1 to 500m sq.m	14

Source: Slough Developer's Guide: Part 3 – Highways and Transport (2008).

Trip Generation:

SBC Highways and Transport would have no objection to the proposed development due to vehicular trip generation. The NPPF Paragraph 111 states that: *'Development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the*

road network would be severe'.

A forecast of the site's trip generation has been provided using survey data for similar sites in the TRICS database which is the national trip generation database.

The application is for 7,331sq.m GEA of commercial floorspace in one single unit. 7,320sq.m of light industrial, general industrial and storage and distribution floorspace was previously consented in 6 smaller units through Planning permission No. P/09811/001.

The proposed development would generate slightly fewer trips than the consented development (Planning Ref: P/09811/001) whether occupied by B2 Light Industrial or B8 Warehousing.

If occupied by B8 Warehousing and Distribution, the Transport Assessment forecasts there would be 47 fewer two-way trips during the AM Peak Hour and 29 fewer trips during the PM Peak Hour compared to the permitted use.

If occupied by B2 General Industrial, the proposed development would generate 45 fewer trips during the AM Peak Hour and 30 fewer trips during the PM Peak Hour than the permitted use.

Electric Vehicle Parking:

The proposed car parking provision includes 8 car parking spaces fitted with EV Charging Points, which is considered compliant with Sloughs' EV Charging Policy.

The Slough Low Emissions Strategy (2018 – 2025) requires that 10% of car parking spaces are fitted with active EV Charging Points at industrial developments. The National Planning Policy Framework Paragraph 112 requires applications for development to: 'Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations'.

Cycle Parking:

The NPPF Paragraph 110 states that: 'In assessing applications for development it should be ensured that: 'Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up'.

SBC Highways and Transport accept the proposed cycle parking which exceeds Slough's cycle parking standards. 20 secure and covered cycle parking spaces are proposed adjacent to the site accesses and building entrance. 14 cycle parking spaces (1 per 500m²) are required by the Slough Developers' Guide – 3: Highways and Transport (2008).

Refuse Collection:

The Transport Assessment includes swept path analysis which demonstrates that Slough's refuse vehicle can enter/exit the site and that there is suitable turning space within the site to allow the refuse vehicle to exit in a forward gear.

Summary and Conclusions:

I can confirm that I have no objection to the proposed development on highways and transport grounds. should you wish to grant planning permission I would recommend inclusion of conditions relating to:

- Visibility
- Layout
- Car Parking
- Electric Vehicle Parking
- Construction Management Plan

The applicant will need to enter into a highways agreement for access junctions and making good of existing access points. Dedication of land as public highway may also be required, depending on survey drawings required pursuant to the highways agreement.

6.3 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. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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 Wholesales; 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>

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

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>

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

6.4 Lead Local Flood Authority:

We would advise that there is sufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development. We consider that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of flooding.

1. Detailed drainage design
2. Ownership and maintenance
3. Validation report

6.5 Contaminated Land Officer:

I have reviewed the following reports. Please see my comments below:

Phase I Environmental Assessment (Project No. 7010678), dated 11th October 2022, and prepared by WSP UK Ltd.

- The report reviews the findings of the 2020 Delta-Simons and confirms the

conclusion that the remaining uncertainties need to be addressed by additional intrusive investigation, monitoring, and assessment.

Outline Remediation Strategy (Ref. No. 70106611-ORS), dated June 2023, and prepared by WSP UK Ltd.

- The additional site investigation and monitoring carried out by WSP identified significant groundwater contamination in the north of the site, associated with the AST; concentrated exceedances of chlorinated solvents beneath Unit 6 and minor elevated concentrations located across the site potentially associated with smaller spills or leaks from drainage.
- Section 3 appraises the various remedial options for both soils and groundwater technologies to be applied. and recommends a mix of three; with the caveat that the contractor will have the final say and this is subject to change.
- Section 4 Excavation and Materials Management and Section 5 Groundwater Control and Remediation, outline the main soil remedial tasks and validation for the site.
- Once all the remediation tasks have been completed, the final validation report should include all the verification tasks outlined in Section 9, plus any other additional information that shall come available during the remediation itself.

Based on the above I recommend the following condition is placed on the Decision Notice:

a) Remediation Validation

6.6 Heathrow Safeguarding:

We have now assessed the above application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

However, if a crane is needed for installation purposes, we would like to draw your attention to the following:

Cranes:

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

All crane applications should be sent to Heathrow's Works Approval Team via the following address:

Airside_Works_Approvals@heathrow.com

6.7 Berkshire Archaeology:

No comments received. However, the following comments were received in the previous application which is being implemented (ref. P/09811/001):

The development application was submitted alongside an archaeological desk based assessment.

This assessment found that a series of developments and re-developments at the site will have had a severely negative impact on the potential for survival of significant archaeological material or features.

Berkshire Archaeology is in agreement with the findings of this assessment and believes that despite the general background potential for archaeological material, it is unlikely significant archaeology will be impacted by these development proposals.

Therefore, in the view of Berkshire Archaeology, should planning permission be granted, then it should be allowed to proceed with no further requirement for archaeological mitigation attached.

6.8 Environmental Quality (Air Quality):

Air Quality Background:

Slough Borough Council (SBC) has designated 5 Air Quality Management Areas (AQMAs) due to elevated concentrations of Nitrogen Dioxide (NO₂, annual average), including:

- Slough Town Centre
- M4
- Tuns Lane
- Brands Hill
- Bath Road

While particulate matter concentrations do not breach EU Limit Values, levels in Slough are higher than both the national and regional averages and it is estimated that 1 in 19 deaths are attributable to PM_{2.5} in Slough (PHE).

SBC has adopted the Slough Low Emission Strategy 2018-25. This application has been assessed in relation to air quality considerations in line with the Slough Low Emission Strategy Technical Report: 'Land-Use planning and Development Management' Guidance (Section 3.3). The LES Technical Report can be found on the SBC Low Emission Strategy web page - <http://www.slough.gov.uk/pests-pollution-and-food-hygiene/low-emission-strategy-2018-2025.aspx>

Where mitigation is required and refers to the 'Slough Electric Vehicle Plan' this can be found in Section 4.3 of the LES Technical Report.

The Slough Low Emission Strategy also includes a Low Emission Programme. Again, details can be found on the SBC LES web page.

Air Quality Comments:

Despite the slight increase in commercial floorspace, the proposal has a reduced number of car parking spaces (from 113 to 59), with a greater proportion of electric vehicle charging spaces (8 active EV parking spaces with all remaining spaces with passive EV charging provision).

An air quality assessment has been prepared by BWB Consulting Limited in support of this application, considering both the construction phase dust impacts and operational phase road traffic emissions. The methodology outlined in the report for both the construction and operational phases of the development are acceptable.

The applicant has aimed to support a worst case approach by assuming the proposal will be for B8 use only, which would result in a greater trip generation. This is accepted.

In regards to model verification, the modelled results have been adjusted in relation to monitored data which is supported. I requested that SLO 17 is included in the model verification which was initially excluded. The applicant has demonstrated that inclusion of this site does not change the verification factor therefore the results of the assessment remain unchanged. This is accepted.

The assessment results are presented in Table 6.2 which compares the NO₂ concentrations with and without the development in 2024. The largest increase in both NO₂ and PM₁₀ are observed at receptor R5 (Bath Road), at 0.2µg/m³ and 0.1µg/m³, respectively. It is agreed that this is a negligible impact.

Section 5 refers to the dust impact assessment. Dust emission magnitudes for demolition, earthworks and construction are considered large, whilst trackout (dust from HGVs) is considered medium. Sensitivity to dust soiling is considered high and human health impacts low due to the low PM₁₀ background concentrations. The resultant risks of dust soiling and human health impacts are medium-high, and low-medium risk, respectively.

A list of mitigation measures are outlined within Table 5.5 and Table 5.6. It is expected that all of these measures will be represented within a Construction Environmental Management Plan (CEMP). After implementation, it is accepted that impacts are likely to be insignificant.

Mitigation Requirements:

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As outlined within the assessment, the applicant will provide 8 active EV parking spaces, with all remaining spaces with passive EV charging provision. Details of such should be provided to the LPA for approval.
- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works. The CEMP shall include non-road mobile machinery (NRMM)

controls in line with table 10 of the LES Technical Report and all construction vehicles shall meet a minimum Euro 6/VI Emission Standard. The CEMP must also contain details of noise and dust control, replicating the measures identified within the air quality assessment.

- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report

6.9 Environmental Quality (Noise):

An environmental noise assessment has been prepared by BWB Consulting Limited in support of this application. The assessment is informed by a noise survey period Friday 24th March to Tuesday 28th March 2023, with the measurement location 30m north of Horton Road within the site boundary, supported by noise modelling using CADNA A to determine the noise impact at the receptors at Poyle Park (static caravan park).

The survey period determined that the dominant noise sources on site were road traffic noise originating from Horton Road and aircraft noise associated with Heathrow Airport. Fixed plant is known to exist on site however this was not audible during the survey period.

Large amounts of the monitoring data have been omitted due to unrepresentative noise sources being present at the time of the survey (geotechnical drilling on 27th and 28th March), and unsuitable meteorological conditions on 24th and 25th March until 19:00, 25th March night and 26th March day time. The resultant monitoring periods after data omission are as follows:

- Saturday daytime 1900 – 2300;
- Sunday night-time 2300 - 0700;
- Monday daytime 1700 – 2300; and
- Monday night-time 2300 - 0700.

The measured noise levels used within the assessment have been compared to those measured as part of the noise assessment (Report Ref PJB8998/20036/V1.0 dated 22/10/2020) to support the previous application on the site (Ref P/09811/001). The results are comparable and therefore accepted.

