

Date of issue: Tuesday, 19 March 2024

<b>MEETING</b>	<b>PLANNING COMMITTEE</b> (Councillors Iftakhar (Chair), Stedmond, Carter, Gahir, Khawar, Mann, Naveed and Satti)
<b>DATE AND TIME:</b>	WEDNESDAY, 27TH MARCH, 2024 AT 7.00 PM
<b>VENUE:</b>	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL
<b>DEMOCRATIC SERVICES OFFICER:</b> (for all enquiries)	MANIZE TALUKDAR 07871 982 919

NOTICE OF MEETING

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



**STEPHEN BROWN**  
Chief Executive

**AGENDA**

**PART 1**

**AGENDA**  
**ITEM**

**REPORT TITLE**

**PAGE**

**WARD**

**APOLOGIES FOR ABSENCE**

**CONSTITUTIONAL MATTERS**

1. Declarations of Interest

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



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Guidance on Predetermination/Predisposition - To Note	1 - 2	--
3.	Minutes of the Last Meeting held on 28 February 2024	3 - 6	ALL
4.	Human Rights Act Statement	7 - 8	--
<b>PLANNING APPLICATIONS</b>			
5.	P.01158.046 - 19-25, Lansdowne Avenue, Slough, SL1 3SG  <i>Officer's recommendation: Delegate the planning application to the Planning Group Manager for approval.</i>	9 - 114	Elliman
6.	P/03596/074 - Verona 2, 50, Wellington Street, Slough, SL1 1YL  <i>Officer's recommendation: Delegate the planning application to the Planning Group Manager for refusal.</i>	115 - 174	Slough Central
7.	P/04628/030 - Haymill Centre, Littlebrook Avenue, Slough, SL1 6LZ  <i>Officer's recommendation: Delegate the planning application to the Planning Group Manager for approval.</i>	175 - 220	Northborou gh & Lynch Hill
8.	P/20369/000 - Car Park R/O, 198, High Street, Slough, SL1 1BN  <i>Officer's recommendation: Delegate the planning application to the Planning Group Manager for refusal.</i>	221 - 272	Herschel Park
<b>MATTERS FOR INFORMATION</b>			
9.	Development Management Performance	273 - 276	ALL
10.	Section 106 Report	277 - 280	ALL
11.	Members Attendance Record	281 - 282	--
12.	Date of Next Meeting		--

24 April 2024.



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 February, 2024.**

**Present:-** Councillors Iftakhar (Chair), Stedmond (Vice-Chair), Carter, Gahir, Khawar, Mann and Naveed

**Also present under Rule 30:-** Councillors Muvvala, I. Ahmed and Dhillon

**Apologies for Absence:-** Councillor Satti

**PART I**

**68. Declarations of Interest**

No declarations were made

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

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

**70. Minutes of the Last Meeting held on 23 January 2024**

**Resolved** – That the minutes of the meeting held on 23 January 2024 be approved as a correct record.

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

The Human Rights Act Statement was noted.

**72. 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 consideration of the planning applications.

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

Application P/09190/038 - Upton Hospital, Albert Street, Slough, SL1 2BJ – a representative of Frimley NHS; and Councillor Muvvala addressed the Committee.

Application P/01615/007 - Former Merrymakers Public House and Former Bungalows, Slough, SL3 7QA – the agent; and Councillor Muvvala addressed the Committee.

## Planning Committee - 28.02.24

**Resolved** – That the decisions taken in respect of the planning applications as set out in the minutes below, be 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.

### 73. P/09190/038 - Upton Hospital, Albert Street, Slough, SL1 2BJ

Application
Full planning permission for the development of a new Community Diagnostic Centre with associated access, parking, landscaping and associated works
Decision
Delegated to the Planning Manager for approval, subject to resolution of outstanding transport/highway, land contamination and drainage matters, finalising of conditions, and any other minor changes.

### 74. P/01615/007 - Former Merrymakers Public House and Former Bungalows, Slough, SL3 7QA

Application
Redevelopment of the site to provide 53 no. residential dwellings (Use Class C3) comprising self-contained flats and houses along with associated car parking, access, landscaping, and other associated infrastructure
Decision
Delegated to the Planning Manager for:  A) Approval subject to:  (i) The satisfactory completion of a Section 106 Agreement to secure affordable housing, education contribution and highways works (vehicle access junctions, proposed loading bays and footway connections to the site, via a Section 278 agreement) which are required to mitigate the impact of the development. (ii) Finalising conditions and any other minor changes.  Or:  B) Refuse the application if the completion of the Section 106 Agreement was not finalised by 31 August 2024 unless a longer period was agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.

### 75. Planning Appeal Decisions

Members received and noted details of planning appeal decisions since the last meeting.



## **Planning Committee - 28.02.24**

### **76. Members Attendance Record**

Resolved – that the record of Members' attendance for the 2023/24 municipal year be noted.

### **77. Date of Next Meeting**

The date of the next meeting was confirmed as 27 March 2024.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.22 pm)

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

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

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

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

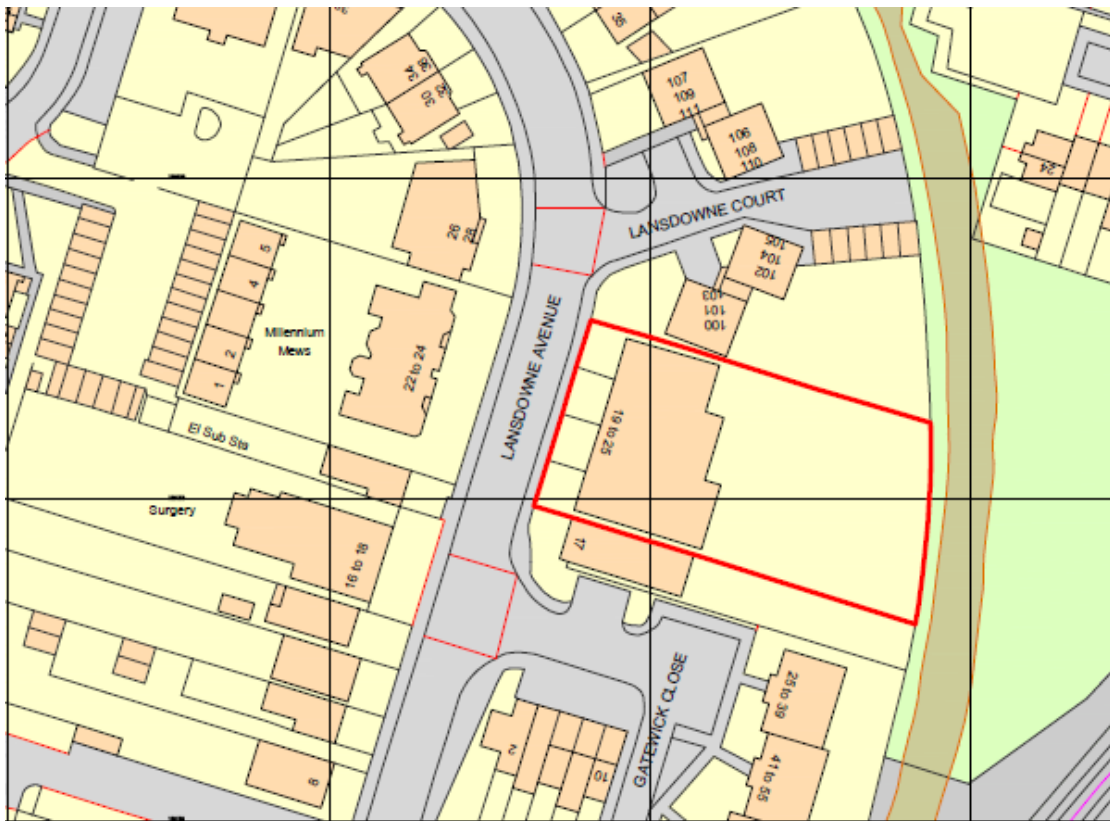
	<b>OLD USE CLASSES – Principal uses</b>
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel,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

	<b>OFFICER ABBREVIATIONS</b>
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:	31-Oct-2023	Application No:	P/01158/046
Officer:	Michael Scott	Ward:	Elliman
Applicant:	SWASTIK HOLDINGS LIMITED	Application Type:	Major
		13 Week Date:	26 December 2023 [EoT: 05 Apr 2024]
Agent:	GA&A Design 10-14, Bath Road, Slough, SL1 3SA		
Location:	19-25, Lansdowne Avenue, Slough, SL1 3SG		
Proposal:	Variation of conditions 2 (Approved Plans) and 19 (Secured by Design) of planning permission P/01158/037 dated 13/10/2023 for the construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space (involving amendments to Block B to remove the pitched roofs on the third and fourth floor and replace with brickwork, cladding and flat roofs).		

**Recommendation:** Delegate to Planning Group Manager for approval



## **P/01158/046**

### **1.0 SUMMARY OF RECOMMENDATION**

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

1) For approval subject to: the satisfactory completion of a Deed of Variation to the extant section 106 agreement to ensure financial contributions towards a policy compliant contribution to off-site affordable housing, as set out in section 20.0 above in this report, finalising conditions, and any other minor changes.

2) Refuse the application if a satisfactory section 106 Agreement is not completed by 30<sup>th</sup> September 2024, unless otherwise agreed by the Planning Manager in consultation with the chair of the Planning Committee.

1.2 The proposal comprises a variation to an approved major planning application, submitted under Section 73 (s.73) of the Planning Act; therefore the development is required to be determined by Slough Borough Council Planning Committee.

### **PART A: BACKGROUND**

#### **2.0 Proposals**

2.1 This application is submitted under Section 73 of the Town and Country Planning Act 1990 as amended. S.73 allows for applications to be made for permission to develop without complying with a condition or conditions previously imposed on a planning permission. The Council can grant such a permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original conditions should remain.

2.2 In this instance the applicant has sought to apply for permission under s.73 to vary a previously approved scheme at the site which was granted by Members under reference: P/01158/037 following a resolution to approve at the Committee meeting of 21 December 2022 with the decision notice issued on 13 October 2023. That planning permission is for the same content as per this submission with only changes to vary the form of the approved buildings.

- 2.3 The variations sought through this application are amendments to the external form of Building B – the block to the rear of the site i.e. furthest from the public highway – with changes entailing the omission of the approved pitched roofs at 3<sup>rd</sup> and 4<sup>th</sup> floor levels and substitution with brickwork, cladding and flat roofs. There are detailed changes to the elevations and a change of profile of the proposed block in terms of its side profile. The overall height does not change from that previously approved.
- 2.4 Additionally, the submission seeks to change the trigger for submission of details to discharge condition 19 (Secured by design) of P/01158/037. Currently this requires the matter to be discharged prior to any development above ground floor slab being commenced. They seek to amend this to prior to occupation, as the certification process must follow construction.

### **3.0 Application Site**

- 3.1 The application site has been cleared for some time. For the record the former dwellings at the site were previously used as a guest house. Since their demolition a builder's hut and mounds of rubble have been located at the site.
- 3.2 The site is in an area of a mixed residential character, close to but less than 50m outside the Town Centre boundary. Housing types include a mix of detached and semi-detached dwellings, ranging in age from late Victorian or very early twentieth century and through the interwar period to the 1960s, with a range of flats that appear to date from the 1960s and 1970s.
- 3.3 To the south on the site boundary, lies the Bharani Medical Centre at 17 Lansdowne Avenue, which is accommodated within an attractive, gable-fronted, bay-windowed, Victorian property on a relatively narrow plot. Car parking to the rear of the Medical Centre is accessed off Gatewick Close, a cul-de-sac on its southern side.
- 3.4 To the north of the site are Gatewick Close and Lansdowne Court, each of which are flatted developments. Those at Gatewick Close are three storeys high adjacent to the street frontage and four storeys to the east. While the buildings at Lansdowne Court are three storeys in height.
- 3.5 To the immediate rear of the site is a section of disused former railway line that linked the Windsor line with the west-bound GWR mainline. Stranraer Gardens is also located close by, to the north-east and adjacent to the main railway line but is screened from direct views to and from the site by trees growing on the former railway land. This redundant railway land forms site no. SSA12 in the Council's Site Allocations Development Plan Document, where it is

identified as a Non-statutory Informal Nature Reserve. The operational Slough-Windsor branch railway line is beyond this reserve, at a distance varying from 40m to 60m from the applications site's rear boundary measured perpendicular to the rear of Block B.

- 3.6 Salt Hill Park is located 200m west of the application site, and can be accessed via a pedestrian crossing at the western end of Lansdowne Avenue where it joins Stoke Pages Lane.
- 3.7 For completeness, it should be noted: the site lies in Flood Zone 1 (where no Flood Risk Assessment is required); the site is not in a Conservation Area; there are no heritage assets close by; and, there are no trees under a Tree Preservation Order in close proximity.

#### **4.0 Site History**

- 4.1 The following application is the most relevant to the proposal, as it is the original application that the current submission proposes should be varied:

P/01158/037

Construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space.

The committee report, amendment sheet, minutes and decision notice for this application is appended to this committee report.

- 4.2 The following determinations are now relevant to the planning history of the site:

P/01158/048 Submission of details pursuant to condition 13 (Contamination) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 05/03/2024.

P/01158/047 Submission of details pursuant to condition 26 (Wheelchair accessible flats) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 08/12/2023.

P/01158/045 Submission of details pursuant to conditions 16 (Landscaping) & 17 (Boundary Treatment) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 13/11/2023.

P/01158/044 Submission of details pursuant to condition 9 (Tree Protection Measures) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 13/12/2023.

P/01158/043 Submission of details pursuant to condition 11 (Thames Water) of planning permission P/01158/037 dated 13/10/2023  
DECISION PENDING



- P/01158/042 Submission of details pursuant to condition 12 (Phase 2 Intrusive Investigation Method Statement) of planning permission P/01158/037 dated 13/10/2023 DISCHARGED – 07/11/2023
- P/01158/041 Submission of details pursuant to condition 10 (Sound attenuation and ventilation) of planning permission P/01158/037 dated 13/10/2023  
DECISION PENDING
- P/01158/040 Submission of details pursuant to condition 4 (New Surface Treatments) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 09/11/2023
- P/01158/039 Submission of details pursuant to condition 6 (Drainage) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 27/12/2023
- P/01158/038 Submission of details pursuant to condition 5 (Archaeology) of planning permission P/01158/037 dated 13/10/2023 – PARTIALLY DISCHARGED – 08/11/2023
- P/01158/037 Construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space.  
APPROVED, CONDITIONS – 04/05/2021

## **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), site notices were displayed in the immediate vicinity of the site on 14/11/2023. Due to the development being a major application, the application was advertised in the 22/12/2023 edition of The Slough Express.
- 5.2 No representations have been received at the time of writing this report.

## **6.0 Consultations**

- 6.1 Given the variation proposed, which only relates to the form and design of a part of one block in the previously approved scheme, it is not considered that consultation is required with any of the external or internal consultees.
- 6.2 [For Members convenience, the previously reported observations and comments of all consultees regarding the scheme, when presented for the earlier determination under P/01158/037, can be noted in the appended original report.]

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

- 7.1 National Planning Policy Framework 2023 and National Planning Practice 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 15: Conserving and enhancing the natural environment
- 7.2 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (adopted December 2008)  
Core Policy 1 - Spatial Vision and Strategic Objectives for Slough  
Core Policy 3 – Housing Distribution  
Core Policy 4 - Type of housing  
Core Policy 7 - Transport  
Core Policy 8 - Sustainability and the Environment  
Core Policy 9 - Natural and Built Environment  
Core Policy 10 - Infrastructure  
Core Policy 11 - Social Cohesiveness  
Core Policy 12 - Community safety
- 7.3 The Adopted Local Plan for Slough 2004 (Saved Policies)  
H11 - Change of Use to Residential  
H13 – Backland/Infill Development Policy  
H14 - Amenity space  
EN1 - Standard of Design  
EN3 - Landscaping  
EN5 - Design and Crime Prevention  
OSC15 - New facilities in Residential Developments  
T2 - Parking Restraint  
T8 - Cycling Network and Facilities  
T9 - Bus Network and Facilities
- 7.4 Slough Local Development Framework Site Allocations DPD (2010)  
The site abuts a Non-statutory informal nature reserve, site reference SSA12 (Land south of Stranraer Gardens) in the Slough Local Development Framework Site Allocation DPD. The land is part of the former rail route that would have linked Windsor to towns to the west, along with land between it and the existing Windsor-Slough branch

line. Site planning requirements are noted in the DPD as:

- Encourage habitat enhancement and / or creation
- Ensure public access if appropriate is managed to ensure it does not have a negative impact on biodiversity.

The site policy goes on to say that:

*This small area of trees and shrubs is hemmed in between houses and railway but is linked to open countryside via vegetation alongside the railway. The latter helps wildlife come into the town. There is no public access and the site is mostly hidden. There is scope for it to be managed to increase its nature conservation value.*

#### 7.5 Other Relevant Documents/Guidance

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

#### 7.6 The Emerging Local Plan for Slough

The emerging Spatial Strategy has then been developed using some key guiding principles which include locating development in the most accessible locations, regenerating previously developed land, minimising the impact upon the environment and ensuring that development is both sustainable and deliverable.

However, it is noted that the emerging local plan is at an early stage of development and as such can be given little weight in planning decisions.

#### 7.7 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 (NPPF) 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 NPPF was published in December 2023.

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

Following the application of the updated Housing Delivery Test set out in the NPPF, 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 NPPF 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 2023 which has been used together with other material planning considerations to assess this planning application.

#### 7.8 Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive. Since 31st December 2020, the UK requirements for Habitat Regulations Assessments is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world.

HRA employs the precautionary principle and Reg. 102 ensures that where a project is 'likely to have a significant effect' (LSE), it can only be approved if it can be ascertained that it 'will not adversely affect the integrity of the European site'. Burnham Beeches is designated a SAC under this Directive which is located to the north of Slough.

The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore

required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC).

## 7.9 Equality Act

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

### 7.10 The planning considerations for this proposal are:

- Principle of development
- Design, impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Housing mix
- Living conditions for future occupiers of the development
- Safe environment and accessibility
- Highways, sustainable transport and parking
- Flood risk & surface water drainage
- Trees & Landscaping
- Archaeology/Heritage and Ecological/Burnham Beeches issues
- Land contamination
- Environmental Quality & Sustainable design and construction
- Section 106 Contributions
- Presumption in favour of sustainable development
- Equalities Considerations

## 8.0 Principle of development

8.1 The applicant has submitted an application under Section 73 of the Town & Country Planning Act 1990 seeking variation of Condition 2 of planning permission P/01158/037 for construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space (granted 13 October 2023).

The applicant can apply for an amendment to the extant scheme permission, under s.73 of the Town and Country Planning Act (As Amended). Section 73 of the Act can be used, amongst other things, to approve amendments to an existing planning permission by amending a condition (or conditions) upon which the permission was granted. In law, a section 73 application results in the grant of a new planning permission affecting the same site that is subject to the relevant amended conditions.

- 8.2 This minor material amendment procedure was confirmed by the Government as appropriate in 2009 when it streamlined the procedure for s.73 applications and issued accompanying guidance on how best to achieve flexibility with planning permissions by allowing minor material amendments to planning permissions without the need for the submission of entirely new planning applications. The overriding purpose of the streamlined procedure and guidance was to avoid the burden that would fall on both planning authorities and developers if a fresh planning application had to be submitted every time that a development is materially amended.
- 8.3 The guidance is now contained in the Department for Levelling Up, Housing and Communities' National Planning Practice Guidance. Amongst other things the guidance states that a minor material amendment is likely to include any amendment whose scale and/or nature results in a development which is not substantially different from the one which has been approved. Relevant and recent case law on this matter indicates that the s.73 route can be applied to determine amendments which do not result in a "fundamental" change to an approved development. It should also be noted that the proposals do not seek to amend the description of development, which cannot be secured by way of an application under s.73.
- 8.4 The submission of the s.73 application does not give an opportunity to reassess the previously determined proposal.
- 8.5 In this instance the proposed variations are to the form and design of a part of one block, the number of units proposed is the same and the housing mix proposed is also the same. As the changes involve pitched roofs being replaced by flat roofs, there would be more useable floorspace within the affected units given an larger area of floorspace with full head room height. Therefore, in principle, the development is considered to be of the same nature as originally approved and the principle of making the application is acceptable as provision is made for it within the s.73 of the 1990 Act.
- 8.6 In accordance with the s.73 procedure, the variation of condition 2 pursuant to the extant planning permission would necessitate the need to issue a new planning permission with the time limit remaining the date of the original planning permission (dated 13 October 2023). The new planning permission would take the same form as the extant

scheme, although it would have a new reference number and take account of the discharge of the conditions previously imposed as the consent to those details discharged is carried over under s.73 to this determination.

## **9.0 Design, 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 and of a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and H13.

9.2 The provision to submit a planning application under section 73 of the 1990 Act gives the scope to propose variations and amendments to approved applications without having to apply for the development in full again. The considerations with a section 73 application that seeks to propose amendments is whether or not the resultant scheme is largely the same proposal as was previously approved, i.e. the amendments should be of a scale that does not result in the development being materially different to that which was originally consented. Overall, it is considered that the omission of the elements of pitched roof and the introduction of flats behind is a matter of detail that would not be out-of-keeping with the composition of the scheme, the approach to consider this under a section 73 is acceptable.

9.3 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area. The proposals therefore comply with the requirements of the National Planning Policy Framework 2023 and Core Policy 9 of the Core Strategy, as such the scheme is considered to therefore comply with Policies EN1 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

## **10.0 Impacts on the amenity of neighbouring occupiers**

10.1 The National Planning Policy Framework 2023 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 The distances between the proposed buildings and those adjacent remain the same as in the previous proposals and so it is considered that the proposed variation does not raise and fresh issues in this

respect.

- 10.3 The changes introduced by these latest proposals do not adversely affect the previously agreed relationship with the neighbouring occupiers. Therefore, in conclusion, it is considered that there would be no adverse harm for neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2023.

## **11.0 Housing mix**

- 11.1 The mix and thus the density of the current submission remains identical to that of the previously approved submission under P/01158/037.

The approved mix comprised:

- 1bedroom / 2person – 11 units – 33.33%
- 2bedroom / 3person – 11 units – 33.33%
- 2bedroom / 4person – 7 units – 21.21%
- 3bedroom / 4person – 1 unit – 3.03%
- 3bedroom / 5person – 1 unit – 6.06%
- 3bedroom / 6person – 2 units – 3.03%

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

- 12.1 The National Planning Policy Framework 2023 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Polies EN1 and H13.
- 12.2 All of the units would still meet the Council's internal space standards, as set out in the Technical Housing Standards – Nationally Described Space Standards 2015 (as amended). As noted above, the three affected units would benefit from a larger area of floorspace with full headroom height.
- 12.3 In terms of the levels of daylight, aspect, and outlook, it is considered that each unit would still provide satisfactory living conditions for future occupiers.



12.4 Based on the above, the living conditions for future occupiers in this case is considered satisfactory and thus to be in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan.

### **13.0 Safe environment and accessibility**

13.1 Paragraph 96 of the NPPF 2023 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

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

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

13.3 It is considered that the proposed variation to the trigger of Condition 19 is logical and is practical.

### **14.0 Highways, sustainable transport 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.

14.2 This is reflected in Core Policy 7 and Local Plan Policy T2 (Parking Restraint) which set out: in terms of residential car parking that the level will be appropriate to both its location and scale whilst taking account of local parking conditions, impact on street scene, need to overcome local road safety problems and protect amenities of adjoining residents.

14.3 Paragraph 111 of the National Planning Policy Framework 2023 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’.*

- 14.4 The Highway Authority had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

**15.0 Flood risk and surface water drainage**

- 15.1 The Local Lead Flood Authority had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

**16.0 Trees & Landscaping**

- 16.1 The earlier scheme under P/01158/037 was considered to be satisfactory, subject to conditions and Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

**17.0 Archaeology/Heritage and Ecological/Burnham Beeches issues**

- 17.1 Berkshire Archaeological services had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.
- 17.2 As reported above, there are no heritage assets nearby and the site does not lie in a conservation area.
- 17.3 Paragraph 180 d) of the NPPF 2023 advises that planning decisions should minimise impacts on and provide net gains for biodiversity, for example by establishing coherent ecological networks that are more resilient to current and future pressures. NPPF paragraph 180 d) supports and encourages development to incorporate biodiversity improvements, especially where this can secure measurable net gains for biodiversity. The earlier scheme under P/01158/037 was considered to be satisfactory, subject to conditions in this respect and

Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

- 17.4 It is noted that the site is located less than 5 km from the Burnham Beeches Special Area of Conservation (SAC). The principle of providing mitigation in this regard was accepted under P/01158/037. This proposed variation does not change the previously noted impact on Burnham Beeches and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable with the previously agreed manner of mitigation.

18.0 **Land Contamination**

- 18.1 The Council's specialist officer for contamination assessment had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

19.0 **Environmental quality & sustainable design and construction issues**

- 19.1 The Council's Environmental Quality officer had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.
- 19.2 NPPF 2023 seeks to promote high levels of sustainability. NPPF paragraph 162 in the NPPF sets out that:
- In determining planning applications, local planning authorities should expect new development to:*
- a) *comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
  - b) *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*
- 19.3 Core Strategy Policy 8(1) requires all development to include measures to:
- a) *Minimise the consumption and unnecessary use of energy,*

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

19.4 In order to achieve a high degree of energy efficiency that would assist in the transition to a low carbon future, it is required that the scheme achieves a Very Good rating under the BREEAM categorisation. It is considered that the earlier scheme under P/01158/037 was satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

**20.0 Infrastructure and Section 106 requirements**

20.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements. The following Section 106 contributions were secured through the originally approved scheme:

<b>Financial contributions</b>	
Education	£84,744
Recreation, open space and local nature reserve improvements	£35,700
Highways - sustainable transport	£20,000
Burnham Beeches SAC mitigation	£11,900
<b>Total</b>	<b>£152,344</b>

20.2 The NPPF 2023 at paragraph 64 requires that planning policies should specify the type of affordable housing required, and that in most cases this need should be met on-site – unless

- a) Off-site provision or an appropriate financial contribution in lieu can be robustly justified.*

20.3 Under P/01158/037 Members agreed to accept a package of 5no. ground floor units comprising 2no. 2-bedroom and 3no. 3-bedroom. It was noted that “While the proportion of affordable units proposed is not policy compliant, the viability reviews undertaken have been rigorous”.

- 20.4 However, the developer states they *“have reached out to all of the registered social landlords which are recommended by Slough, and they have either not responded on this scheme or are not able to take on the 5 affordable units on offer”*. This is likely due to the difficulties of managing a small number of units and in two blocks.
- 20.5 As such, the proposal is that now there should be a financial settlement for an off-site provision in lieu of the previously agreed package.
- 20.6 After appropriate advice from the Housing Department and/or the Council’s experts at BPS (Viability Consultant’s) a figure will need to be agreed.
- 20.7 A deed of variation to the extant Section 106 legal agreement will now need to be completed before any planning permission can be issued, in order to provide a policy compliant affordable housing contribution off-site.