In addition, the monitoring period represents the quietest part of the day and therefore supports a conservative approach. The applicant has also reduced the number of level access bays / forklifts operational at night to one, and lengthened the acoustic barrier to include the bike storage area. The resultant noise level is 2dB above background, which is acceptable.

Noise from L_{Amax} levels resulting from HGV reversing noise and forklift movements has been considered, comparing to a 60dB L_{Amax} level at the façade which equates to a 45dB L_{Amax} internal level assuming a 15dB reduction through a partially opened window. The results indicate that both operational activities are below this criterion. It is questionable whether the 15dB reduction is applicable here since a static caravan is unlikely that to have the sound noise reduction capabilities as a built property, however if applying a more conservative 10dB

reduction due to a partially opened window instead of 15dB still results in compliance (HGV noise and forklift noise at 44dB and 35dB LAmax, respectively). This is therefore accepted.

Plant noise has been considered however plant details are not available at this stage of the development, therefore a plant noise limit which does not exceed background noise levels has been suggested (weekdays: 58dB daytime and 55dB night time; weekend: 55dB daytime and 41dB night time). This will be secured via condition.

Mitigation:

- Providing acoustic barriers alongside the cycle store area to reduce noise transmission from the service yard.
- Restricting use of the level access doors / forklifts to one per delivery during the night and weekend
- Securing plant noise which does not exceed background noise levels (weekdays: 58dB daytime and 55dB night time; weekend: 55dB daytime and 41dB night time).
- Undertaking continuous noise monitoring during operation to proactively control noise.
- Securing details of the glazing and ventilation options to mitigate noise impact to on-site receptors with evidence that the internal noise levels are acceptable for office use after implementation.

6.10 Environmental Health:

Issue 1 - Construction Phase:

Noise, dust and vibration from the construction phase may affect occupiers of nearby premises. I suggest a Construction Management Plan condition is attached to any planning permission granted:

Issue 2 – Noise:

Occupiers of properties nearby to the new development can suffer excessive noise problems due to the construction of new buildings. I suggest that the following planning condition is attached to any planning permission granted:

- Condition - Hours of construction

No construction work shall take place outside the hours of 08:00 - 18:00 hrs Monday to Friday, 09:00 - 13:00 hrs on a Saturday and no working at all on Sundays or public holidays.

Issue 3 – Refuse On site refuse storage

A condition should be included to ensure a secure waste storage area is provided.

6.12 Colnbrook with Poyle Parish Council

No comments received.

6.13 National Highways

No objection:

The site is in the vicinity of the M25 Motorway, that forms part of the Strategic Road Network. This notice is hereby given that National Highways' formal recommendation is that we recommend that an Operational Management Plan condition should be attached to any planning permission that may be granted.

6.14 Natural England

No comments received. The following comments were received on the previous application (ref: P/09811/001):

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

6.15 Royal Borough of Windsor and Maidenhead:

No objection:

The site is subject to an extant permission P/09811/001 granted in April 2022 for the proposed flexible general industrial and distribution and industrial use with the provision of 7,320 sqm GEA floorspace. It provides a fallback position related to the principle of having a flexible general industrial and distribution and industrial use in considering the current application. There is no objection in principle from the Royal Borough of Windsor and Maidenhead subject to the application is in line with both national and local planning policies.

6.16 Buckinghamshire County Council:

No comments received.

6.17 Spelthorne District Council:

No objections:

That Slough Borough Council be advised that this Authority has no objections to the proposal.

6.18 Surrey County Council:

No objections subject to the following:

Surrey County Council as the Minerals and Waste Planning Authority raises no

objection to the proposed development subject to:

- Slough Borough Council being satisfied that the design of the proposed development gives sufficient consideration to and incorporates appropriate measures to ensure that it would not prejudice the operation or future development of the existing mineral working and waste management facility at Hithermoor Quarry, Leylands Lane, Stanwell TW19 6AZ in accordance with Policy MC6 of the SMP and Paragraph 187 of the NPPF.
- Slough Borough Council being satisfied that the design of the development gives appropriate consideration to the MSA in proximity to the application site, and the prospect that these may be worked in the future, in order to prevent indirect sterilisation of the mineral resource in accordance with Policy MC6 of the SMP.
- The MWPA recommend the imposition of a planning condition on any consent issued requiring the submission of a waste management plan to Slough Borough Council for approval prior to the commencement of the development. This plan should demonstrate that CD&E waste generated as a result of the development is limited to the minimum quantity necessary; and opportunities for re-use and recycling of CD&E waste is maximised in accordance with Policy 4 of the SWLP.
- Slough Borough Council being satisfied that the development includes adequate facilities for waste storage and recycling during its operational phase, and that adequate controls exist to ensure that waste storage and recycling is maintained and managed for the life of the development, in accordance with Policy 4 of the SWLP

PART B: PLANNING APPRAISAL

7.0 Policy Background

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

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

The relevant Local Development Plan Policies in relation to determining this application are considered to be in compliance with the National Planning Policy Framework 2021

[National Planning Policy Framework 2021](#)

Chapter 2: Achieving sustainable development

- Chapter 4: Decision-making
- Chapter 6: Building a strong, competitive economy
- Chapter 9: Promoting sustainable transport
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment

Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, Adopted December 2008:

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 5 (Employment)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 9 (Natural and Built Environment)
- Core Policy 10 (Infrastructure)
- Core Policy 12 (Community Safety)

Local Plan for Slough March 2004 policies:

- CG1 - Colne Valley Park
- EN1 – Standard of Design
- EN3 – Landscaping
- EN5 – Design and Crime Prevention
- EMP2 – Criteria for Business Developments
- EMP9 – Poyle Estate
- T2 – Parking
- T8 - Cycling 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 the 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.

7.2 The planning considerations for this proposal are:

- Planning history and differences with previous application.
- Land Use
- Impact on Visual Amenity
- Impact on neighbouring properties
- Traffic and Highways Implications
- Air Quality
- Surface water drainage
- Contamination
- Impact on biodiversity and ecology
- Sustainable Design and Construction
- Impact on Minerals and Waste
- Section 106 Requirements
- Equalities Considerations
- Presumption in favour of sustainable development

8.0 Planning history and differences with previous application

8.1 The planning history is a material consideration. The previous planning application (ref. P/09811/001) for the following was approved on 13 April 2022:

Demolition of the existing buildings (Valerie House and Jupiter House) and the development of 7,320m² of flexible light industrial, general industrial and storage and distribution employment floor space, with associated service yards, car parking and landscaping.

The above permission is extant and is currently being implemented. Compared to the approved scheme, the main differences compared with this new proposal are summarised as:

- Proposed gross internal floor area is reduced from 7,320sqm to 7,156sqm.
- Proposal is for one building sited to the west of the site compared to two buildings at each west / east end:



Above: Current planning application (ref. P/09811/002).



Above: Previous approval (ref. P/09811/001).

- Maximum building height increased from 13.75m to 17.7m.
- Proposed building set further back set back at approximately 26m (western end) and 11.5m (eastern end); compared to 16m (western end) and 8m (eastern end).
- Flat roof compared to a shallow pitched roof with alternative design and landscaping.
- 7no. lorry loading bays compared to 8 lorry loading bay.
- 59no. car parking spaces compared to 113no. car parking spaces.
- Two vehicle access point (1 x car; 1 x HGV) compared to one access point.

9.0 Land Use

9.1 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.

9.2 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”.

9.3 Local Plan Policy EMP9 (Poyle Estate) states 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.

9.4 The site is located within the defined Poyle Estate Business Area. The proposal would see a 424 square metre increase in gross internal employment floor space (existing: 6732 square metres; proposed: 7156 square metres) to provide the following uses:

- General Industrial [B2 Use Class], and / or
- Storage and Distribution [B8 Use Class], and
- ancillary office space

9.5 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.

9.5 Based on the above the proposed land use would be acceptable.

10.0 Impact on Visual Amenity

10.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policy EN1, EN3, and EMP2. Policy CG1 states that is within the built up area of the Colne Valley Park, any development that would have a significant visual impact on the Park should be appropriately mitigated.

10.2 The proposal would replace the previous two buildings on the site. Valerie House was a detached commercial three storey building to the west and Jupiter House a commercial three storey building to the east. These buildings would be replaced by a commercial two storey building measuring approximately 17.7 metres in height. Although two storeys in height, the proposal would be circa 4m higher than the maximum height of the previous buildings.

10.3 The proposed building would be sited approximately 1.8m from the western boundary and partly adjoin the northern boundary which is splayed, providing a separation of up to 7m. To the eastern side of the building, the loading bays / yard area and vehicular access via Horton Road are proposed, providing a separation

distance of 33m (min) – 50m (max) from the eastern boundary. To the south, the building would be set back from the highway by approximately 26m (western end) and 11.5m (eastern end).