## **21.0 Presumption in favour of sustainable development**

- 21.1 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.
- 21.2 Notwithstanding the assessment in this report, officers have considered whether there are any other material circumstances that need to be taken into account, notwithstanding the development plan provisions.
- 21.3 The application has been evaluated against the Development Plan, the NPPF and assessed against the core planning principles of the NPPF to establish whether the proposals deliver “sustainable development.” The proposal would deliver 33 new flats of an acceptable standard in a very sustainable location, along with the infrastructure made necessary by the development and a financial contribution to off-site affordable housing.
- 21.4 Paragraph 11 of the NPPF highlights that there is a presumption in favour of sustainable development. Based on the current Local Plan and housing supply position in the SBC area, paragraph 11(d) also applies. This directs that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF, taken as a whole.
- 21.5 However this has been considered and planning permission will only be granted if mitigation of these impacts is provided through a completed section 106 Agreement. Therefore, with respect to 11 (d)(ii), any adverse impacts of granting planning permission would not

significantly and demonstrably outweigh the benefits.

21.6 With respect to 11 (d)(i), there is one statutory nature conservation asset of particular importance in the general vicinity of the site, Burnham Beeches SAC, along with a non-statutory local nature reserve adjacent to the application site. Burnham Beeches SAC, in particular, could be impacted by additional residents.

21.7 It is therefore considered that, in applying the planning balance, the presumption in favour of sustainable development adds significant weight to this application. The development would make a welcome addition to the housing stock within Slough, including a contribution to off-site affordable housing.

## **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. A condition is set out to ensure level thresholds at the entrance to each block. Furthermore, proposals will make provision for wheelchair accessible car parking spaces.

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 If Members resolve to approve the application, it will result in the issuing of a new decision notice which would include all relevant conditions that were previously included on the first decision with the relevant conditions varied that allow for the implementation of this application.

- 23.2 In this instance the applicant has proposed the variation of Condition 2 to substitute the proposed plans for the previously approved plans where relevant. The trigger point for condition 19 (secure by design) has been amended to prior to occupation. Note that where conditions have previously been discharged, the wording has been updated. Otherwise, as per the submission from the applicant, all other previous conditions will be included as part of the recommendation below.

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

1) For approval subject to: the satisfactory completion of a Deed of Variation to the extant s.106 agreement to ensure financial contributions towards each of the matters, including a policy compliant contribution to off-site affordable housing, as set out in section 20.0 above in this report, finalising conditions, and any other minor changes.

2) Refuse the application if a satisfactory s.106 Agreement is not completed by 30<sup>th</sup> September 2024, unless otherwise agreed by the Planning Manager in consultation with the chair of the Planning Committee.

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

#### 1. Commencement

The development hereby permitted shall be commenced within three years from the date of the original planning permission P/01158/037 dated 13th

October 2023.

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

## 2. Approved Plans

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

- (a) Drawing No. 20001-GAA-XX-00-DR-T-0101 S4 Rev. P01; Dated 28/02/20; Recd On 17/08/2022
- (b) Drawing No. 20001-GAA-A1-XX-00-DR-T-0112 S4 Rev. P09; Dated 17/08/22; Recd On 17/08/2022
- (c) Drawing No. 20001-GAA-ZZ-GF-DR-A-2020 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (d) Drawing No. 20001-GAA-ZZ-01-DR-A-2021 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (e) Drawing No. 20001-GAA-ZZ-02-DR-A-2022 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (f) Drawing No. 20001-GAA-ZZ-03-DR-A-2023 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (g) Drawing No. 20001-GAA-ZZ-RF-DR-A-2024 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (h) Drawing No. 20001-GAA-ZZ-GF-DR-A-2030 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (i) Drawing No. 20001-GAA-ZZ-RF-DR-A-2035 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (j) Drawing No. 20001-GAA-ZZ-XX-DR-A-2120 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (k) Drawing No. 20001-GAA-ZZ-XX-DR-A-2121 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (l) Drawing No. 20001-GAA-ZZ-XX-DR-A-2122 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (m) Drawing No. 20001-GAA-XX-XX-DR-A-2123 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (n) Drawing No. 20001-GAA-ZZ-XX-DR-A-2130 S4 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (o) Drawing No. 20001-GAA-ZZ-XX-DR-A-2131 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (p) Drawing No. 20001-GAA-ZZ-XX-DR-A-2132 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (q) Drawing No. 20001-GAA-ZZ-XX-DR-A-2133 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (r) Design & Access Statement by GAA ref no. 20001-GAA-XX-XX-DA-A-0001 S4 Rev. PO3; Dated 287 July 2022; Recd On 17/08/2022



- (s) Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022
- (t) Drainage Planning Strategy by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9050/I2; Dated 27-Apr-21; Recd On 17/08/2022
- (u) Desk Study, Preliminary Site Investigation & Risk Assessment Report by Southern Testing Environmental & Geotechnical ref: no. JT0341; Dated 10 November 2020; Recd On 17/08/2022
- (v) Ecological Walkover by AA Environmental Limited ref: no. 163324/JDT; Dated 4<sup>th</sup> October 2016; Recd On 17/08/2022
- (w) Financial Viability Assessment by Aspinall Verdi issue v.5; Dated September 2021; Recd On 17/08/2022
- (x) Viability Letter re: Lansdowne Avenue by Aspinall Verdi ref: 220413 v1; Dated 13 April 2022; Recd On 07/12/2022
- (y) Unnumbered Habitats Regulations Assessment by The Ecology Partnership Dated 01/11/2022; Recd On 08/11/2022
- (z) Noise & Vibration Impact Assessment by KP Acoustic Ltd ref. no. 13675.NVA.01.Rev.A; Dated 20/03/2017; Recd On 17/08/2022

as read in conjunction with the following hereby approved variation:

- (i) Drawing No. 20001-GAA-A2-GF-DR-A-2031 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (ii) Drawing No. 20001-GAA-A2-01-DR-A-2032 S4 Rev. P01.02; Dated 15.06.2023; Recd On 31/10/2023
- (iii) Drawing No. 20001-GAA-A2-02-DR-A-2033 S4 Rev. P01.02; Dated 15.06.2023; Recd On 31/10/2023
- (iv) Drawing No. 20001-GAA-A2-03-DR-A-2034 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (v) Drawing No. 20001-GAA-A2-04-DR-A-2035 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (vi) Drawing No. 20001-GAA-A2-RF-DR-A-2036 S4 Rev. P01.02; Dated 15.06.2023; Recd On 31/10/2023
- (vii) Drawing No. 20001-GAA-A2-XX-DR-T-2131 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (viii) Drawing No. 20001-GAA-A2-XX-DR-T-2132 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (ix) Drawing No. 20001-GAA-A2-XX-DR-T-2133 S4 Rev. P01.03; Dated 15.06.2023; Recd On 31/10/2023
- (x) Drawing No. 20001-GAA-A2-XX-DR-T-2134 S4 Rev. P01.03; Dated 15.06.2023; Recd On 31/10/2023

**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 in accordance with the requirements of the National Planning Policy Framework 2023 and to comply with the Policies in the Development Plan.

3. New finishes to building works

The external materials to be used on the development hereby approved shall be as set out in the Materials Schedule ref: 20001-GAA-XX-XX-EM-T-0001 S4 Rev. P02, Dated 13/12/2022, Rec'd 13/12/2022 and no other materials unless and otherwise approved by the Local Planning Authority.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

4. New surface treatments

Discharged under SBC ref: P/01158/040 dated 9<sup>th</sup> November 2023.

5. Archaeological matters

A) Discharged under SBC ref: P/01158/038 dated 8<sup>th</sup> November 2023.

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

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

REASON: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

6. Drainage (SuDS) #1

Discharged under SBC ref: P/01158/039 dated 27<sup>th</sup> December 2023.

7. Drainage (SuDS) #2

No occupation 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.

#### 8. Drainage (SuDS) #3

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 hereby approved, 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.

#### 9. Tree Protection Measures

Discharged under SBC ref: P/01158/044 dated 13<sup>th</sup> December 2023.

10. Sound attenuation and ventilation

Prior to commencement of development, full details of the glazing specification must be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future.

REASON: In the interest of mitigating noise to provide acceptable living conditions of future residents, to comply with policy 8 of the Core Strategy 2006 - 2026 adopted 2008, and the requirements of the National Planning Policy Framework 2023.

11. Thames Water

The development hereby approved shall not commence until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source is not detrimentally affected by surface water drainage at the proposed development both during and after its construction, has been submitted to and approved by the local planning authority, in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

REASON: To ensure that the water resource is not detrimentally affected by the development.

12. Phase 2 Intrusive Investigation Method Statement

Discharged under SBC ref: P/01158/042 dated 7<sup>th</sup> November 2023.

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

Discharged under SBC ref: P/01158/048 dated 5<sup>th</sup> March 2024.

14. Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site-Specific Remediation Strategy condition above. In the event that gas

and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

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

#### 15. Construction Environmental Management Plan (CEMP)

The development shall be carried out in accordance with the approved scheme set out in the Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022 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 2023.

#### 16. Landscaping

Discharged under SBC ref: P/01158/045 dated 13<sup>th</sup> November 2023.

#### 17. Boundary Treatment

Discharged under SBC ref: P/01158/045 dated 13<sup>th</sup> November 2023.

#### 18. Bins & Recycling facilities

The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future.

REASON: To ensure that there is adequate storage facilities available at the site 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 2023.

#### 19. Crime Prevention

The development shall be carried out in accordance with a secure access strategy and secure letter/parcel drop strategy in line with the principles of Secured by Design and shall not be occupied or used until written

confirmation of Secured by Design accreditation has been submitted to and agreed to by the Local Planning Authority. The approved security measures shall be retained thereafter.

REASON: In order to minimise opportunities for crime and anti-social behavior in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices) and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework 2023.

## 20. 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.

## 21. Visibility

No other part of the development shall be occupied until visibility splays of 2.4m x 43m have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 600mm in height above the nearside channel level of the carriageway.

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

## 22. Car Parking Provision

The parking spaces and turning areas shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis.

REASON: To ensure that adequate on-site parking provision is available to serve the development and to protect 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, Policy T2 of The Adopted Local Plan for Slough 2004

(saved polices), and the requirements of the National Planning Policy Framework 2023.

### 23. EV Charging facilities

Prior to the first occupation of each unit, the residential car parking provision for the unit shall be provided, to include a 5 electric vehicle charging points and 5 parking spaces with passive electric vehicle parking provision, providing a total of 10 parking spaces with EVCP provision. 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 2023.

### 24. Cycles storage

Prior to the first occupation of the development hereby permitted details of the cycle parking provision (including the security measures of the facilities and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose.

REASON: To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

### 25. External Site 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.

REASON: In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core

Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

26. Wheelchair accessible flats

Discharged under SBC ref: P/01158/047 dated 8<sup>th</sup> December 2023.

27. Level Access

The ground floor entrance doors to the Development shall not be less than 1 metre wide and the threshold shall be at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the main lobbies.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2023.

28. No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any elevations of the development without the prior written approval of the Local Planning Authority.

REASON: To protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

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. 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; so



it is in accordance with the National Planning Policy Framework.

## 2. 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](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.

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

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

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

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

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

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

## 3. Ventilation Strategy

Should mechanical ventilation be utilised, the system is to be designed by a suitably qualified engineer or M&E consultant. The system shall be designed so the sound levels from any external plant or inlet/outlets do not exceed the background noise level at any noise receptor. This may require further assessment once the type and location of system has been specified.

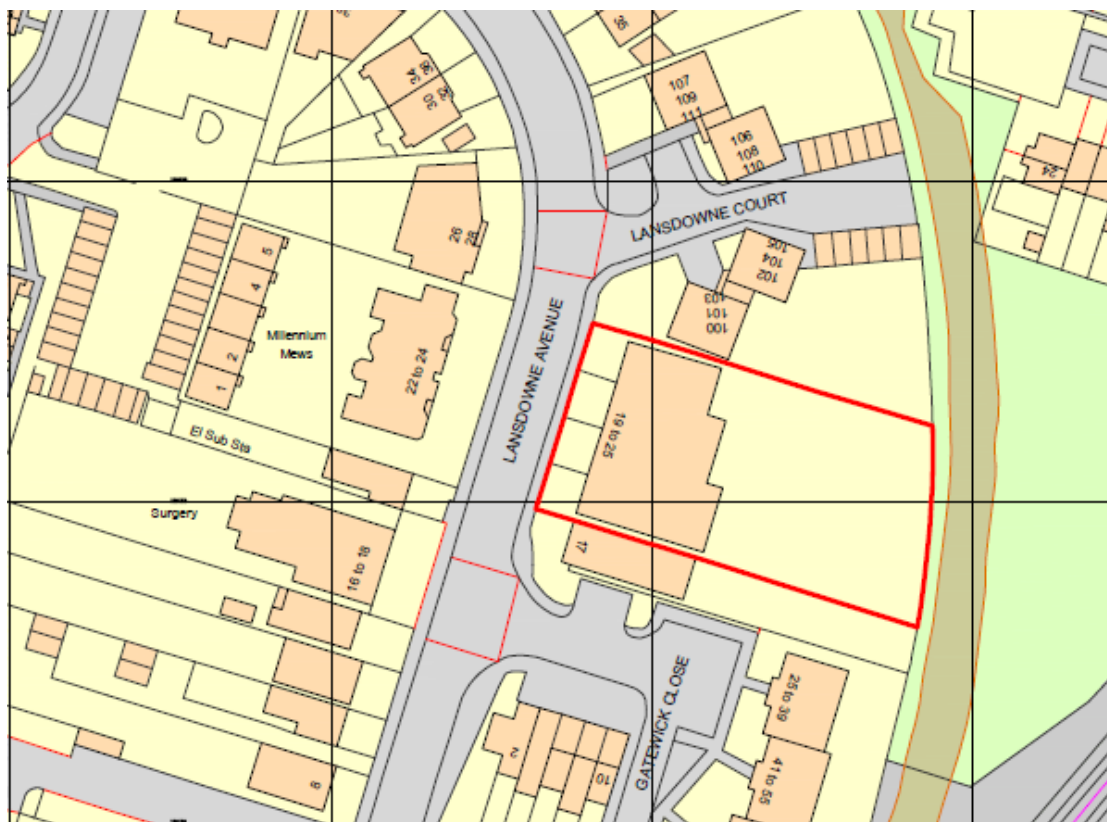
## 4. Thames Water

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.

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Registration Date:	17-Aug-2022	Application No:	P/01158/037
Officer:	Michael Scott	Ward:	Elliman
Applicant:	SWASTIK HOLDINGS LIMITED	Application Type:	Major
		13 Week Date:	16 November 2022
Agent:	GA&A Design 10-14, Bath Road, Slough, SL1 3SA		
Location:	19-25, Lansdowne Avenue, Slough, SL1 3SG		
Proposal:	Construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space.		

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



## **P/01158/037**

### **1.0 SUMMARY OF RECOMMENDATION**

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

1) For approval subject to: the satisfactory completion of a s106 agreement to ensure financial contributions towards each of the matters set out in paragraph 20.1 in this report, finalising conditions, and any other minor changes.

2) Refuse the application if a satisfactory s106 Agreement is not completed by 30<sup>th</sup> June 2023, unless otherwise agreed by the Planning Manager in consultation with the chair of the Planning Committee.

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:

- Construction of two three-storey blocks of flats – one of three storeys with further accommodation at roof level fronting Lansdowne Avenue and the other to the rear of part three/part four storeys with further accommodation at roof level.
- Comprising the provision of 33 self-contained residential units – including five units of affordable housing (comprising 2no. 2-bed and 3no. 3-bed)
- The mix entails 12no. 1-bedroom; 18no. 2-bedroom; and, 3no. 3-bedroom flats
- Surface car parking providing 23 spaces – six of which would be in an undercroft of the frontage block.
- Of these 23 bays, 2no. would be dedicated as Blue Badge holders and 5no. would be provided with electric vehicle charging points (EVCP), whilst a further 5no. would have infrastructure for adaption to cater for electric vehicles
- The provision of cycle parking facilities for future residents and visitors.

- Secure bin and recycling storage facilities.
- Formation of a gated vehicular access to the site from Lansdowne Avenue.

### **3.0 Application Site**

- 3.1 The application site has now been cleared, but the former dwellings at the site were previously used as a guest house. These were mainly two-storeys in height, and it is understood that they had some accommodation in the roof. Various extensions and outbuildings were added through the lifetime of the now demolished buildings. Since their demolition a builders hut and mounds of rubble have been located at the site.
- 3.2 The site is in an area of a mixed residential character, close to but less than 50m outside the Town Centre boundary. Housing types include a mix of detached and semi-detached dwellings, ranging in age from late Victorian or very early twentieth century and through the interwar period to the 1960s, with a range of flats that appear to date from the 1960s and '70s.
- 3.3 To the south on the site boundary, lies the Bharani Medical Centre at 17 Lansdowne Avenue, which is accommodated within an attractive, gable-fronted, bay-windowed, Victorian property on a relatively narrow plot. Car parking to the rear of the Medical Centre is accessed off Gatewick Close, a cul-de-sac on its southern side.
- 3.4 To the north of the site are Gatewick Close and Lansdowne Court, each of which are flatted developments. Those at Gatewick Close are three storeys high adjacent to the street frontage and four storeys to the east. While the buildings at Lansdowne Court are three storeys in height.
- 3.5 To the immediate rear of the site is a section of disused former railway line that linked the Windsor line with the west-bound GWR mainline. Stranraer Gardens is also located close by, to the north-east and adjacent to the main railway line, but is screened from direct views to and from the site by trees growing on the former railway land. This redundant railway land forms site no. SSA12 in the Council's Site Allocations Development Plan Document, where it is identified as a Non-statutory Informal Nature Reserve. The operational Slough-Windsor branch railway line is beyond this reserve, at a distance varying from 40m to 60m from the applications site's rear boundary measured perpendicular to the rear of Block 2.
- 3.6 Salt Hill Park is located 200m west of the application site, and can be accessed via a pedestrian crossing at the western end of Lansdowne Avenue where it joins Stoke Pages Lane.

3.7 For completeness, it should be noted: the site lies in Flood Zone 1 (where no Flood Risk Assessment is required); the site is not in a Conservation Area; there are no heritage assets close by; and, there are no trees under a Tree Preservation Order in close proximity.

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

4.1 The site originated from what were four separate properties, which appear to have been amalgamated following several planning permissions in the first half of the 1980s. During the first decade of the 21<sup>st</sup> century, three applications were received and assessed that involved its redevelopment, as follows:

4.2 P/01158/018 Demolition of existing buildings and erection of twenty three bedroom replacement hotel and 22 retirement flats at the rear (outline). REFUSED - 13 December 2006.

P/01158/019 Demolition of existing buildings and erection of 15 x no.2 bed retirement flats, 5 x no.1 bed retirement flats, 1 x no.3 bed retirement flats and hotel with office accommodation (outline). APPROVED - 26 September 2007.

P/01158/020 Demolition and erection of 3.5-storey 24-bed Hotel and part 4/part 5-storey block of flats for 21 units. APPROVED - 22 October 2008.

P/01158/023 Demolition of existing building and erection of two buildings containing 24 no. residential dwellings together with associated access, car parking, landscaping and amenity space. APPROVED - 19 February 2019.

P/01158/033 Construction of 2no. buildings containing 33 no residential dwellings together with associated, car parking, landscaping and amenity space. REFUSED - 28 July 2022 - for the following reasons:

- (1) The application has not provided, by way of a Section 106 agreement, for on-site affordable housing and for off-site infrastructure made necessary by the development including funding for education, transport, recreation, public realm, the mitigation of impacts on Burnham Beeches Special Area of Conservation, and any off-site affordable housing. As such, the application is contrary to Policies 4, 9 and 10 of the Slough Local Development Framework Core Strategy 2006 - 2026, Slough Borough Council's Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106) and advice in the National Planning Policy Framework 2021.

(2) While significant work has been carried out on detailed issues that remained outstanding when the application was considered by the Council's Planning Committee, some detailed aspects of external design and layout remain to be resolved. As such and on the basis of the drawings considered by the Planning Committee, the proposal is not in full accordance with Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006 – 2026, saved policies EN1 and EN3 of the Slough Local Plan 2004 and paragraphs 126 and 130 - 134 of the National Planning Policy Framework 2021.

4.3 The Planning Committee at its meeting on 28<sup>th</sup> July 2021 resolved to approve the scheme under P/01158/033 subject to the details and the s.106 Agreement being sorted before the deadline in that resolution. As such, the refusal was issued.

4.4 The current application is a re-submission of the scheme refused under P/01158/033 with a commitment to address the Reason for Refusal no. 1 above and amendments to the details of the design in order to seek to overcome Reason for Refusal no. 2 above.

4.5 The resolution to approve P/01158/033 represents a significant material consideration in the determination of these current proposals, as will be reference throughout in the Assessment that follows.

## **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 – one immediately outside on the site frontage and the other in Gratewick Close - on 07/09/2022.

5.2 The application was advertised as a major application in the Slough Express published on 23<sup>rd</sup> September 2022.

5.3 There has been no representations from any of these procedures.

## **6.0 Consultations**

### **6.1 Highways and Transport**

[NOTE: the fresh comments below reflect those previously considered under P/01158/033.]

## **Introduction**

This document provides Slough Borough Council's final consultation response regarding Highways and Transport for application P/01158/037 at 19-25 Lansdowne Avenue.

## **Application Description**

Planning permission is sought for the construction of 2 buildings containing 33 residential units together with associated car parking, landscaping and amenity space. The proposals are for 33 dwellings with 12 x 1-bedroom dwellings, 18 x 2-bedroom dwellings and 3x 3-bedroom dwellings. Planning permission (Ref: P/01158/023) for 24 dwellings was previously granted on 13<sup>th</sup> April 2017.

## **Vehicular Access**

Vehicular access is proposed via a priority junction on Lansdowne Avenue. Access appears to be proposed by a vehicular crossover. A single yellow line parking restriction is currently in place which restricts on-street parking between 8am – 7pm. The access was previously consented through planning application: P/01158/023. A check has been completed of publicly available collision records (CrashMap.co.uk) and no accidents have been recorded at the site access during the most recently available 5-year period.

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

## **Access by Sustainable Travel Modes**

SBC require a contribution of £20,000 towards the A4 Bath Road Cycle Route which is route 1A (A4 east/west spine) within Slough's Local Cycling and Walking Infrastructure Plan (LCWIP). This contribution would amount to £588 per dwelling. The A4 East/West spine will form the primary east/west cycle route across the entire Borough and will provide linkages towards the town centre, rail stations and large employment areas.

While the site constitutes a sustainable location, SBC expect sites which propose a low parking ratio to include measures which encourage travel by sustainable travel modes.

The site is situated approximately 700m (9 minutes walk) from the western entrance to Slough High Street, 800m (10 minutes walk) from Slough Bus Station and 900m (12 minutes walk) from Slough Railway Station. The area surrounding the site was rated '2' for Public Transport Accessibility Level (PTAL) in a 2018 study of Public Transport Accessibility in Slough.



The nearest bus stops are the Salt Hill Park Stops 400m from the site which are served by numerous bus services including the X74, Number 4, 103 Chiltern Hundreds and Number 83. These services connect the site to Slough Town Centre, Heathrow, Cippenham, Maidenhead, High Wycombe and Hedgerley.

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.

For Bus Stops, a walking distance of 400 metres (and 200m within town centres) is deemed a reasonable walking distance by the Chartered Institute of Highways and Transport (CIHT) within their document: *'Planning for Walking and Cycling, 2015'*.

### **Car Parking**

SBC Highways and Transport have no objection to the application due to the parking provision for the proposed development.

23 car parking spaces are proposed for the 33 proposed dwellings equate to a ratio of 0.69 parking spaces per dwelling, with an additional 2 accessible parking spaces.

The Slough Borough Council Parking Standards (2008) require the provision of 57 parking spaces, based on the standard for the Rest of Town Centre Area, where all spaces are assigned.

Therefore, the proposed 23 parking spaces would represent a shortfall of 34 parking spaces, if the parking standard for the 'Rest of Town Centre' area is applied.

Given the sustainable location of the site on the fringe of the town centre, there is propensity for residents of the proposed development to live without owning a car.

Core Policy 7 of the Slough Core Strategy (2006-2026) *'Maximum restraint will be applied to parking for residential schemes in the town centre. In the rest of the Borough, the level of parking within residential development will be appropriate to both its location and the scale of the development and taking account of local parking conditions, the impact upon the street scene and the need to overcome road safety problems and protect the amenities of adjoining residents'*.

SBC Highways and Transport consider the proposed parking ratio of 0.69 spaces per dwelling acceptable, if supported by a contribution towards Slough's sustainable transport projects. A ratio of 0.78 spaces

per dwelling was previously consented on this site.

### **Trip Generation**

No assessment of the site's vehicular trip generation has been submitted by the applicant. A Transport Statement submitted in 2017 in support of the consented development forecast that 24 dwellings and 26 parking spaces would generate 9 two-way vehicle trips during the AM Peak Hour and 10 two-way vehicle trips during the PM Peak Hour and 91 two-way vehicle trips over a 12-hour day (0700 – 1900).

The proposed development offers 23 parking spaces compared to the 26 proposed for the previously consented scheme and therefore SBC Highways and Transport are not concerned that trip generation would exceed the number of trips for the previously consented development.

### **EV Charging**

As the request of SBC, the applicant has committed to provide five active Electric Vehicle Charging Points (EVCP) and five parking spaces with passive provision, which allow the spaces to be fitted with EV Chargers in future, should demand require this.

21% of the 23 car parking spaces will have active EV Chargers and 21% will have passive EV Chargers. This exceeds the level of provision required by the Slough Low Emissions Strategy.

The Slough Low Emissions Strategy (2018 – 2025) requires 10% of spaces to have EV Charging Points where the parking spaces are unallocated. The National Planning Policy Framework requires that applications for development: *'Should be designed to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations'*.

Therefore SBC have no objection to the proposed development due to Electric Vehicle Charging Provision.

### **Cycle Parking**

The proposed site plan displays cycle stores containing 19 Sheffield Stands, providing cycle parking for 36 cycles.

At the request of SBC Highways and Transport, the applicant has amended the proposed site plan to display two Sheffield stands for Short-stay visitor cycle parking. Short-stay visitor cycle parking is required for blocks of flats with 10 flats or more by the Slough Developer's Guide – Part 3: Highways and Transport (2008).

Therefore SBC Highways and Transport have no objection to the proposed development on the basis of cycle parking.

## **Deliveries and Servicing**

A bin store is displayed on the proposed site plan which is within the maximum drag distance of 10 metres for Bulk Bins specified by Slough's Guidance for Refuse and Recycling Storage for New Residential Dwellings.

No swept paths have been provided by the applicant which demonstrate that a delivery van could turn within the proposed site layout. However, the car parking area does not differ from the previously consented layout and the car park benefits from a 6.0m wide aisle width which would allow most vans to turn within the proposed car parking area.

## **Summary and Conclusions**

I confirm that I have no objection to this application from a transport and highway perspective. I recommend the inclusion of conditions [relating to access, visibility, parking, CTMP, EV charging, cycles, bins and informatives as set out in 24.0 below.]