- 10.4 The proposed building would be taller and larger than the previous buildings on the site and each of the individual buildings previously approved (P/09811/002). It is acknowledged the proposed building would be a notable feature in the street when traveling along Horton Road. However, the separation distances from the highway of between 26m (western end) and 11.5m (eastern end) would provide relief for the most part. Towards the eastern end of the building where the separation distance reduces, there would be some dominating impact on the streetscene given the maximum height of 17.7m being set away from the street by 11.5m. It is important to note that this is the minimum distance measured at the eastern corner of the building, and the distance increases along the front elevation a maximum of 26m at the western corner of the building.
- 10.5 In order to provide further mitigation, negotiations with the applicant have resulted in a revised landscaping scheme which now proposes 13 trees along the frontage (inc. Maple, Birch, & Cherry) together with an instant native hedges at 1m - 1.2m in height (Hornbeam & Honeysuckle). Pockets of shrubbery, grass, and further trees planting are proposed within the site. The proposal would result in the loss of three existing trees along the western boundary. These trees would not merit a Tree Preservation Order therefore they could be removed at any time, and given significant new tree planting is proposed in a more prominent position to the front of the site, no objections are raised in this regard. The proposed 2.4m high green coloured paladin security fence at the front of the site has since been repositioned further back from the highway boundary so that the proposed trees and landscaping sit in front of the fence line. Overall, there is a significant improvement in the landscape character of the site.
- 10.6 The proposed building would be finished metal cladding predominantly in a cream colour with areas of grey colours by the fenestration, loading bays, and banding at roof height. Glazing is proposed to the southern elevation, inc. curtain wall glazing to the southeast corner, which would serve the ancillary offices. This results in an active frontage along Horton Road with a degree of visual interest. The previous buildings on the site did not offer positive visual qualities to the area, notably, Jupiter House was showing significant signs of ageing. The appearance of the building as a whole is considered to be an improvement compared to the previous buildings on the site.
- 10.7 The hard standing areas would comprise finished concrete to the HGV yard area; grey tarmac for the access junctions and parking areas at the front; and paving to the pedestrian areas. Six lighting columns are also proposed along the frontage with a number of column and wall mounted luminaires are proposed within the site. These are all considered visually appropriate given the business / industrial character of the surrounding area.
- 10.8 The proposed building would be notably higher than the neighbouring buildings at each side and to the rear. It is noted the DHL building which is located next to the neighbouring building to the east is 21.9m in height and therefore the proposed

height would not be entirely incongruous within the area. It is acknowledged the site is located within an already built-up industrial setting. The landscape character of the site would be improved as would the appearance of the development. The positioning of the building would be such that there would be a notable sense of space from neighbouring buildings. As noted above, the proposal would not have an undulating dominating impact on the street. As such, the proposal is considered to be of a relative high quality design which is compatible with the site and the surrounding industrial area.

- 10.9 On the southern side of Horton Road, the character is very much different. This land is designated as Green Belt, Strategic Gap, and is within the open areas of Colne Valley Regional Park. The proposed building would be sited closer to these designations, and the building height would be increased when compared to the previous buildings on the site. However, the proposed building is largely sited opposite the residential static caravan site at the Poyle Park Private Estate which is not a particularly open area of the Colne Valley Regional Park. Furthermore, the areas of land adjoining the Poyle Park Private Estate to the side is not a particularly good quality examples of the Colne Valley Regional Park. They are relatively small and appear to have been developed to some degree. The good quality open areas of the Colne Valley Regional Park are site some considerable distance to the west, northwest, and north of the application site and would not be notably impacted. Given the proposed separation distances, the proposed tree planting to the front of the building, and the quality and nature of the Colne Valley Regional Park to the south, the proposal would not have a significant visual impact on the Colne Valley Regional Park.
- 10.10 While the land to the southern side of Horton Road is also designated as Green Belt and Strategic Gap, no development is proposed within these designations. There will be a degree of impact on their setting, however the landscape character and openness of this the area to the south of the site is not particularly notable. The separation distances and proposed tree planting to the front of the building, provide an acceptable visual relationship in this instance.
- 10.11 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 CG1, 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.

11.0 Impact on neighbouring properties

- 11.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high standard of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Polies EN1 and EMP2.
- 11.2 The site is located within a defined Business Area. The neighbouring land uses to the north, east and west are all used for business purposes. On the southern side of Horton Road is the Poyle Park Private Estate which comprises a number of

residential static homes. The proposed building would be positioned approximately 47.8 metres (min) from the closest north elevation of the static homes which is ample distance to prevent any unacceptable overbearing impact, loss of daylight, and loss of privacy. Due to the proposed northern orientation from these dwellings, no concerns are raised regarding loss of sunlight / overshadowing.

- 11.3 The application is for a 24 hour operation for all uses applied for. A noise report has been submitted with the application. This has been reviewed by the Council's Environmental Quality Officer. Following requests for clarifications and further mitigation, the proposal is predicted result in noise levels at 2dB above the background noise levels when measured at the nearest sensitive receptor (Poyle Park Private Estate). This represents a low impact as defined by BS 4142, which is considered to be acceptable. The mitigation listed within the Environmental Quality consultation response should be secured by condition. Details of the glazing and ventilation to mitigate noise impact the future office users of the proposed development should not be sought as this is not supported by planning policy.
- 11.4 To the east, the neighbouring building is two storeys in height with ground and first floor windows western side facing windows. The building appears to be accommodated by a shipping / national / international courier company. A certificate of lawfulness confirmed the use of the building as offices in 2002. The proposal would be set away from this neighbouring building by approximately 43 metres (min.) which is sufficient distance to prevent an unacceptable overbearing impact or loss of natural light to the working environment of this neighbouring building.
- 11.5 Toward the west, northwest, and north, are relatively small scale business units. The proposed buildings would be positioned close to the western and northern boundaries. This would largely impact windowless building elevations and transient access areas within the estate used by staff and visitors. While it is acknowledged there would be an overbearing impact in such areas, it would not result in unacceptable impacts on the commercial / business use of these properties. These neighbouring buildings do include windows, however these would be separated and oriented from the proposed building appropriately to prevent an unacceptable overbearing impact or loss of natural light to the working environment of these neighbouring buildings.
- 11.6 A number of lighting units and lighting columns are proposed. The submitted lighting spillage calculations demonstrate an acceptable impact on neighbouring property (including the Poyle Park Private Estate on the opposite side of Horton Road). A condition should be imposed to ensure the lighting is in accordance with the submitted details.
- 11.7 Based on the above, 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.

12.0 Traffic and Highways Implications

- 12.1 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”. Within this context, The National Planning Policy Framework 2021 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 Local Plan Policy EMP2.
- 12.2 Local Plan Policy T2 and Core Policy 7 seek no overall increase in the number of parking spaces in commercial schemes in this area unless additional parking is required for local road safety or operational reasons.
- 12.3 *Access and Trip Generation:*
- 12.4 A Transport Statement has been submitted with the application which uses comparable sites from the TRICS database. It is forecast the proposal would generate up to 29 two-way vehicle trips (27 arrivals plus 2 departure) during the AM peak hour and up to 18 two-way vehicle trips (1 arrivals plus 17 departures) during the PM peak hour.
- 12.5 For HGVs, the forecast is up to 4 two-way trips during the AM peak hour, and 2 two-way trips during the PM peak hour.
- 12.6 The Local Highway Authority has assessed both the method used to calculate this trip generation and the resulting impacts on the highway network and have raised no objection as the impact on highway capacity or safety. It is noted the proposal would result in a reduction in vehicle movements compared to the extant planning permission P/09811/001. An extract from the submitted transport statement is provided below which illustrates the reduction in peak hour movements compared with P/09811/001:

Table 5.11 Net Total Vehicle Trip Generation

	AM (08:00-09:00)			PM (17:00-18:00)		
	Arrivals	Departures	Two-way	Arrivals	Departures	Two-way
Permitted Ref: P/09811/001	48	26	74	13	35	48
Proposed – B8 Warehousing Commercial	19	9	27	3	15	18
Proposed – B2 Industrial Unit	27	2	29	1	17	18
Net Total Vehicle						
Net (Permitted – B8 Warehousing)	-29	-17	-47	-10	-20	-30
Net (Permitted – B2 Industrial Unit)	-21	-24	-45	-12	-18	-30

National Highways (Highways England) have raised no objection and have requested to be consulted on an Operational Management Plan.

12.7 The application proposes to reduce number of existing accesses into the site from three to two. These have been assessed by the local highway authority who have commented the access points would be acceptable principle. However, a detailed design would need to take place through a highways agreement and include making good of redundant access along the site frontage and potential footway widening. These will need to be secured through a Section 106 agreement.

12.8 The proposal accommodates appropriate provision for servicing.

12.9 Based on the above, the access and trip generation would be acceptable.

12.10 *Parking:*

Part 3 of the Developer's Guide contains the following parking standards for new development in this location:

	Policy	Policy Requirement for 7,156m ²	Proposed
B2 Industrial			
Car Spaces	Min. 1 to 50sqm	143	59
Lorry Spaces	Min. 1 to 500sqm	14	9
Cycle spaces	Min. 1 to 250sqm	29	20
B8 Warehousing			
Car Spaces	Min. 1 to 200sqm	36	59
Lorry Spaces	Min. 1 to 500sqm up to 2,000sqm, then 1 to 1,000sqm	14	9
Cycle spaces	Min. 1 to 500sqm	14	20

12.11 Jupiter House and Valerie House contained 24 car parking spaces. The application proposes a total of 59 parking spaces (including 2 x wheelchair accessible bays). Based on the above, if the proposal were to comprise entirely of B2 Industrial floor space, there would be a shortfall in parking of 84 car parking spaces compared to guidance set out in the Developers Guide. However, a parking demand assessment has been submitted which estimates 54 – 58 vehicles will be parked on site based on the square floor area and survey data from similar B2 and B8 industrial sites. The local highway authority is satisfied this demonstrates enough parking is proposed in this location to prevent local road safety or operational reasons while also not overproviding.

12.12 The proposal does not meet the guidance for HGV parking however, the local highway authority has assessed this and based on the trip generation results, raised no objection in this regard.

12.13 Cycle parking comprising one secure store containing 20 spaces is proposed. The local highway authority has agreed this is acceptable, and details of the store should be secured by condition. It is noted that should a B2 use be implemented then there would be a shortfall of 9 cycle spaces. A condition should be imposed to ensure a further 9 cycle parking space are secured if a B2 use is implemented.