### 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 the following planning conditions [as set out in full at 24.0 below] 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 Environmental Quality Officer

[NOTE: The EQ Officer has indicated that the comments below which were those previously considered under P/01158/033 remain appropriate.]

#### Air Quality Background

Slough Borough Council (SBC) has designated 5 Air Quality Management Areas (AQMA) due to elevated concentrations of Nitrogen Dioxide (NO<sub>2</sub>, 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 17<sup>th</sup> 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 Comments

In line with the Low Emission Strategy Technical Guidance, the development is classified as having a minor air quality impact as the development consists of 34 residential units with 19 parking spaces, therefore traffic levels are unlikely to be significantly impacted. An exposure assessment is not required as the development is on a minor road. As with all minor impact developments, the integration of Type 1 mitigation measures, contained in the LES Planning Guidance, is required.

A Construction Environmental Management Plan has been submitted with this application. This appears to hold the same information as that which was submitted under planning reference P/01158/026. The information provided is accepted.

#### *Mitigation Requirements*

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As the scheme includes 19 parking spaces, 10% must have access to electric charging infrastructure (2 spaces).
- All heating systems shall meet the emission standards laid out in Table 7 of the LES Technical Report



#### Environmental Noise Comments

A noise and vibration assessment has been prepared by KP Acoustics. The monitoring locations shown in Figure 13675.SP1 are in the vicinity

of the proposed buildings and are suitable to represent noise experienced on the development site. However, this monitoring was conducted in 2016 and as there has recently been development in the area, this data may no longer be applicable. It is recommended that the applicant submits a summary of recent assessment data from nearby developments, to determine if the background and ambient noise levels have changed since 2016. The remainder of the assessment has been reviewed based on the information provided. All conclusions will be confirmed once the required information has been submitted.

The survey indicates that the dominant noise on site is road traffic from Lansdowne Avenue to the west and rail traffic from the east. Noise levels are highest at monitoring position 1 (closest to the road), measuring at 61dB LAeq16h and 55dB LAeq8h. Noise levels at position 2 are lower at 55db LAeq16h and 52dB LAeq8h. Vibration measured at the development is low and unlikely to cause disturbance.

The noise levels experienced on site can be mitigated with the implementation of standard double glazing, able to achieve 35dB Rw, with specific octave band frequencies shown in Table 6.2 below. This would be adequate to protect against noise levels and ensure compliance with BS 8233 limits.

Glazing Type	Octave band centre frequency SRI, dB					
	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz
Lansdowne Avenue Façade Shown by  on SP2.	22	27	28	32	28	22
Railside Façade Shown by  on SP2.	14	19	23	26	22	20

The report also suggests implementation of ventilation, such as acoustic trickle ventilation, able to achieve 38-40dB Dnew. This is accepted.

### Summary

In summary, the glazing and ventilation proposed is adequate to protect future occupants from noise. However, the data must be verified using more recent existing data from nearby developments before the LPA can confirm this.

Accordingly, the applicant will be required to submit full details of the glazing and ventilation proposed as part of the development, which must be approved by the LPA in writing. [NOTE: an appropriate condition is set out at 24.0 below.]

## 6.4 Scientific Officer - Contaminated Land

I have reviewed the Desk Study, Preliminary Site Investigation & Risk Assessment Report (Project ID JT0341), dated 10<sup>th</sup> November 2020, and prepared by Southern Testing Laboratories Ltd. No significant

sources of contamination were encountered during the preliminary site investigation. However, at the time this was carried out the old building was still present on site. It is understood that this is now gone, and the footprint is available for further investigation and assessment. Thus, this should be carried out first before development can progress.

[NOTE: These comments which were those previously considered under P/01158/033 remain appropriate.]

#### 6.5 Tree Officer

Requires the submission of detailed drawings indicating the locations of Root Protection Areas (RPA) required to protect the neighbouring trees.

[Suggests a condition as set out in 24.0 below]

The submitted Arboricultural reports state that the tree survey took place on 18th July 2016; in view of the time span there may have been changes in relationship to the neighbouring trees both household and railway embankment since that time.

Landscape scheme

Attention is drawn to the aims of a landscaping scheme in P/01157/037, details are required [suggests a condition as set out in 24.0 below]

Quote:-"There are a number of poor specimen plants on site (of no particular significance) which will be removed".

Part of the landscaping scheme requirements are to illustrate a tree re-planting design.

[Suggestion for a condition as set out in 24.0 below]

#### 6.6 Berkshire Archaeology

There are potential archaeological implications associated with the proposed scheme. The site lies within a local landscape where there has been little opportunity to assess the area for archaeological potential but, ahead of development in 2019, significant medieval and prehistoric archaeology was discovered at the former Horlicks factory site, just c.200m. north of the proposed development area.

The proposed development will significantly impact the whole site, including the rear gardens of the existing structures which have not been previously impacted by development.

As shown, the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. It is therefore recommended that the condition [set out at 24.0 below] is applied

should permission be granted in order to mitigate the impacts of development. This is in accordance with Paragraph 205 of the NPPF (2021) which states that local planning authorities should *'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'*.

In view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in situ, field evaluation through trial trenching would represent an appropriate initial phase of work in order to determine the archaeological potential and levels of previous truncation and the need for any further phases of work.

Berkshire Archaeology would be pleased to discuss the approach with the applicant, or their archaeological consultant should permission be granted. If the applicant can demonstrate previous widespread impact on below ground deposits which specifically affects the archaeological potential, then this advice can be reviewed.

#### 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).

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity.

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Our advice is outlined below.

Please re-consult Natural England once this information has been obtained.

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

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

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

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

- Contamination (e.g. dog fouling, litter, spread of plant pathogens);
- Increased fire risk;
- Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing);
- Harvesting (e.g. fungi, wood);
- Difficulties in managing the site (e.g. maintaining the grazing regime);
- Disturbance (e.g. affecting the distribution of livestock and deer).

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

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

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

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

However, development proposals which are not in accordance with the



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

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

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

## 6.8 Thames Water

### Waste Comments

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

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the informative [as set out in 24.0 below] be attached to this planning permission.

### Supplementary Comments

Thames Water has identified that, the proposed development is located

within Source Protection Zone 2 of a groundwater abstraction source. These zones are used for potable water sources for public water supply for which Thames Water has a statutory duty to protect. Thames Water has not been able to contact the developer in the time available and as such Thames Water request that the condition [as set out in 24.0 below] be added to any planning permission.

More detailed information can be obtained from Thames Waters' Groundwater Resources Team email GroundwaterResources@Thameswater.co.uk Tel: 0203 577 3603. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

#### **7.1 National Planning Policy Framework 2021 and National Planning Practice 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 15: Conserving and enhancing the natural environment

#### **7.2 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (adopted December 2008)**

Core Policy 1 - Spatial Vision and Strategic Objectives for Slough

Core Policy 3 – Housing Distribution

Core Policy 4 - Type of housing

Core Policy 7 - Transport

Core Policy 8 - Sustainability and the Environment

Core Policy 9 - Natural and Built Environment

Core Policy 10 - Infrastructure

Core Policy 11 - Social Cohesiveness

Core Policy 12 - Community safety

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

H11 - Change of Use to Residential  
H13 – Backland/Infill Development Policy  
H14 - Amenity space  
EN1 - Standard of Design  
EN3 - Landscaping  
EN5 - Design and Crime Prevention  
OSC15 - New facilities in Residential Developments  
T2 - Parking Restraint  
T8 - Cycling Network and Facilities  
T9 - Bus Network and Facilities

7.4 Slough Local Development Framework Site Allocations DPD (2010)

The site abuts a Non-statutory informal nature reserve, site reference SSA12 (Land south of Stranraer Gardens) in the Slough Local Development Framework Site Allocation DPD. The land is part of the former rail route that would have linked Windsor to towns to the west, along with land between it and the existing Windsor-Slough branch line. Site planning requirements are noted in the DPD as:

- Encourage habitat enhancement and / or creation
- Ensure public access if appropriate is managed to ensure it does not have a negative impact on biodiversity.

The site policy goes on to say that:

*This small area of trees and shrubs is hemmed in between houses and railway but is linked to open countryside via vegetation alongside the railway. The latter helps wildlife come into the town. There is no public access and the site is mostly hidden. There is scope for it to be managed to increase its nature conservation value.*

7.5 Other Relevant Documents/Guidance

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

7.6 The Emerging Local Plan for Slough

The emerging Spatial Strategy has then been developed using some key guiding principles which include locating development in the most accessible locations, regenerating previously developed land, minimising the impact upon the environment and ensuring that development is both sustainable and deliverable.

However, it is noted that the emerging local plan is at an early stage of development and as such can be given little weight in planning decisions.

#### 7.7 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.

#### 7.8 Habitats Regulations Assessment of Projects, Natura 2000 and

## European Sites

Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive.

Since 31st December 2020, the UK requirements for Habitat Regulations Assessments is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world.

HRA employs the precautionary principle and Reg 102 ensures that where a project is 'likely to have a significant effect' (LSE), it can only be approved if it can be ascertained that it 'will not adversely affect the integrity of the European site'. Burnham Beeches is designated a SAC under this Directive which is located to the north of Slough.

The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC).

### 7.9 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.

### 7.10 Equality Act

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

following sections.

7.11 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)
- Safe environment and accessibility (section 13.0)
- Highways, sustainable transport and parking (section 14.0)
- Flood risk & surface water drainage (section 15.0)
- Trees & Landscaping (section 16.0)
- Archaeology/Heritage and Ecological/Burnham Beeches issues (section 17.0)
- Land contamination (section 18.0)
- Environmental Quality & Sustainable design and construction (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 Given the resolution to grant planning permission under P/01158/033 in July 2021 is a material consideration, it is acknowledged that the principle of developing the site with a flatted development has been established – which follows the precedent set by the earlier approvals noted in the Site History at 4.2 above.

8.2 Furthermore, although it is noted that Core Policy 4 seeks generally to resist flatted development outside the town centre, it does also state that “...*new residential development...will be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing...services... and infrastructure*”. As noted in the site description at 3.0 above, there are purpose built flats to the north and south of the site and the application site lies very close to the designated Town Centre, with many of its amenities being within a 500 - 750m walk. Additionally, the application site lies close to a key public open space at Salt Hill Park.

8.3 Finally, it is noted that the National Planning Policy Framework seeks to direct new housing to sustainable locations such as this, and subject to other planning considerations, it is considered that this is an

acceptable location for medium density development such as being proposed here.

**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 and of a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and H13.
- 9.2 Overall, the current submission is that as previously reported to Planning Committee in July 2021 when it was resolved to grant planning approval subject to the sorting various matters of detail (and a s.106). As set out at 4.4 above, this current submission seeks to address those matters of detail that were not considered to be acceptable in the scheme under P/01158/033.
- 9.2 So, the scale and massing, as well as the layout, are as previously submitted under P/01158/033. As described at 2.1 above, the frontage block would be 3-storeys and that to the rear would be part 3/part 4-storeys with each having further accommodation at roof level.
- 9.3 Firstly, detailed changes entail a positive refinement of the elevations to produce a composed and orderly acceptable façade, incorporating dormers that would be proportionately in keeping with the design. Secondly, the somewhat incongruous half-hipped features on the rearward block have been amended to include a simple gable with a full-ridged roof form. Thirdly, the entrance to each block has been accorded a degree of prominence in the design to improve its legibility. Overall, it is considered that these changes have significantly improved the appearance of the blocks to overcome the Reason for Refusal.
- 9.4 Although this was not an issue raised under P/01158/033, there would be a modest reduction in height to the block to the rear simply due to design refinements.
- 9.5 Each block would comprise a facing brick, with render surrounds to window openings and entrance doorways, lead cladding to dormers, and roof tiles. Specific details of the palette of materials will be submitted further to conditions as set out in 24.0 below
- 9.6 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area. The proposals therefore comply with Core Policy 9 of the Core Strategy and the requirement of the National Planning Policy Framework, as such the scheme is considered to therefore comply with Policies EN1 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-

**10.0 Impacts on the amenities 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 The distances between the proposed buildings and those adjacent remain the same as in the previous proposals and there are no new window openings or new balconies.
- 10.3 It is considered that the change to a gable end on the southern side of the rear ward block would not harm the amenities of the nearest existing occupiers.
- 10.4 It is noted that the previous submission under P/01158/033 was considered to not raise any concerns that might have an impact on neighbouring occupiers.
- 10.5 The changes introduced by these latest proposals do not adversely affect the previously agreed relationship with the neighbouring occupiers. Therefore, in conclusion, it is considered that there would be no adverse harm for neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2021.

**11.0 Housing mix**

- 11.1 The mix and thus the density of the current submission remains identical to that of the previous submission under P/01158/033, when it was noted that:

*“Increased site density would be achieved as compared to the now-lapsed 24 unit scheme by rearranging space within the building envelopes to provide a greater number of flats on each floor than in the previous permission [under P/01158/023]. The lapsed permission had a dwelling density of 135 flats / hectare whereas in this proposal, density would be 185 dwellings / hectare, which is slightly less than at the four-storey block of flats to the south at 25-87 Gatewick Close (approximately 192 dw/ha).”*



11.2 The assessment of the previous scheme submission concluded that: *“Subject to securing an acceptable proportion of flats as on-site affordable housing, it is considered that the increased density and revised dwelling mix would be acceptable”*.

11.3 As the resolution to grant planning permission is a material consideration, it is considered that the mix, which remains the same, is 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 Polies EN1 and H13.

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 living conditions for future occupiers.

12.4 Each of the five ground floor units would have a private garden. However, whilst many of the upper units (17) would have some form of private amenity space in the form of a balcony, there would be only communal space for the remaining eleven units. As such, the scheme incurs a financial contribution towards off-site public open space enhancements under the Council’s Developer Guide. Notwithstanding that matter, it has been noted at 3.6 above that the site does lie very close to Salt Hill Park, as well as, being immediately adjacent to the nature reserve.

12.5 It was noted in the assessment of the previous proposals under P/01158/033 that: *“Separation distances between habitable rooms at Blocks 1 and 2 would be 21m, which is acceptable for a development of this scale in this location.”* That relationship has not been changed in the current proposals.

12.6 It was noted in the assessment of the previous proposals under P/01158/033 that: *“The closest railway line, the Windsor branch as noted above, has a relatively infrequent and low-speed service while the closest part of the noisier main line is approximately 140m from the northern boundary of the site. It would be acceptable for a new noise study to be provided be provided by*

*condition, as part of a noise mitigation strategy to control noise within apartments to acceptable levels.”* The Council’s Environmental Quality Officer has re-iterated their comments in consideration of these proposals, as set out above at 6.3 above, and a suitable condition is included accordingly at 24.0 below.

12.7 Based on the above, the living conditions for future occupiers in this case is considered satisfactory and thus to be in accordance with the requirements of the NPPF, Core policy 4 of Council’s Core Strategy, and Policy H11 of the Adopted Local Plan.

### **13.0 Safe environment and accessibility**

13.1 Paragraph 92 of the NPPF 2021 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

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

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

13.3 It was noted in the assessment of the previous proposals under P/01158/033 that: *“The key security issues with this development are the provision of secure access into the site and to the entrance lobbies of both Blocks. The site plans note that access to pedestrian gates and to a sliding vehicle access gate would be provided, and details of how this will be provided can be required by condition.”* These matters remain the same in the current proposals. Accordingly, it is considered that these matters are satisfactory, subject to a condition set out in 24.0 below.

13.4 With regards to accessibility, it is noted that the scheme will be required under the Building Regulations to meet the requirements of Part M in respect of access for wheelchair occupants.

### **14.0 Highways, sustainable transport and parking**

14.1 The National Planning Policy Framework states that planning should seek to promote development that is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where

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

- 14.2 The current scheme replicates the access/egress, layout, provision of parking, cycle storage, refuse and recycling facilities, as per the scheme under P/01158/0033, which were all considered acceptable.
- 14.3 So, it is noted that the site lies very close to the designated 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. As such, the site is therefore considered to be sustainable.
- 14.4 There is an existing vehicular access from Lansdowne 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 five parking spaces with EV charging points. The specification of EV charging points has been agreed with the Slough Environmental Quality Team, as set out in a condition at 24.0 below.
- 14.6 Further to the Highway Authority's requirements, funds for improvements to the cycle lane on the Bath Road (A4) and its links to the Town Centre will be part of the package of infrastructure enhancements sought through the provisions of the s.106.
- 14.7 The Highway Authority, as set out at 6.2 above, is satisfied by the proposed arrangement, quantum and layout of the parking in terms of circulation and manoeuvrability and as the site lies very close to the Town Centre, they consider that the provision would be satisfactory for this specific mix of accommodation.

**15.0 Flood risk and surface water drainage**

- 15.1 It was noted in the assessment of the previous proposals under P/01158/033 that:

*"The application site lies within Flood Zone 1 where there is a less than 0.1% (1 in 1000) chance of tidal/fluvial flooding, and is also at very low risk surface water flooding. A Drainage Strategy was submitted with the application, and the Council's Surface Water*

*drainage consultee is satisfied with the details it provides. However, the detailed layout of the site is likely to change before the application is approved, and it is noted that the submitted Drainage Strategy show exceedance flows into the non-statutory local nature reserve. A condition is therefore recommended to require that construction of the drainage system does not commence until evidence has been submitted to and approved by the Local Planning Authority to demonstrate that surface water will either be contained within the site, disposed of to a Thames Water sewer (as proposed within the development), and / or disposed of by means of a sustainable drainage system.”*

These matters remain the same in the current proposals. Accordingly, it is considered that these matters are satisfactory, subject to a conditions relating to Thames Water and under SuDs as set out in 24.0 below.

16.0 **Trees & Landscaping**

16.1 The scheme entails two new residential blocks set in hard and soft landscaping, which would provide limited communal areas. There would be some scope for soft landscaping and new trees could be provided, subject to careful consideration of the specific spacing and choice of species. Overall, it is considered that the proposals would enhance the visual amenity of the area.

16.2 Details of the planting scheme, landscape management and boundary treatments, as well as, the measures to protect the health of the existing trees adjacent to the site, shall be subject to further consideration pursuant to conditions, as set out at 24.0 below.

17.0 **Archaeology/Heritage and Ecological/Burnham Beeches issues**

17.1 The site is considered to have the potential for archaeological significance. Berkshire Archaeological services comments are set out in full at 6.6 above and the condition they recommend is set out in full at 24.0 below.

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

17.3 Paragraph 174 d) of the NPPF 2021 advises that planning decisions should minimise impacts on and provide net gains for biodiversity, for example by establishing coherent ecological networks that are more resilient to current and future pressures. NPPF paragraph 180 d) supports and encourages development to incorporate biodiversity improvements, especially where this can secure measurable net gains for biodiversity.

- 17.4 It is noted that the site is located less than 5 km from the Burnham Beeches Special Area of Conservation (SAC). Natural England (NE) comments are set out in full at 6.7 above. The principle of providing mitigation for any identified significant effects is accepted, and NE has asked for a suitable strategy to be agreed that will provide on-going mitigation for future major development within a 5.6km buffer zone around the SAC. This would require mitigation to be secured for an identified project through a planning obligation, in order to ensure that there will not be any “*in-combination effect*” as a result of additional recreation pressure on the Burnham Beeches SAC.
- 17.5 Following discussions between SBC and NE regarding the need for mitigation for proposed future development in Slough, a scheme of financial contributions for appropriate development within Slough of alternative greenspace will be required. Upton Court Park has been identified as a key site for such works, and a report on this key alternative greenspace was considered by the Planning Committee at the meeting of 23<sup>rd</sup> June 2021 when the principle of supporting the project was approved by Members. A financial contribution in this current case towards mitigation will be required, as set out at 20.0 below.
- 17.6 An ecological report was submitted with the application, which is dated October 2016. The report noted the presence of the closest Statutory Local Nature Reserve at Herschel Park, but did not reference the Non-statutory Local Nature Reserve which abuts the site. It provides details of a survey for bats and other protected wildlife, and that no protected species were identified on site. It is not known when the site was cleared, but aerial and Google streetview photographs show that this was not before spring or summer 2019. The survey was therefore out of date when site demolition took place. While ideally the survey would have been updated prior to demolition, no ecology condition(s) were included in the 2018 planning permission. For the purposes of fulfilling local and national policy, biodiversity improvements will be sought in the landscaping details to be approved by condition. Provision of a financial contribution towards the maintenance of the adjacent local wildlife site would be sought in relation to the inadequate amenity space provision, and in the interests of betterment in the ecological value of the reserve this contribution also applies to the development as a whole – as set out in 20.0 below. Use of native species for landscaping will also assist in supporting the objectives of the site specific policy, and native species should therefore be prioritised in a landscaping scheme to be submitted for approval, in order to assist in providing a net biodiversity gain as part of the development.

18.0 **Land Contamination**

- 18.1 As set out at 6.4 above, the Council's specialist officer has recommended further pre-commencement investigation. Accordingly, conditions are set out at 24.0 below.
- 19.0 **Environmental Quality & Sustainable design and construction issues**
- 19.1 As is fully set out in 6.3 above, the Council's Environmental Quality officer has examined the proposals and concluded that the scheme is capable of being completed to a level that ensures future occupants would be able to satisfactorily occupy the accommodation. This conclusion is subject to a controls on glazing specification and the use of a ventilation scheme. Their suggested condition to cover these matters is included at 24.0 below.
- 19.2 Electric charging points 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. Here it is considered that the any potential harm from the proposals would not result in any harmful impacts that would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the Policies in National Planning Policy Framework taken as a whole.
- 19.3 NPPF 2021 seeks to promote high levels of sustainability. NPPF paragraph 157 in the NPPF sets out that:  
*In determining planning applications, local planning authorities should expect new development to:*
- a) *comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
  - b) *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*
- 19.4 Core Strategy Policy 8(1) requires all development to include measures to:
- a) *Minimise the consumption and unnecessary use of energy, particularly from non-renewable sources;*
  - b) *Recycle waste;*
  - c) *Generate energy from renewable resources where feasible*
  - d) *Reduce water consumption; and*
  - e) *Incorporate sustainable design and construction techniques, including the use of recycled and energy efficient building materials.*

**20.0 Infrastructure and Section 106 requirements**

20.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements. The following Section 106 contributions are therefore required:

<b>Financial contributions</b>	
Education	£84,744
Recreation, open space and local nature reserve improvements	£35,700
Highways - sustainable transport	£20,000
Burnham Beeches SAC mitigation	£11,900
<b>Total</b>	<b>£152,344</b>

20.2 The NPPF 2021 at paragraph 63 requires that planning policies should specify the type of affordable housing required, and that in most cases this need should be met on-site.

20.3 Core Policy 4 provides for residential developments for 15 or more dwellings to have between 30% and 40% of the dwellings as social rented units, along other forms of affordable housing, with the affordable housing should to be secured by a section 106 planning obligation. The Council's updated Developer Guide Part 2, (September 2017) requires developments of 25 to 69 units to make a 30% on-site provision of affordable housing (split between Slough Affordable / Social Rent, Slough Living Rent Intermediate).

20.4 A Financial Viability Assessment (FVA) has been submitted with the application, which proposes the Affordable Housing will be provided on site in the form of 5no. ground floor units comprising 2no. 2-bedroom and 3no. 3-bedroom. Each would have its own private amenity space, which would afford future occupants defensible space.

20.5 While the proportion of affordable units proposed is not policy compliant, the viability reviews undertaken have been rigorous and it is therefore considered that the provision of on-site affordable housing, in particular a package that is suitable for family accommodation, should be given significant weight in the planning balance.

20.6 In total these obligations under a Section 106 legal agreement will need to be completed before any planning permission can be issued, in order to secure the above infrastructure and amenities.

## **21.0 Presumption in favour of sustainable development**

- 21.1 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.
- 21.2 Notwithstanding the assessment in this report, officers have considered whether there are any other material circumstances that need to be taken into account, notwithstanding the development plan provisions.
- 21.3 The application has been evaluated against the Development Plan, the NPPF and assessed against the core planning principles of the NPPF to establish whether the proposals deliver “sustainable development.” The proposal would deliver 33 new flats of an acceptable standard in a very sustainable location, along with the infrastructure made necessary by the development and on-site affordable housing.
- 21.4 Paragraph 11 of the NPPF highlights that there is a presumption in favour of sustainable development. Based on the current Local Plan and housing supply position in the SBC area, paragraph 11(d) also applies. This directs that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF, taken as a whole.
- 21.5 However this has been considered and planning permission will only be granted if mitigation of these impacts is provided through a completed section 106 Agreement. Therefore, with respect to 11 (d)(ii), any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits.
- 21.6 With respect to 11 (d)(i), there is one statutory nature conservation asset of particular importance in the general vicinity of the site, Burnham Beeches SAC, along with a non-statutory local nature reserve adjacent to the application site. Burnham Beeches SAC, in particular, could be impacted by additional residents.
- 21.7 It is therefore considered that, in applying the planning balance, the presumption in favour of sustainable development adds significant weight to this application. The development would make a welcome addition to the housing stock within Slough, including affordable housing.

## **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. A condition is set out to ensure level thresholds at the entrance to each block. Furthermore, proposals will make provision for wheelchair accessible car parking spaces.

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

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

## 23.0 **PART C: RECOMMENDATION**

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

1) For approval subject to: the satisfactory completion of a s106 agreement to ensure financial contributions towards each of the matters set out in paragraph 20.1 in this report, finalising conditions,

and any other minor changes.

2) Refuse the application if a satisfactory s106 Agreement is not completed by 30<sup>th</sup> June 2023, unless otherwise agreed by the Planning Manager in consultation with the chair of the Planning Committee.