12.14 Based on the above, the parking on the site would be acceptable.

12.15 Conclusion:

Based on the above and having regard to the advice received from the local highway authority, the proposal is considered to be consistent with Core Policy 7 of the Local Development Framework Core Strategy and Policies T2, T8, EMP2 and EMP9 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework, subject to the completion for the section 106 to secure the requirement for the highways agreement (including new access and making good of redundant access along the site frontage), and Travel Plan Monitoring.

13.0 Air Quality

13.1 Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. Proposal should not result in unacceptable levels of air pollution. This is reflected in Paragraph 186 of the National Planning Policy Framework which also goes on to require any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

13.2 The Council has 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 is a material planning consideration, but it does not form part of the current local development plan.

13.3 The site is not located within a designated Air Quality Management Area. There are a number of Air Quality Management Areas within the vicinity site, both within Slough and within the neighbouring boroughs of Spelthorne and Hillingdon. An air quality assessment has been submitted which includes both the operational phase and the construction phase dust impacts and road traffic emissions.

13.4 The submitted air quality assessment concludes the traffic emissions during the operational phase would have no greater than a negligible impact on sensitive receptors (1% or less change in concentration relative to air quality assessment level). This is in accordance with the Institute of Air Quality Management Guidance. The proposal would not result in any exceedances of the relevant air quality objectives.

- 13.5 The submitted air quality assessment includes an assessment on dust emissions as a result of the construction phase and recommends a detailed and comprehensive mitigation strategy.
- 13.6 The Council's Environmental Quality Officer has reviewed the submitted air quality assessment and has agreed the proposal would have acceptable impacts on air quality. This subject to securing the following mitigation by condition and where appropriate the section 106:
- Securing the proposed 6 Electric Vehicle charging units to serve 12 parking spaces by condition
 - Securing a Construction Environmental Management Plan (CEMP) by condition to include noise mitigation, working hours incl. deliveries, control of surface water run off, appropriate hoarding, method of piling, non-road mobile machinery controls in line with table 10 of the LES Technical Report and all construction vehicles shall meet a minimum Euro 6/VI Emission Standard.
 - Securing the submitted the Method Statement Dust Mitigation Strategy
 - All heating systems shall meet the emission standards laid out in Table 7 of the LES Technical Report, secured by condition
 - The Travel Plan shall be monitored (via an obligation within the section 106).
- 13.7 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.

14.0 Surface water drainage

- 14.1 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.
- 14.2 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development.
- 14.3 The application includes a drainage strategy which sets out the general principles for SuDs surface water drainage system for the proposal. This has been assessed by the Lead Local Flood Authority who agree the strategy is acceptable; and have recommended a condition to secure the detailed design.
- 14.4 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.

15.0 Contamination

Paragraphs 183 of the National Planning Policy Framework require a site to be decontaminated so that it is suitable for its proposed use. This is reflected in Core Policy 8 of the Core Strategy.

- 15.1 The site is identified as being at risk of contamination. The Council's contaminated land officer has assessed the submitted environmental reports which have identified significant groundwater contamination in the north of the site. An option of remediation strategies are proposed which the Council's contaminated land officer has confirmed are all acceptable. A validation report is required to confirm the remediation has been carried out in accordance with the agreed details. This is secured by condition.
- 15.2 Based on the above, the proposal would comply with Core Policy 9 of the Core Strategy, and the requirements of the National Planning Policy Framework.

16.0 Impact on biodiversity and ecology

- 16.1 Paragraph 174 of the National Planning Policy Framework requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.
- 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. Approximately 120m to the south is the Wraysbury Reservoir Site of Special Scientific Interest and approximately 250m to the south-east is the Staines Moor Site of Special Scientific Interest.
- 16.3 The site sits within an Impact Risk Zone in relation to the Wraysbury Reservoir SSSI. The conservation objectives for the Wraysbury SSSI are to maintain and where required restore a number of bird species (wintering Cormorants including *Phalacrocorax carbo*, Great Crested Grebe *Podiceps cristatus* and Shoveler) of with particular reference to open water and surrounding marginal habitats. The Wraysbury Reservoir Impact Risk Zone scopes the types of developments which may affect the SSSI to:
- 'Large non residential developments outside existing settlements/urban areas where net additional gross internal floorspace is more than 1,000m² or footprint exceeds 0.2ha.'
 - 'Large infrastructure such as warehousing / industry where net additional gross internal floorspace is more than 1,000m² or any development needing its own water supply
- 16.4 The proposal is within an existing settlement and the net additional floorspace would exceed 1,000 square metres and would need its own water supply. The submitted ecology report notes the site being developed on existing urban land that has already been developed on and therefore the criteria of any of the categories of development for the risk to the Wraysbury reservoir SSSI is minimal. Thames Water have confirmed sufficient capacity is available to serve the development from the existing mains provision. As such no adverse effects would be anticipated in terms of water supply on offsite designations.

- 16.5 The Ecology Report asserts the proposal would be unlikely to cause adverse effects on the local ecology, when considering in the context of the existing use and neighbouring uses within an existing industrial estate and the statutory designations in the surrounding area.
- 16.6 Natural England have commented on the previous application (ref. P/09811/001) and stated that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. No comments have been received with regard to this application which is for similar uses.
- 16.7 In terms of on-site habitats, the existing site largely comprises existing vacant buildings and hardstanding, with small areas of planting / trees / shrubs. An ecological survey was carried out in March 2023 by the Applicant's Ecologist. No protected or notable species or habitats were observed. It is anticipated that the proposals would not result in the loss of any notable species or habitats at the site. It is therefore concluded the proposals would have a negligible impact on the ecology within the area. However, the Applicant's Ecologist does acknowledge that there is some potential for bird nesting at the site and has recommended the clearance of the potential nesting habitat does not take place during the bird-nesting season unless first being checked by an experienced ecologist, immediately prior to its removal. This should be secured by condition.
- 16.8 The proposed landscaping within the site would provide net gains in biodiversity. As assessment has been carried using the Defra Metric (v4.0), which has concluded 121% uplift in habitat units and a 100% uplift in hedgerow units.
- 16.9 Based on the above, the proposal would satisfy Core Policy 9 of the Core Strategy and the National Planning Policy Framework.

17.0 Flood risk

- 17.1 Small parts of the application site located in the south and southeast fall within Flood Zone 2 and 3 meaning there is a medium and high risk of fluvial flooding in these areas.
- 17.2 Paragraph 159 of the National Planning Policy Framework requires inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, making it safe without increasing flood risk elsewhere.
- 17.3 *Sequential Test:*

The proposed building would be sited outside of Flood Zones 2 and 3. Some engineering operations are proposed to create the access that would be sited within Flood Zones 2 and 3. However it is noted the levels would not be raised to accommodate this. As such, the proposal has used a sequential based approach within the application site to locate the parts of development which affect Flood Zones 2 and 3 to within a Flood Zone 1. This is considered a pragmatic approach

which appropriately directs development away from areas at highest risk of flooding.

17.4 *Exception Test:*

In accordance with the National Planning Policy Guidance, as the proposal is classed as 'less vulnerable', the exception test is not required.

17.5 *Paragraph 167 of the National Planning Policy Framework:*

Paragraph 167 of the National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed;
- e) and safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

17.6 The submitted flood risk assessment asserts that as the proposed building is located outside of Flood Zones 2 & 3, and given the ground levels within Flood Zones 2 & 3 would not be raised, the proposal would not increase flood risk elsewhere. This will need to be agreed by the Environment Agency.

17.7 The remaining parts of paragraph 167 are assessed in sequence below:

- a) As noted above the proposal is classed as 'less vulnerable', the vast majority of which, including the building itself, would be located in the lowest flood-risk area. Small parts of the access would be located within Flood Zones 2 & 3. Having regard to the position of the building outside of the higher risk areas, the location of the proposed accesses could not be notably repositioned outside of the flood zones 2 & 3. As such, overriding reason apply in this case.
- b) The proposed building would be located in within flood zone 1 and therefore flood resistant and resilient measures would not apply.
- c) As noted within the surface water drainage section, the proposal incorporates sustainable drainage systems.
- d) It is not envisioned that Flood risk would not be increased elsewhere (Environment Agency to confirm). The building would be located in flood zone 1. There is no adverse change in ground levels within the higher risk

areas. As such no residual risks are identified.

- e) The building would be located outside of Flood Zones 2 & 3. Parts of the hardstanding access areas would be sited in small areas of Flood Zones 2 & 3. These are transient areas where people will not be habiting. In the event of a flood, large areas of dry refuge are available within the site to the north and on the public footway to the west.

17.8 The Environment Agency who are a statutory consultee, have not responded to the local planning authority's consultation request. It is therefore recommended that should any matters raised by the Environment Agency are delegated back to planning officers to address.

17.9 Based on the above and subject to receiving a response from the Environment Agency and addressing any issues raised, the application would comply with the National Planning Policy Framework.

18.0 Sustainable Design and Construction

18.1 Core Policy 8 of the Core Strategy seeks to minimise the consumption and unnecessary use of energy; generate energy from renewable resources; and incorporate sustainable design and construction techniques. Paragraph 7.159 states proposals for non-residential development should achieve a BREEAM rating of "very good" or "excellent".

18.2 The Developers Guide Part 2 expects commercial development of 1,000 sqm or more to achieve low or zero carbon energy generation equivalent to approximately 10% of the developments carbon emissions as defined by the Building Emission Rate (Building Regs Part L). Proposal for less than 10,000 sqm or more are expected to achieve a BREEAM rating of very good.

18.3 The application has been submitted with an Energy Statement which proposes to achieve a 33% reduction in carbon emissions achieved by PV and solar thermal Panels. A BREEAM pre assessment has been undertaken which predicts an 'Excellent' rating. The proposal would therefore exceed requirements set out in the Developers Guide. Conditions are included to ensure are submitted before occupation.