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

### 1. Commence within three years

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

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

### 2. Approved Plans

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

- (a) Drawing No. 20001-GAA-XX-00-DR-T-0101 S4 Rev. P01; Dated 28/02/20; Recd On 17/08/2022
- (b) Drawing No. 20001-GAA-A1-XX-00-DR-T-0112 S4 Rev. P09; Dated 17/08/22; Recd On 17/08/2022
- (c) Drawing No. 20001-GAA-ZZ-GF-DR-A-2020 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (d) Drawing No. 20001-GAA-ZZ-01-DR-A-2021 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (e) Drawing No. 20001-GAA-ZZ-02-DR-A-2022 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (f) Drawing No. 20001-GAA-ZZ-03-DR-A-2023 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (g) Drawing No. 20001-GAA-ZZ-RF-DR-A-2024 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (h) Drawing No. 20001-GAA-ZZ-GF-DR-A-2030 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (i) Drawing No. 20001-GAA-ZZ-RF-DR-A-2035 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (j) Drawing No. 20001-GAA-ZZ-XX-DR-A-2120 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (k) Drawing No. 20001-GAA-ZZ-XX-DR-A-2121 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (l) Drawing No. 20001-GAA-ZZ-XX-DR-A-2122 S4 Rev. P06; Dated

17/08/22; Recd On 17/08/2022  
 (m) Drawing No. 20001-GAA-XX-XX-DR-A-2123 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022  
 (n) Drawing No. 20001-GAA-ZZ-XX-DR-A-2130 S4 Rev. P04; Dated 17/08/22; Recd On 17/08/2022  
 (o) Drawing No. 20001-GAA-ZZ-XX-DR-A-2131 Rev. P04; Dated 17/08/22; Recd On 17/08/2022  
 (p) Drawing No. 20001-GAA-ZZ-XX-DR-A-2132 Rev. P04; Dated 17/08/22; Recd On 17/08/2022  
 (q) Drawing No. 20001-GAA-ZZ-XX-DR-A-2133 Rev. P04; Dated 17/08/22; Recd On 17/08/2022  
 (r) Design & Access Statement by GAA ref no. 20001-GAA-XX-XX-DA-A-0001 S4 Rev. PO3; Dated 287 July 2022; Recd On 17/08/2022  
 (s) Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022  
 (t) Drainage Planning Strategy by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9050/I2; Dated 27-Apr-21; Recd On 17/08/2022  
 (u) Desk Study, Preliminary Site Investigation & Risk Assessment Report by Southern Testing Environmental & Geotechnical ref: no. JT0341; Dated 10 November 2020; Recd On 17/08/2022  
 (v) Ecological Walkover by AA Environmental Limited ref: no. 163324/JDT; Dated 4<sup>th</sup> October 2016; Recd On 17/08/2022  
 (w) Financial Viability Assessment by Aspinall Verdi issue v.5; Dated September 2021; Recd On 17/08/2022  
 (x) Viability Letter re: Lansdowne Avenue by Aspinall Verdi ref: 220413 v1; Dated 13 April 2022; Recd On 07/12/2022  
 (y) Unnumbered Habitats Regulations Assessment by The Ecology Partnership Dated 01/11/2022; Recd On 08/11/2022  
 (z) Noise & Vibration Impact Assessment by KP Acoustic Ltd ref. no. 13675.NVA.01.Rev.A; Dated 20/03/2017; Recd On 17/08/2022

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

### 3. New finishes to building works

Prior to the commencement of development, samples of new external finishes and materials (including, reference to manufacturer, specification details, positioning, and colour) to be used in the construction of the external envelope of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenities of the locality in accordance with Policy EN1 of The

Adopted Local Plan for Slough 2004.

4. New surface treatments

Construction of the building above ground floor level shall not commence on site until the external materials to be used in the construction of the access and circulation roadways, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Adopted Plan for Slough 2004.

5. Archaeological matters

- A) No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to and approved by, the local planning authority in writing. The WSI shall include an assessment of significance and research questions; and:
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI

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

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

REASON The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Medieval remains. The potential impacts

of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

#### 6. Drainage (SuDS) #1

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

The scheme shall include:

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

REASON To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 8 of the Core Strategy 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.

#### 7. Drainage (SuDS) #2

No occupation 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.

#### 8. Drainage (SuDS) #3

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 hereby approved, 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.

#### 9. Tree Protection Measures

Prior to the commencement of the development hereby approved, measures to protect the trees on adjacent sites where canopies overhang the site during the construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and thereafter provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained as an amenity for the local area.

#### 10. Sound attenuation and ventilation

Prior to commencement of development, full details of the glazing specification must be submitted to and approved in writing by the Local

Planning Authority.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future.

REASON: In the interest of mitigating noise to provide acceptable living conditions of future residents, to comply with policy 8 of the Core Strategy 2006 - 2026 adopted 2008, and the requirements of the National Planning Policy Framework 2021.

#### 11. Thames Water

The development hereby approved shall not commence until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source is not detrimentally affected by surface water drainage at the proposed development both during and after its construction, has been submitted to and approved by the local planning authority, in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

Reason - To ensure that the water resource is not detrimentally affected by the development.

#### 12. Phase 2 Intrusive Investigation Method Statement

Based on the findings of the Desk Study, Preliminary Site Investigation & Risk Assessment Report (Project ID JT0341), potential for contamination remains on site. Thus, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA C665 & C552 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

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

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

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

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

#### 14. Remediation Validation

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

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

#### 15. Construction Environmental Management Plan (CEMP)

The development shall be carried out in accordance with the approved



scheme set out in the Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022 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).

## 16. Landscaping

Construction of the building above ground floor level shall not commence on site until details of an arboricultural method statement to include a landscape management plan, in conjunction with a detailed bee-friendly landscaping and tree planting scheme, has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, and details of hardsurfaces.

On substantial completion of the development, the approved scheme of hard landscaping shall have been constructed.

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

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

## 17. Boundary Treatment

Construction of the building above ground floor level shall not commence on site until details of the proposed boundary treatment including position, external appearance, height and materials of all boundary walls, fences and gates have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been implemented on site. It shall be retained at all time in the future.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1

and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

#### 18. Bins & Recycling facilities

The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future.

REASON To ensure that there is adequate storage facilities available at the site 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 2021.

#### 19. Crime Prevention

No development above ground floor slab shall commence until a secure access strategy and secure letter/parcel drop strategy in line with the principles of Secured by Design and in consultation with Thames Valley Police 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 behavior in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices) and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework 2021.

#### 20. 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.

#### 21. Visibility

No other part of the development shall be occupied until visibility splays of 2.4m x 43m have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 600mm in height above the nearside channel level of the carriageway.

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

## 22. Car Parking Provision

The parking spaces and turning areas shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect 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, Policy T2 of The Adopted Local Plan for Slough 2004 (saved policies), and the requirements of the National Planning Policy Framework 2021.

## 23. EV Charging facilities

Prior to the first occupation of each unit, the residential car parking provision for the unit shall be provided, to include a 5 electric vehicle charging points and 5 parking spaces with passive electric vehicle parking provision, providing a total of 10 parking spaces with EVCP provision. The residential electric vehicle charging points must have a 'Type 2' socket and be rated to at least 3.6kW 16amp or 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.

## 24. Cycles storage

Prior to the first occupation of the development hereby permitted details of the cycle parking provision (including the security measures of the facilities and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2021.

## 25. External Site 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.

REASON In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2021.

## 26. Wheelchair accessible flats

Prior to commencement of works above slab level, details of access and internal layouts for at least 2no. wheelchair accessible flats and associated car parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and retained as such for the lifetime of the development.

REASON: To provide for the diverse needs of Slough's local communities, in accordance with Policies 8 and 11 of the Slough Borough Council Core Strategy 2008, guidance in the Council's Developers Guide Part 2, (2008, updated 2017) and the National Planning Policy Framework 2021.

## 27. Level Access

The ground floor entrance doors to the Development shall not be less than 1 metre wide and the threshold shall be at the same level to the paths

fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the main lobbies.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2021.

## 28. No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any elevations of the development without the prior written approval of the Local Planning Authority.

REASON To protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2021.

## INFORMATIVE(S):

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. 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; so it is in accordance with the National Planning Policy Framework.

## 2. 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](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.

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

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

the highway drainage system.

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

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

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

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

### 3. Ventilation Strategy

Should mechanical ventilation be utilised, the system is to be designed by a suitably qualified engineer or M&E consultant. The system shall be designed so the sound levels from any external plant or inlet/outlets do not exceed the background noise level at any noise receptor. This may require further assessment once the type and location of system has been specified.

### 4. Thames Water

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.

# **PLANNING COMMITTEE**

THE FOLLOWING ALTERATIONS AND AMENDMENTS HAVE BEEN RECEIVED SINCE THE PLANNING OFFICER'S REPORT WAS PRESENTED TO MEMBERS

## Amendment Sheet

### **Agenda Item 5 - P/01158/037 – 19-25 Lansdowne Avenue**

#### 1.0 Drawings/documents

- 1.1 Drawing no. 20001-GAA-ZZ-GF-DR-A-0101 S4 Rev. P02 (site layout plan) replaces Drawing No. 20001-GAA-A1-XX-00-DR-T-0112 S4 Rev. P09 at (b) in Condition 2.
- 1.2 The agent has provided a Materials Schedule ref: 20001-GAA-XX-XX-EM-T-0001 S4 Rev. P02. This document should now be included in Condition 2 as (aa). The details will be included in the officers' presentation at the meeting.

#### 2.0 Conditions

- 2.1 Further to the receipt of a satisfactory Materials Schedule, as noted at 1.2 above, draft Condition 3, as published in the agenda papers, should now be replaced entirely by the following text:

*“The external materials to be used on the development hereby approved shall be as set out in the Materials Schedule ref: 20001-GAA-XX-XX-EM-T-0001 S4 Rev. P02, Dated 13/12/2022, Rec'd 13/12/2022 and no other materials unless and otherwise approved by the Local Planning Authority.*

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

### **Agenda Item 6 – P/03444/003 – 375 Bath Road, Slough**

#### 1.0 Description of Development

- 1.1 Delete words 'and installation of Public Electric Vehicle Charger' from the description of development. The revised plans initially included a rapid charger, but this has been omitted from the scheme in order to ensure that there is sufficient space to accommodate the servicing and loading bay alongside boundary treatment and landscaping at the southern boundary adjacent to Stowe Road.

#### 2.0 Conditions

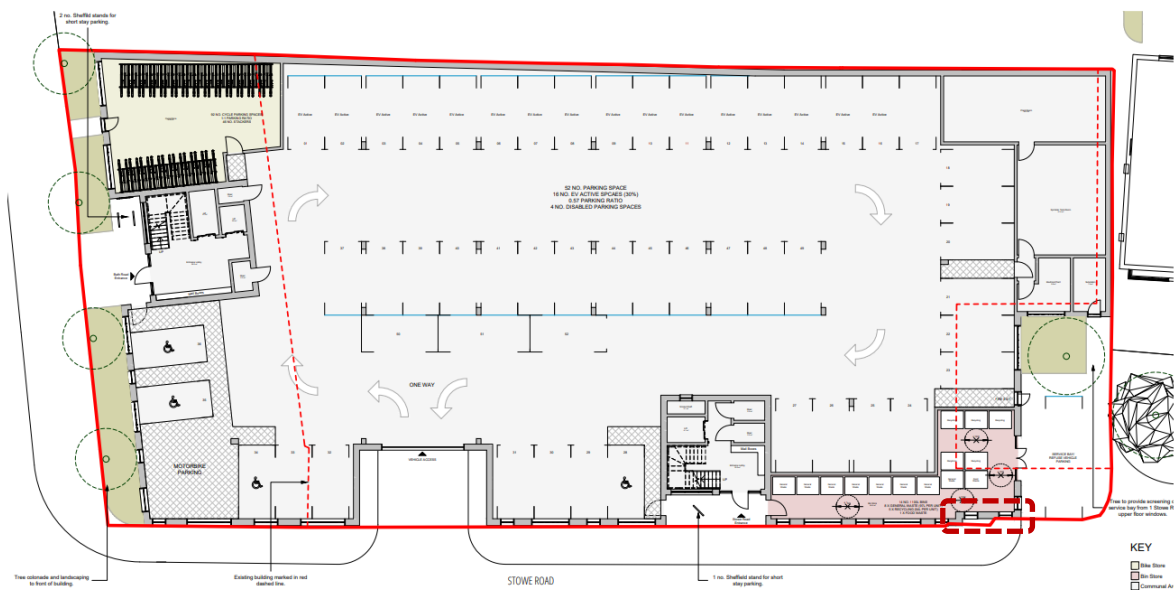
- 1.1 Condition 11 to be amended as follows:



No development shall commence above ground floor level until full architectural detailed drawings at scale of not less than 1:20 (elevations, plans and sections) of only windows (including surroundings and reveals), lift over-runs, balustrades and balconies have been submitted to and approved in writing by the local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

### 3.0 Floorplans Clarified

3.1 On para 5.3, the incorrect floorplan has been included in the report. Revised plans were submitted on 05/10/2022 which included a small modification to the southwest corner (see highlighted area in the correct floorplan as below):



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# Agenda item

P/01158/037 - 19-25 Lansdowne Avenue, Slough SL1 3SG

- [Meeting of Planning Committee, Wednesday, 21st December, 2022 6.30 pm \(Item 56.\)](#)

## Minutes:

Application	Decision
Construction of two buildings containing 33 no. residential dwellings together with associated car parking, landscaping and amenity space.	Delegated to the Planning Manager:  1. For approval subject to: the satisfactory completion of a s106 Agreement to secure affordable housing (Slough living rent), and to ensure financial contributions towards each of the matters set out in paragraph 20.1 of the planning officers report, finalising conditions, and any other minor changes.  2. Refuse the application if a satisfactory s106 Agreement was not completed by 30 <sup>th</sup> June 2023, unless otherwise agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

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Amar Sidhu,  
GA&A Design,  
10-14, Bath Road  
Slough  
Berkshire  
SL1 3SA

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) (England) Order 2015  
(DMPO) (as amended)

IN pursuance of their powers under the above-mentioned Acts and Orders, the Council of the Borough of Slough as the Local Planning Authority, **HEREBY GRANTS PLANNING PERMISSION**, in accordance with your application, **P/01158/037**, dated 17 August 2022 and the accompanying plans and particulars, for:

Proposal:	<b>Construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space.</b>
Location:	<b>19-25, LANSDOWNE AVENUE, SLOUGH, BERKSHIRE, SL1 3SG</b>

**Dated this 13 October 2023**

SUBJECT TO THE FOLLOWING CONDITION(S):

1. Commence within three years

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

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

2. Approved Plans

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

- (a) Drawing No. 20001-GAA-XX-00-DR-T-0101 S4 Rev. P01; Dated 28/02/20; Recd On 17/08/2022
- (b) Drawing No. 20001-GAA-ZZ-GF-DR-A-0101 S4 Rev. P02; Dated 19/12/22; Recd On 19/12/2022
- (c) Drawing No. 20001-GAA-ZZ-GF-DR-A-2020 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (d) Drawing No. 20001-GAA-ZZ-01-DR-A-2021 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022