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

19.0 Impact on Minerals and Waste

Surrey County Council as the Minerals and Waste Planning Authority have commented that they raise no objection to the proposed development subject to a number of matters being addressed. These are listed below, followed by an assessment by the Case Officer:

- Slough Borough Council being satisfied that the design of the proposed development gives sufficient consideration to and incorporates appropriate measures to ensure that it would not prejudice the operation or future

development of the existing mineral working and waste management facility at Hithermoor Quarry, Leylands Lane, Stanwell TW19 6AZ in accordance with Policy MC6 of the SMP and Paragraph 187 of the NPPF.

- Slough Borough Council being satisfied that the design of the development gives appropriate consideration to the MSA in proximity to the application site, and the prospect that these may be worked in the future, in order to prevent indirect sterilisation of the mineral resource in accordance with Policy MC6 of the SMP.

Case officer response: Hithermoor Quarry is located circa 700m to the southeast on the opposite side of the M25. The proposal is set away a sufficient distance to prevent any impact. As noted within this planning assessment, the traffic generation is considered to be acceptable.

- The Minerals and Waste Planning Authority recommend the imposition of a planning condition on any consent issued requiring the submission of a waste management plan to Slough Borough Council for approval prior to the commencement of the development. This plan should demonstrate that Construction, Demolition and Excavation Waste generated as a result of the development is limited to the minimum quantity necessary; and opportunities for re-use and recycling of Construction, Demolition and Excavation Waste is maximised in accordance with Policy 4 of the SWLP.

Case officer response: a waste management plan is added to the list of conditions. This will not include demolition waste as the precious buildings on the site have been demolished via the previous permissions (ref. P/09881/002).

- Slough Borough Council being satisfied that the development includes adequate facilities for waste storage and recycling during its operational phase, and that adequate controls exist to ensure that waste storage and recycling is maintained and managed for the life of the development, in accordance with Policy 4 of the SWLP

Case officer response: appropriate waste storage / recycling facilities are provided within the site. These are secured by condition and will be required to be retained for the lifetime of the development.

20.0 Section 106 Requirements

20.1 A Section 106 will be required for the following:

- a) To enter into a highways agreement for the highway works
- b) Dedication of private land as public highway if required by the Local Highway Authority
- c) To secure and monitor the travel plan

The above should be secured through a Section 106 Agreement before this planning permission is granted.

20.2 Based on the information assessed, such obligations are required to ensure the proposal would have acceptable impacts on the highway network in order to comply with Core Policy 7 of the Local Development Framework Core Strategy and Policies T2, T8, EMP2 and EMP9 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework. The obligations would comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that the obligations are considered to be:

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

21.0 Equalities Considerations

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

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

21.2 The proposal would provide a new employment facility that would provide employments opportunities. 2no. Wheelchair accessible parking spaces are proposed which is consistent with the Manual for Streets guidance. Wheelchair access from these spaces up to the main entrance can be achieved via the connecting footway where the door sets and internal corridors are appropriately sized for wheelchair accessibility. At ground floor a wheelchair accessible W.Cs. and showers. A lift to first floor is provided.

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

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

22.0 Presumption in favour of sustainable development

22.1 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.” The report identifies that the proposal would comply with all of the relevant policies in the Development Plan. The proposal would comply with the Development Plan and the NPPF when considered as a whole and should therefore be regarded as sustainable development. As such, the application is recommended for approval subject to conditions and completion of the section 106 agreement.

23.0 PART C: RECOMMENDATION

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

A) For approval subject to:-

- 1) receiving the consultation from the Environment Agency and addressing any issues raised that would not result in any substantive changes to the proposal;
- 2) the satisfactory completion of a Section 106 to secure the following:
 - a) To enter into a highways agreement for the highway works
 - b) Dedication of private land as public highway if required by the Local Highway Authority
 - c) To secure and monitor the travel plan
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) finalising conditions; and any other minor changes.

B) To return the application to the Planning Committee in the event that addressing any issues raised by the Environment Agency would result in any substantive changes to the proposal.

C) Refuse the application if the above have not been finalised by 19 March 2024 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

21.0 PART D: LIST CONDITIONS AND INFORMATIVES

Not yet finalised or agreed with the agent

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, drawings, and documents hereby approved by the Local Planning Authority:

- a) Drawing No. 0504 Rev P1; Dated 11/04/2023; Rec'd 27/04/2023
- b) Drawing No. 0601 Rev P13; Dated 11/07/2023; Rec'd 27/04/2023
- c) Drawing No. 1001 Rev P3; Dated 11/04/2023; Rec'd 27/04/2023
- d) Drawing No. 1003 Rev P2; Dated 11/04/2023; Rec'd 27/04/2023
- e) Drawing No. 1101 Rev P2; Dated 11/04/2023; Rec'd 27/04/2023
- f) Drawing No. 1102 Rev P2; Dated 11/04/2023; Rec'd 27/04/2023
- g) Drawing No. 1301 Rev P3; Dated 11/04/2023; Rec'd 27/04/2023
- h) Drawing No. 1002 Rev P3; Dated 11/04/2023; Rec'd 27/04/2023
- i) Drawing No. 0703 Rev P2; Dated 11/04/2023; Rec'd 27/04/2023
- j) Drawing No. 0704 Rev P3; Dated 07/07/2023; Rec'd 17/07/2023
- k) Drawing No. 0706 Rev P2; Dated 11/04/2023; Rec'd 27/04/2023

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

3. Ecology

The development hereby approved shall be carried out in accordance with the paragraphs 5.3.2. & 5.3.3. of the Ecological Assessment by Ecology Solutions (ref. 11329.EcoAss.vf1); Dated April 2023; Rec'd 27/04/2023.

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

4. Contamination

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

- a) Phase I Environmental Assessment (Project No. 7010678), dated 11th October 2022, and prepared by WSP UK Ltd.
- b) Outline Remediation Strategy (Ref. No. 70106611-ORS), dated June 2023, and prepared by WSP UK Ltd.

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

5. Contamination Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Outline Remediation Strategy (Ref. No. 70106611-ORS), dated June 2023, and prepared by WSP UK Ltd shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site-Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

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

6. Surface Water Drainage

Before any above ground works commence a detailed design of surface water drainage scheme for the site pursuant to the submitted flood risk assessment and based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed, maintained and retained thereafter.

The scheme shall include:

- i) Details (i.e., designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, and attenuation structures
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which will include a 10% allowance for

urban creep.

iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

iv) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.

v) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.

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

7. Drainage maintenance

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

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

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

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

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

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

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

8. Drainage Verification Report

No occupation or first use shall take place until the Verification Report for the installed surface water drainage system for the site based on the Flood Risk Assessment & Drainage Strategy Report Issue No. 3; Dated 19/04/2023 has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:

The report shall include:

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

The approved details shall be implemented prior to first occupation, maintained and retained thereafter.

REASON To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document policies, and the requirements of National Planning Policy Framework 2021.

9. Submission of construction waste measures

No development shall commence until a waste management plan for the construction phase has been submitted to and approved in writing by the Local Planning Authority. The waste management plan shall include measures to:

- a) Minimise, re-use and re-cycle waste and materials
- b) Dispose of unavoidable waste in an environmentally acceptable manner

The approved details shall be implemented during the course of building operations and the subsequent use of the buildings.

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

10. Construction Traffic Management Plan

Prior to any construction works (excluding demolition) taking place a Construction Traffic Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Plan shall include details of:

- a) A site set up plan displaying hoarding/fencing extents, vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries, site office and wheel cleaning facilities during the construction period.
- b) 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.

- c) 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.
- d) 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.
- e) Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
- f) Details of dust control measures and wheel washing facilities to be provided on site.
- g) 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 development hereby permitted shall thereafter be carried out in accordance with the approved Construction Traffic Management Plan.

REASON: To minimise danger and inconvenience to highway users and in the interest of air quality in accordance with Core Policy 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework.

11. Working Method Statement

No part of the development shall commence until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Control of noise
- b) Control of dust as set out in the Air Quality Assessment, Rev 4.0; by BWB; Dated 18/04/2013
- c) Control of water run-off
- d) Appropriate hoarding to site boundaries
- e) Proposed method of piling for foundations
- f) Construction working hours between 08:00 - 18:00 hrs Monday to Friday, 09:00 - 13:00 hrs on a Saturday and no working at all on Sundays or public holidays

The development hereby permitted shall thereafter be carried out in accordance with the approved Working Method Statement.

REASON In the interests of the amenities of the area in accordance with Core Policy 8 of The Core Strategy 2008, and the requirements of the National Planning Policy Framework.

12. Samples of materials

Prior to any construction works above ground floor slab taking place, a virtual materials pallet (including, reference to manufacturer, specification details, rust proofing, and positioning on building) to be used in the construction of external

envelope, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

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

13. Cycle Parking

The development hereby approved shall not be occupied until the following details of the secure cycle storage are submitted to and approved the Local Planning Authority:

- In the event of the building being used for storage and distribution purposes (use class B8); details 20 cycle parking spaces pursuant to the cycle storage shown on the approved plans, or;
- In the event of the building being used for Industrial purposes (use class B2); details 29 cycle parking spaces within a secure and covered store.

The approved cycle stores shall then be fully completed prior to first use/occupation and shall be retained thereafter.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of Core Strategy 2008, Policy T8 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework.

14. Energy Strategy

No part of the development shall be occupied until details pursuant to the Energy Statement for Planning, Rev F; by CPW; Dated 15/06/2023 of the location, quantity and performance of PV Panels and Solar Thermal Panels, to achieve at least 33 % of the developments carbon emissions as defined by the Building Emission Rate (Building Regs Part L).

The approved details shall be fully installed in full order prior to first occupation and retained in good working order at all times in the future.

REASON In the interest of sustainable development in particular reducing carbon emissions and to ensure the proposal would align with Heathrow Safeguarding requirements in accordance with policy 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework.

15. Noise mitigation

No part of the development shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) Acoustic barrier pursuant to Figure 2 of the Response to Environmental Health Comments – Noise, Rev p01; Ref. 232244_CR_001; Dated 07/07/2023
- b) Method of noise monitoring and recording of results during operation to proactively control noise levels in accordance with those set out in the Response to Environmental Health Comments – Noise, Rev p01; Ref. 232244_CR_001; Dated 07/07/2023

The acoustic barrier shall be fully installed in accordance with the approved details prior to first use/occupation of the development hereby approved and be retained in good working order at all times in the future.

The approved noise monitoring shall be carried in accordance with the approved details for the lifetime of the development hereby approved. Full details and copies of the monitoring results shall be made available upon request from the Council.

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

16. Operational Management Plan

Prior to the first occupation of development hereby permitted an Operational Management Plan (OMP) shall be submitted and approved in writing by the Local Planning Authority (in consultation with National Highways). The OMP will include measures to minimise operational vehicle movements during peak periods.

Reason: To minimise any adverse impact from the development on the M25 Motorway and to ensure that it 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.

17. Sustainable Development Design Stage Certificate

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

REASON In the interest of sustainable development in accordance with policy 8 of the Core Strategy of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021.

18. Sustainable Development Post-Construction Review Certificate

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

Authority.

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

19. Plant

Prior to the installation of any plant, full specification details including any attenuation demonstrating compliance with the assumptions set out in the Noise Impact Assessment Rev 4; Ref. XXX-BWB-ZZ-ZZ-RP-YA-0001_NIA_S1_P04; Dated 19/04/2023 shall be submitted to and approved in writing by the Local Planning Authority.

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

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance. In accordance with Policy EN1 and EMP2 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the National Planning Policy Framework 2021.

20. Boundary treatment

Prior to the development hereby approved first being brought into use the boundary treatment shall be fully completed in accordance with the approved plans and be retained as such at all time in the future.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Core Strategy 2008 and the requirements of the National Planning Policy Framework 2021.

21. EV Charging

No part of the development shall be brought into use until at least 12 electric vehicle charging bays with 6 electric vehicle charging points shall be implemented in full working order. The EV charging points must have at least a 'Type 2' sockets, be Mode 3 enabled EV charging units and be rated at least 7.4Kw 32 amp to 22Kw 32 amp (single or 3 phase). The active electric vehicle charging bays and points shall be installed and maintained in accordance manufacturer's requirements prior to first occupation, and be made available at all times in the future in association with the development hereby permitted.

Underground ducting and cable provision to provide a passive supply for the remaining car parking spaces shall be installed prior to first occupation.

REASON: In the interest of ensuring satisfactory parking provision and the provision of sustainable modes of transport for occupiers of the development 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.

22. Landscaping and net gains in biodiversity.

The following approved landscaping scheme shall be carried out no later than the first planting season following completion of the development:

a) Drawing No. 1000 Rev 04; Dated 11/07/2023; Rec'd 12/07/2023

Following the implementation of the above landscaping scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority. The landscaping scheme shall thereafter be permanently retained for the stated purposes of net gains in biodiversity.

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

23. Landscape management plan

The development hereby approved shall be carried out in accordance with the Landscape and Ecological Management Plan by Stephenson Halliday; Dated 31/03/2023 for the lifetime of the development.

REASON To ensure the long term retention of landscaping within the development and to provide net gains in biodiversity in accordance with Core Policy 8 and 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework 2021.

24. External Site Lighting

No lighting shall be provided at the site other than in accordance with the external lighting scheme set out External Lighting Report Rev P03 by CPW; Dated 18/04/2023.

REASON In the interests of the amenities of the area and to comply with Core Policy 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021.

25. Vehicle access gates

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

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

26. 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 and E(g)(i) of the Town and Country Planning (Use Classes) Order 1987 as amended (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.

27. 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.

28. 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 B2 and / or 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.

29. 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.

30. Facilities

No part of the development shall be occupied until the W.C and shower facilities as shown on the approved plans have been provided for the future occupiers. The W.C and shower shall be made available for all employees of each unit and retained in good working order at all times in the future.

REASON: To facilitate sustainable modes of travel to the development hereby permitted such as walking, cycling, jogging and thereby reducing travel by car in accordance with Core Policies 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021.

31. Gas-fired boilers emissions

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

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

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

32. Parking

The car parking spaces, loading bays, roadways, and manoeuvring areas as shown on the approved plans shall be provided prior to first use/occupation of the development hereby approved and be retained at all times in the future for such

purposes.

REASON: To ensure that adequate on-site parking provision, access, and manoeuvring space is available to serve the development in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Slough 2004 and the National Planning Policy Framework 2021.

33. Bin Store

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

REASON: To ensure that adequate on-site parking provision, access, and manoeuvring space is available to serve the development in accordance with Core Policy 7 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 National Planning Policy Framework 2021.

34. Access

The means of access pursuant to the approved plans and as agreed through a highways agreement with the Local Highway Authority shall be fully completed prior to first occupation of the development hereby approved.

REASON: To ensure that adequate access, is available to serve the development in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Slough 2004 and the National Planning Policy Framework 2021.

35. Forklift Restriction

During the operational phase and for the lifetime of the development, no more than one forklift shall be in operation at any one time during the night time (23:00 - 07:00hrs) and weekends.

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

INFORMATIVE(S):

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. The Local Planning Authority has worked with the applicant in a positive and proactive manner through requesting amendments. 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. Planning Obligations

An Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.

3. Highways:

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

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.

4. Soakaways:

The site does not sit within proximity to a watercourse nor does there appear to be a public surface water sewer located in Horton Road. Due to the high recorded groundwater levels at the site, infiltration devices such as soakaways are not deemed acceptable.

5. Thames Water:

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

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.

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.

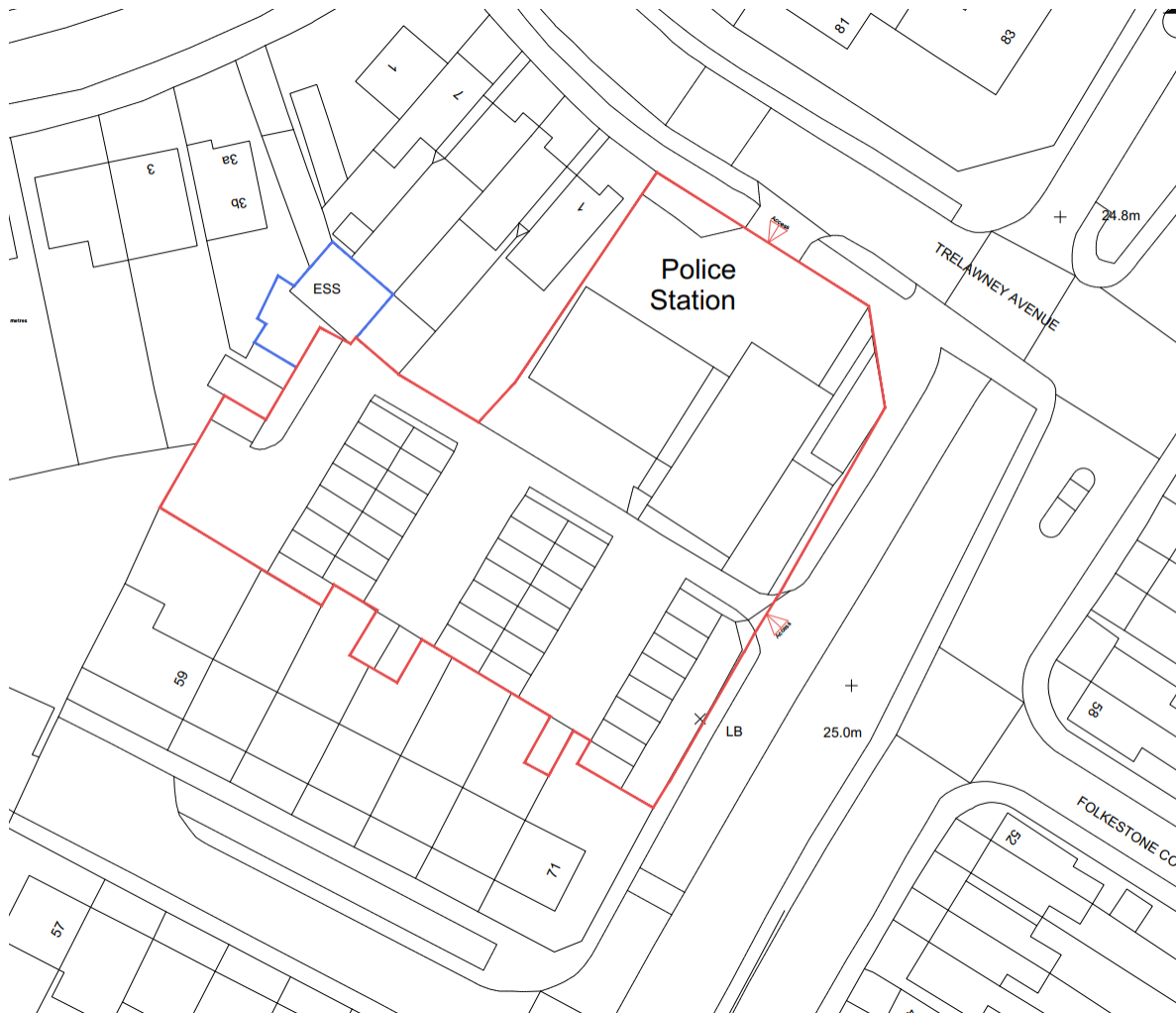
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

6. Aircraft Safeguarding

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

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Officer:	Shivesh Seedhar	Ward:	Langley Foxborough
Applicant:	Elstree Land	Pre-Application:	Major
Agent:	Savills		
Location:	Former Langley Police Station, Langley, Slough		
Proposal:	The demolition of the existing structure to facilitate the erection of a new two storey plus loft space building and three storey plus loft space building to provide of 29 residential units comprising 4 x three-bed cluster homes, 2 x two-bed coach homes and 23 x self-contained apartments, with associated car parking, amenity spaces, balconies, refuse/cycle storage and access.		



PRE-APPLICATION PRESENTATION

Introduction:

The applicant has entered into pre-application discussions with Slough Borough Council Planning Officers regarding the redevelopment of the land which comprises a three-storey detached building formerly used as Langley Police Station, and approximately 40 single garages which are a single storey on the corner of Trelawney Avenue and High Street, Langley, Slough.

The Applicant (Elstree Land) is seeking advice for a residential development on the site which comprises the erection of three buildings which will comprise of 4 cluster three-bedroom, four-person houses, two storeys in height with a pitched roof, 2 two-bedroom, three-person coach houses with a pitched roof, and 23 apartments within a three-storey building with a pitched roof. The mix of apartments within this building would comprise of:

- 7 one-bedroom, two-person units;
- 4 two-bedroom three-person flats and
- 12 two-bedroom, four-person units.

To date, one pre-application planning meeting has been held. The Applicant subsequently has submitted revised plans to the Council to respond to the issues raised by officers at the pre-application meeting. Discussion on the proposal are ongoing.

The Site and Surroundings:

The application site comprises of a three-storey detached building which was formerly used as Langley Police Station, and approximately 40 single garages which are single storey. The site has been vacant since July 2018. The site is located on the corner of Trelawney Avenue and High Street Langley.

To the east of the site is an access road along High Street Langley, which is an adopted Highway. This access road is accessible via High Street Langley. There are bollards along High Street Langley blocking vehicular access from Trelawney Avenue. Further east of the site is High Street. It is noted here, there is a crossroads junction on the corner of Trelawney Avenue and High Street Langley. There is no pedestrian crossing within this location, however there is a set of traffic lights.

To the south of the site along High Street Langley are a number of two-storey, terraced, residential properties with pitched roofs. The rear walls and rear gardens of these properties face onto the south of the site. To the west, there are a number of two-storey, terraced, residential properties with pitched roofs along Trelawney Avenue. The site would face to the flank of the end of terrace property along Trelawney Avenue (No.3) and the flank of the associated rear garden.

Within the immediate surrounding area, the area is predominantly residential in character, with the properties along Trelawney Avenue, High Street and High Street Langley comprising of two storey, terraced and semi-detached dwellings with pitched roofs. The nearest amenities (commercial retail, Dental Care Practice, GP Practice), and Langley Village District Centre are located 1288m away north of the site within

High Street. Langley Train Station which runs Crossrail train services between Reading and Abbey Wood is located 1610m away. The site is not located within a Conservation Area and is located within Flood Zone 1. The site is also in very close proximity to Holy Family Catholic Primary School.

Site History:

P/08979/000	Change of use from second floor staff flat to office accommodation and additional car parking area in existing rear garden (as amended 11.09.91).	Approved with conditions	18-Sep-1991
P/08979/001	Erection of a portable building for a temporary period (retrospective)	Approved with conditions	04-Feb-2004
P/08979/002	Demolition of the existing garages, alterations to the existing entrance / egress from Trelawney Avenue, and redevelopment of the existing site to include - conversion of the former police station (sui generis) to residential accommodation (10 x studio units), construction of 2 x 3 bedroom and 1 x 2 bedroom family units and a 1 x 6 bedroom HMO unit with associated car parking, cycle parking, refuse store and landscaping.	Approved with conditions	22-Jan-2021

The Proposal:

The proposals are for the redevelopment of the vacant site, which comprises of a three-storey detached building, and approximately 40 single garages which are a single storey.

The development is split into three buildings, which includes 2 x 2 two-bedroom, three-person coach houses comprising of two-storeys with accommodation provided within the pitched roof (containing front and rear dormers), 4 x three-bedroom cluster homes for four-persons comprising of two storeys each with accommodation provided within the pitched roof (containing front and rear dormers) and private garden amenity space for each dwelling, and, 23 x 1 and 2 bedroom apartments within a three-storey building with a pitched roof. The mix of apartments within this building would comprise of 7 x one-bedroom two-person units, 4 x two-bedroom three-person flats and 12 x two-bedroom four-person units with accommodation provided within the pitched roof (containing front and rear dormers). Amenity space for the apartments is provided by way of terraces and balconies to each apartment.

A total of 38 car parking spaces are proposed as part of the car parking provision on site (a parking ratio of 1.3 spaces per dwelling). The applicant is intending to provide 23 of the 29 units for affordable rent, which offers 79% of the total units as a contribution towards affordable housing.

Officer:	Alex Harrison	Ward:	Langley Marish
Applicant:	Elstree Land	Pre-Application:	Major
Agent:	Savills		
Location:	Former site of 'The Merrymakers' Public House, Meadow Road, Slough, SL3 7QA		
Proposal:	Redevelopment of the vacant site to provide 53 new residential dwellings, associated car parking, and landscaping.		



PRE-APPLICATION PRESENTATION

Introduction:

The applicant (Elstree Land) has entered into pre-application discussions with Slough Borough Council Planning Officers regarding the redevelopment of a currently vacant site that was formerly occupied by the Merrymakers Pub and a number of bungalows that fronted Trelawney Avenue. The site is cleared and enclosed with hoardings.

The site is owned by the Council and has previously received a Member resolution to grant planning permission (S/00745/000) for redevelopment proposals to provide a public library and residential units subject to the completion of a Section 106 Agreement that was not finalised and the application has been subsequently withdrawn. There was also an application (S/00745/001) which was also withdrawn for an alternative proposal to redevelop the site to provide a public library and elderly care units. These references are set out below within the planning history section of this report.

The current pre-application submission seeks to redevelop the site to provide 53 new residential dwellings, associated car parking, and landscaping.

To date, one pre-application planning meeting has been held. Discussion on the proposal are ongoing.

The Site and Surroundings:

The application site is a cleared area of land that sits to the south of Trelawney Avenue and east of Meadow Road. It is currently boarded on all boundaries. Previously, the site contained a terrace of 6no bungalows that fronted Trelawney Avenue, The Merrymakers Public House and associated parking and garden which fronted Meadow Road and a number of Council garages. The site is approximately 0.6ha in size and is located within Flood Zone 1.

The site is located east of Slough Town Centre and is within the village of Langley, located approximately 1km south of Langley railway station and is adjacent to Kedermister Park.

In terms of surroundings, the land uses immediately adjacent the site comprises residential flats and houses with the predominant house type being two storey terraced dwellings although there are variations in the area with 3 storey flat blocks apparent.

To the northeast of the site lies a local centre, characterized by 3 storey buildings which provides a number of retail units at ground floor with maisonettes above.

The site is cleared of all buildings, but some trees remain on the eastern boundary of the site. The site is not within a Conservation Area nor within an area designated within the Local Plan or Core Strategy.

Site History:

S/00745/000

Construction a mixed use development including a community hub, council offices (use class E), library (use class F.1), community space (use class F.1), construction of 4 residential units (use class C3) and 20 Sheltered Housing units (use class C2), parking and landscaping works.

Resolution to grant at Planning Committee meeting of 10 February 2021 (section 106 agreement was pending) but now withdrawn.

S/00745/001

Construction a mixed use development including a community hub, comprising Council offices (use class E), library (use class F.1), community space (use class F.1) and 21 residential units (use class C3), parking and landscaping works.

Withdrawn without resolution.

The Proposal:

The proposals are for the redevelopment of the vacant site to provide 53 new residential dwellings, associated car parking, and landscaping.

The development is shown to be split into a number of blocks with a principal building at the corner of Trelawney Avenue and Meadow Road and two further frontage blocks onto Meadow Road. The main building is 3.5 storeys in height with the other two dropping to 3 and then 2.5 storeys as you progress along the road. Within the site are two further blocks that appear to be 2 storeys in scale.

The indicated housing mix is set out as follows:

Apartments

- 11no – 1-bed apartments
- 22no – 2-bed apartments

Houses

- 3no – 2-bed houses
- 17no – 3-bed houses

A total of 60 car parking spaces are proposed as part of the car parking provision on site (a parking ratio of 1.1 spaces per dwelling). The applicant is intending to provide policy compliant affordable housing in terms of both quantum and tenure.

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REPORT TO: PLANNING COMMITTEE

DATE: July 2023

PART 1

FOR INFORMATION

Planning Appeal Decisions

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

WARD(S)	ALL	
Ref	Appeal	Decision
2020/00149/ENF	5, Essex Avenue, Slough, SL2 1DP Additional single storey extension and self contained outbuilding	Appeal Dismissed 23 rd June 2023
2020/00245/ENF	118 Hawthorne Crescent Self contained outbuilding being rented	Appeal Dismissed 23 rd June 2023
2020/00664/ENF	32, Knolton Way, Slough, SL2 5TB The erection of a self-contained outbuilding	Appeal Dismissed 23 rd June 2023
P/19514/003	26, Farnburn Avenue, Slough, SL1 4XT Construction of a single storey front and side extension, part single, part two storey rear extension and loft conversion with 2no rear dormers and 2no front rooflights In relation to the above scheme, it was noted from the previously refused scheme P/19514/002 which was dismissed at appeal, The Inspector stated that: "I agree with the Appellant, Mr Mahmood, that the design and finishes of the resulting enlarged dwelling would be generally sympathetic to those of the existing house and its immediate neighbours. The side extension when seen from the road would also be acceptably subordinate to the main house and be built with matching brickwork, rendered finish and have matching roof tiles. The considerable increase in the size of the house caused in part by the expansion of the volume of the roof, resulting in a flat section on top, (described by the Council as a flat crown measuring 3.6 metres deep), would not easily be seen from directly in front of the house. However, this substantial increase in the bulk of the house could be seen from the sides." It was officers interpretation from this that the first floor rear extension would result in a substantial increase in	Appel Granted 13 th July 2023

the bulk of the house to the rear. It was also considered that the inspector had not commented on whether this element, the front extension and roof would be harmful. Officers had considered that a full width front extension would be in keeping with the character of the area, given the proximity to the neighbouring 24 Farnburn Avenue which included a bay window as per the existing designs. Furthermore, in design terms, the ground floor rear extensions did not comply with design guidelines or previous prior approvals. This is considered to also be the case with the first floor roof extension which width wise exceeded 50% of the width of the original dwelling, failing to comply with DP3 of the residential design guidelines. The proposed roof also was not of the typical roof typology in the area, and would be appear out of scale and detrimentally conflict with character and appearance immediately adjoining dwellings. Officers had reviewed the sites referred to within the submitted planning application, where it is asserted similar development within the street has been approved. However, while there may be some similarities in some aspects, the developments as a whole or the sites themselves are not directly comparable with the proposal, nor do they define the predominant character of the area. Furthermore, it was considered that the enlargements would have potentially harmful impacts to the residential amenity of the occupiers of No.24 Farnburn Avenue as a result of the added bulk and scale.

With respect to the Inspectors decision, it was considered in their view that, whilst a full width front extension would be full width, it is reflective of similar styled single storey projections to the front elevations of other properties along the street, it would not appear odd or unusual in this context. Although it was agreed that the roof enlargements would be bulky, it would be reflective of No.32 Farnburn Avenue which was of a similar design. The appeal proposal would also retain physical gaps between the appeal property and the neighbouring buildings on either side, this would prevent the terracing effect that would have resulted from the proposal presented in the previous appeal. The proposed alterations to the rear of the building would be predominately out of view from public vantage points, and where visible, would be perceived in the context of similar alterations to the rear of other properties along Farnburn Avenue. As a result, the Inspector did not feel these additions were incongruous. Following officers visit to the site, due to the single storey nature of the proposals, the recently removed outbuildings that existed upon the site boundary, alongside the retention of an open outlook over the rear garden of No. 24, it was felt by the inspector that that No.24 would retain a good standard of living environment both internally and externally for existing and future occupiers.



Appeal Decision

Site visit made on 8 June 2023

by **J Evans BA(Hons) AssocRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 July 2023

Appeal Ref: APP/J0350/D/23/3321170

26 Farnburn Avenue, Slough SL1 4XT

- 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 Kasar Mahmood against the decision of Slough Borough Council.
 - The application Ref: P/19514/003, dated 7 February 2023, was refused by notice dated 14 April 2023.
 - The development proposed is described as the construction of a single storey front and side extension, part single, part two storey rear extension and loft conversion with 2no rear dormers and 2no front rooflights.
-

Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey front and side extension, part single, part two storey rear extension and loft conversion with 2no rear dormers and 2no front rooflights in accordance with the terms of the application Ref: P/19514/003, dated 7 February 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; 26 Farnburn Avenue Slough Sections and Block Plans; 26 Farnburn Avenue Slough Existing Elevations; 26 Farnburn Avenue Slough Existing Layout plans; 26 Farnburn Avenue Slough Proposed Elevations; and 26 Farnburn Avenue Slough Proposed layout plan.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed on the east elevation.

Application for Costs

2. An application for costs was made by Mr Kasar Mahmood against the decision of Slough Borough Council. This application is the subject of a separate decision.

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

Preliminary Matters

3. I have amended the description from the original application form to reflect the description from the decision notice and on the appeal form, as I consider this better reflects the proposal before me.
4. This appeal follows a previous unsuccessful appeal¹ (the previous appeal). Due to how recently this decision was issued and the similarities between the previous appeal and the current appeal proposal, the previous appeal is of relevance in my considerations. Nonetheless, I have determined the proposal before me on its particular merits.

Main Issues

5. The main issues are the effects of the proposal on:
 - the character and appearance of the area; and,
 - the living conditions of existing and future occupiers of neighbouring dwellings.

Reasons

Character and appearance

6. The appeal property is a detached two storey dwelling situated part way along Farnburn Avenue. Whilst properties along the street are predominately two storey and have a similar plot size, there are a number of variations with form, massing and overall design. As a result, there is no prevailing building style.
7. The proposal seeks to extend the appeal property to the front, side and rear, alongside seeking adaptations to the roof to provide accommodation in the loft space.
8. The previous appeal at the site included a proposed two-storey side extension. This has been reduced to a single storey scale as part of this appeal, seeking to address the concerns raised by the Inspector regarding the potential for a terracing effect, due to the then proposed two-storey form occupying the width of the appeal site. Otherwise, the proposal largely reflects the scheme that was considered under the previous appeal.
9. The proposed front extension would be of a modest lean-too style and would in part replace an existing bay window and porch overhang. Whilst this extension would run across the entirety of the front elevation of the host dwelling, it is reflective of similar styled single storey projections to the front elevations of other properties along the street, it would not appear odd or unusual in this context.
10. The proposed side extension would represent a subservient addition replacing a garage, in my view this would result in a visual improvement over what exists at present as perceived from Farnburn Avenue.
11. Turning to the proposed enlargements to the roof, I agree with the comments of the previous Inspector, that the increase in bulk of the house would be seen from the sides. However, the design approach proposed would be generally reflective of the form and massing of the roofline of No. 32 Farnburn Avenue,

¹ APP/J0350/D/22/3305564 dismissed on 27 January 2023

for which the side elevation of the appeal property when viewed from the east would be perceived against. There are also a number of other properties in the immediate area to the appeal site that have a similar overall scale and massing. The appeal proposal would also retain physical gaps between the appeal property and the neighbouring buildings on either side, this would prevent the terracing effect that would have resulted from the proposal presented in the previous appeal. As a consequence, I am satisfied that these alterations would have an acceptable effect upon the characteristics of the appeal property and its surroundings.

12. The other proposed alterations to the rear of the building would be predominately out of view from public vantage points, and where visible, would be perceived in the context of similar alterations to the rear of other properties along Farnburn Avenue. Therefore, these alterations will not appear incongruous.
13. For the above reasons, I am satisfied that the proposal would not appear out of place with the prevailing characteristics of the appeal property and that of the wider street scene.
14. As a result, the appeal proposal would accord with Policies EN1, EN2 and H15 of the Local Plan for Slough (the LP) and Core Policy 8 of the Core Strategy (the CS) and the Residential Extensions Guidelines Supplementary Planning Document (the Extensions SPD). These collectively, amongst other matters, require development to be of a high standard of design which are compatible with their context and immediate surroundings. The proposal would also align with paragraph 130 of the National Planning Policy Framework (2021) (The Framework), which amongst other matters requires development to be sympathetic to local character and history, including the surrounding built environment.

Living conditions

15. The appeal proposal would bring a single-storey form adjacent to the side elevation and rear garden of No.24 in a similar position to a recently removed store outbuilding and domestic garage. No.24 does not have openings fronting towards the appeal site but has windows facing over its rear garden.
16. Following my visit to the appeal site, and viewing the relationship with No. 24, due to the single storey nature of the proposals, the recently removed outbuildings that existed upon the site boundary, alongside the retention of an open outlook over the rear garden of No. 24, I am satisfied that No.24 will retain a good standard of living environment both internally and externally for existing and future occupiers.
17. Turning to the effects upon No.28, I agree with the Council that due to the existing relationship that exists between the appeal property and No. 28, alongside the separation distances and the presence in part of existing intervening extensions, this property will also retain a good standard of living environment as a consequence of the appeal proposal.
18. Therefore, I find that the living conditions of existing and future occupiers of neighbouring properties would be satisfactorily safeguarded. On this issue, I find no conflict with Policies EN2 and H15 of the LP, which amongst other matters require that extensions should not result in the significant loss of light,

create significant overshadowing or have a significant adverse effect on the amenity of adjoining occupiers. The proposal would also accord with paragraph 130 of the Framework, which amongst other matters requires development to provide a high standard of amenity for existing and future users.

Conditions

19. The standard time limit is required together with a condition listing the plans in the interests of certainty. I have also included a condition that requires the external materials to be used, to match those on the existing building. I also agree with the Council that in the interest of the existing and future living conditions of the occupiers of No. 24 Farnburn Avenue, it is necessary to remove permitted development rights in relation to window openings on the east elevation fronting towards this property.

Conclusions

20. For all the above reasons, having regard to all matters raised, I conclude that the appeal should be allowed.

J Evans

INSPECTOR

MEMBERS' ATTENDANCE RECORD 2023/24
PLANNING COMMITTEE

COUNCILLOR	31/05 cancel led	28/06	26/07	27/09	25/10	29/11	20/12	31/01	28/02	27/03	24/04
Iftakhar		P									
Manku		P									
Carter		Ap									
Mann		P									
Gahir		P									
Khawar		P									
Naveed		Ap									
Satti		Ap									

P = Present for whole meeting
 Ap = Apologies given

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

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