- (e) Drawing No. 20001-GAA-ZZ-02-DR-A-2022 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (f) Drawing No. 20001-GAA-ZZ-03-DR-A-2023 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (g) Drawing No. 20001-GAA-ZZ-RF-DR-A-2024 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (h) Drawing No. 20001-GAA-ZZ-GF-DR-A-2030 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (i) Drawing No. 20001-GAA-ZZ-RF-DR-A-2035 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (j) Drawing No. 20001-GAA-ZZ-XX-DR-A-2120 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (k) Drawing No. 20001-GAA-ZZ-XX-DR-A-2121 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (l) Drawing No. 20001-GAA-ZZ-XX-DR-A-2122 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (m) Drawing No. 20001-GAA-XX-XX-DR-A-2123 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (n) Drawing No. 20001-GAA-ZZ-XX-DR-A-2130 S4 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (o) Drawing No. 20001-GAA-ZZ-XX-DR-A-2131 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (p) Drawing No. 20001-GAA-ZZ-XX-DR-A-2132 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (q) Drawing No. 20001-GAA-ZZ-XX-DR-A-2133 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (r) Design & Access Statement by GAA ref no. 20001-GAA-XX-XX-DA-A-0001 S4 Rev. P03; Dated 287 July 2022; Recd On 17/08/2022
- (s) Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022
- (t) Drainage Planning Strategy by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9050/I2; Dated 27-Apr-21; Recd On 17/08/2022
- (u) Desk Study, Preliminary Site Investigation & Risk Assessment Report by Southern Testing Environmental & Geotechnical ref: no. JT0341; Dated 10 November 2020; Recd On 17/08/2022
- (v) Ecological Walkover by AA Environmental Limited ref: no. 163324/JDT; Dated 4th October 2016; Recd On 17/08/2022
- (w) Financial Viability Assessment by Aspinall Verdi issue v.5; Dated September 2021; Recd On 17/08/2022
- (x) Viability Letter re: Lansdowne Avenue by Aspinall Verdi ref: 220413 v1; Dated 13 April 2022; Recd On 07/12/2022
- (y) Unnumbered Habitats Regulations Assessment by The Ecology Partnership Dated 01/11/2022; Recd On 08/11/2022
- (z) Noise & Vibration Impact Assessment by KP Acoustic Ltd ref. no. 13675.NVA.01.Rev.A; Dated 20/03/2017; Recd On 17/08/2022
- (aa) Materials Schedule ref: 20001-GAA-XX-XX-EM-T-0001 S4 Rev. P02, Dated 13/12/2022, Rec'd 13/12/2022

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

3. New finishes to building works

The external materials to be used on the development hereby approved shall be as set out in the Materials Schedule ref: 20001-GAA-XX-XX-EM-T-0001 S4 Rev. P02, Dated 13/12/2022, Rec'd 13/12/2022 and no other materials unless and otherwise approved by the Local Planning Authority.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

4. New surface treatments

Construction of the building above ground floor level shall not commence on site until the external materials to be used in the construction of the access and circulation roadways, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Adopted Plan for Slough 2004.

5. Archaeological matters

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

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI

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

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

REASON The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

#### 6. Drainage (SuDS) #1

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

The scheme shall include:

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

REASON To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 8 of the Core Strategy 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.

#### 7. Drainage (SuDS) #2

No occupation 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.



8. Drainage (SuDS) #3

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 hereby approved, 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.

9. Tree Protection Measures

Prior to the commencement of the development hereby approved, measures to protect the trees on adjacent sites where canopies overhang the site during the construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and thereafter provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained as an amenity for the local area.

10. Sound attenuation and ventilation

Prior to commencement of development, full details of the glazing specification must be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future.

REASON: In the interest of mitigating noise to provide acceptable living conditions of future residents, to comply with policy 8 of the Core Strategy 2006 - 2026 adopted 2008, and the requirements of the National Planning Policy Framework 2023.

11. Thames Water

The development hereby approved shall not commence until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source is not detrimentally affected by surface water drainage at the proposed development both during and after its construction, has been submitted to and approved by the local planning authority, in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

Reason - To ensure that the water resource is not detrimentally affected by the development.

#### 12. Phase 2 Intrusive Investigation Method Statement

Based on the findings of the Desk Study, Preliminary Site Investigation & Risk Assessment Report (Project ID JT0341), potential for contamination remains on site. Thus, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA C665 & C552 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

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

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

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

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

#### 14. Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site-

Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

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

#### 15. Construction Environmental Management Plan (CEMP)

The development shall be carried out in accordance with the approved scheme set out in the Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022 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 2023.

#### 16. Landscaping

Construction of the building above ground floor level shall not commence on site until details of an arboricultural method statement to include a landscape management plan, in conjunction with a detailed bee-friendly landscaping and tree planting scheme, has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, and details of hardsurfaces.

On substantial completion of the development, the approved scheme of hard landscaping shall have been constructed.

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

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

#### 17. Boundary Treatment

Construction of the building above ground floor level shall not commence on site until details of the proposed boundary treatment including position, external appearance, height and materials of all boundary walls, fences and gates have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been implemented on site. It shall be retained at all time in the future.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2023.

#### 18. Bins & Recycling facilities

The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future.

REASON To ensure that there is adequate storage facilities available at the site 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 2023.

#### 19. Crime Prevention

No development above ground floor slab shall commence until a secure access strategy and secure letter/parcel drop strategy in line with the principles of Secured by Design and in consultation with Thames Valley Police 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 behavior in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 (saved policies) and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework 2023.

#### 20. 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.

#### 21. Visibility

No other part of the development shall be occupied until visibility splays of 2.4m x 43m have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 600mm in height above the nearside channel level of the carriageway.

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

## 22. Car Parking Provision

The parking spaces and turning areas shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect 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, Policy T2 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

## 23. EV Charging facilities

Prior to the first occupation of each unit, the residential car parking provision for the unit shall be provided, to include a 5 electric vehicle charging points and 5 parking spaces with passive electric vehicle parking provision, providing a total of 10 parking spaces with EVCP provision. 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 2023.

## 24. Cycles storage

Prior to the first occupation of the development hereby permitted details of the cycle parking provision (including the security measures of the facilities and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

## 25. External Site 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.

REASON In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

#### 26. Wheelchair accessible flats

Prior to commencement of works above slab level, details of access and internal layouts for at least 2no. wheelchair accessible flats and associated car parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and retained as such for the lifetime of the development.

REASON: To provide for the diverse needs of Slough's local communities, in accordance with Policies 8 and 11 of the Slough Borough Council Core Strategy 2008, guidance in the Council's Developers Guide Part 2, (2008, updated 2017) and the National Planning Policy Framework 2023.

#### 27. Level Access

The ground floor entrance doors to the Development shall not be less than 1 metre wide and the threshold shall be at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the main lobbies.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2023.

#### 28. No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any elevations of the development without the prior written approval of the Local Planning Authority.

REASON To protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

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. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

2. Highways

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

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

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

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

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

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

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

3. Ventilation Strategy

Should mechanical ventilation be utilised, the system is to be designed by a suitably qualified engineer or M&E consultant. The system shall be designed so the sound levels from any external plant or inlet/outlets do not exceed the background noise level at any noise receptor. This may require further assessment once the type and location of system has been specified.

4. Thames Water

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.

Informatives

The applicant is hereby informed that commencing development without first having complied with any pre-commencement conditions as set out in this decision notice may mean that the decision notice will expire and render the development to be unlawful.

This notice DOES NOT convey any consent that you may require for Building Regulations. If you are unsure whether you need Building Regulations approval and before you start any work please contact Building Control Services independently on (01753) 875810 to check whether they require an application.

Your attention is drawn to the attached notes.

This approval does not convey any approval or consent under the Building Regulations or any enactment other than the Town and Country Planning Act 1990.



Daniel Ray  
On behalf of  
Group Manager for Planning & Building Control

*DEC1fxxaci*




*Rights of Applicants Aggrieved by Decision of Local Planning Authority*

1. If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes)). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Council of the Borough in which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him/her. The circumstances in which such compensation is payable are set out in Section 157 of the Town and Country Planning Act 1990.

### **PLANNING APPLICATION REPORT**

App No	P/01158/037	Applicant	SWASTIK HOLDINGS LIMITED
		Agent	GA&A Design, 10-14 Bath Road, Slough, Berkshire, SL1 3SA
Received	17th August 2022		
Officer	Michael Scott		
Level	Committee	App Type	Full Planning
Ward			

Proposal	Construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space.
Location	19-25, Lansdowne Avenue, Slough, Berkshire, SL1 3SG

Recommendation:	<b>Approval</b>	O.D. Dec Date:	13/10/2023
		Authorised by:	
Eight Week Date:	<b>N/A</b>		
13 Week Date for Major Apps (Stats)		<b>16 November 2022</b>	
21 Day Consultation Date		<b>07 September 2022</b>	
Reason for Delay:	<b>Extension of Time 13-October-2023</b>		
Enforcement:			

#### 1. Commence within three years

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

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

#### 2. Approved Plans

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

- (a) Drawing No. 20001-GAA-XX-00-DR-T-0101 S4 Rev. P01; Dated 28/02/20; Recd On 17/08/2022
- (b) Drawing No. 20001-GAA-ZZ-GF-DR-A-0101 S4 Rev. P02; Dated 19/12/22; Recd On 19/12/2022
- (c) Drawing No. 20001-GAA-ZZ-GF-DR-A-2020 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (d) Drawing No. 20001-GAA-ZZ-01-DR-A-2021 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022

- (e) Drawing No. 20001-GAA-ZZ-02-DR-A-2022 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (f) Drawing No. 20001-GAA-ZZ-03-DR-A-2023 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (g) Drawing No. 20001-GAA-ZZ-RF-DR-A-2024 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (h) Drawing No. 20001-GAA-ZZ-GF-DR-A-2030 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (i) Drawing No. 20001-GAA-ZZ-RF-DR-A-2035 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (j) Drawing No. 20001-GAA-ZZ-XX-DR-A-2120 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (k) Drawing No. 20001-GAA-ZZ-XX-DR-A-2121 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (l) Drawing No. 20001-GAA-ZZ-XX-DR-A-2122 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (m) Drawing No. 20001-GAA-XX-XX-DR-A-2123 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (n) Drawing No. 20001-GAA-ZZ-XX-DR-A-2130 S4 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (o) Drawing No. 20001-GAA-ZZ-XX-DR-A-2131 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (p) Drawing No. 20001-GAA-ZZ-XX-DR-A-2132 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (q) Drawing No. 20001-GAA-ZZ-XX-DR-A-2133 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (r) Design & Access Statement by GAA ref no. 20001-GAA-XX-XX-DA-A-0001 S4 Rev. P03; Dated 28 July 2022; Recd On 17/08/2022
- (s) Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022
- (t) Drainage Planning Strategy by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9050/I2; Dated 27-Apr-21; Recd On 17/08/2022
- (u) Desk Study, Preliminary Site Investigation & Risk Assessment Report by Southern Testing Environmental & Geotechnical ref: no. JT0341; Dated 10 November 2020; Recd On 17/08/2022
- (v) Ecological Walkover by AA Environmental Limited ref: no. 163324/JDT; Dated 4<sup>th</sup> October 2016; Recd On 17/08/2022
- (w) Financial Viability Assessment by Aspinall Verdi issue v.5; Dated September 2021; Recd On 17/08/2022
- (x) Viability Letter re: Lansdowne Avenue by Aspinall Verdi ref: 220413 v1; Dated 13 April 2022; Recd On 07/12/2022
- (y) Unnumbered Habitats Regulations Assessment by The Ecology Partnership Dated 01/11/2022; Recd On 08/11/2022
- (z) Noise & Vibration Impact Assessment by KP Acoustic Ltd ref. no. 13675.NVA.01.Rev.A; Dated 20/03/2017; Recd On 17/08/2022
- (aa) Materials Schedule ref: 20001-GAA-XX-XX-EM-T-0001 S4 Rev. P02, Dated 13/12/2022, Rec'd 13/12/2022

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

### 3. New finishes to building works

The external materials to be used on the development hereby approved shall be as set out in the Materials Schedule ref: 20001-GAA-XX-XX-EM-T-0001 S4 Rev. P02, Dated 13/12/2022, Rec'd 13/12/2022 and no other materials unless and otherwise approved by the Local Planning Authority.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

4. New surface treatments

Construction of the building above ground floor level shall not commence on site until the external materials to be used in the construction of the access and circulation roadways, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenity of the locality in accordance with Policy EN1 of The Local Adopted Plan for Slough 2004.

5. Archaeological matters

- A) No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to and approved by, the local planning authority in writing. The WSI shall include an assessment of significance and research questions; and:
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI

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

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

REASON The site lies in an area of archaeological potential, particularly for, but

not limited to, Prehistoric and Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

#### 6. Drainage (SuDS) #1

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

The scheme shall include:

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

REASON To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 8 of the Core Strategy 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.

#### 7. Drainage (SuDS) #2

No occupation 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.

#### 8. Drainage (SuDS) #3

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 hereby approved, 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.

#### 9. Tree Protection Measures

Prior to the commencement of the development hereby approved, measures to protect the trees on adjacent sites where canopies overhang the site during the construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and thereafter provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained as an amenity for the local area.

#### 10. Sound attenuation and ventilation

Prior to commencement of development, full details of the glazing specification must be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future.

REASON: In the interest of mitigating noise to provide acceptable living conditions of future residents, to comply with policy 8 of the Core Strategy 2006 - 2026 adopted 2008, and the requirements of the National Planning Policy Framework 2023.

#### 11. Thames Water

The development hereby approved shall not commence until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source is not detrimentally affected by surface water drainage at the proposed development both during and after its construction, has been submitted to and approved by the local planning authority, in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

Reason - To ensure that the water resource is not detrimentally affected by the development.

#### 12. Phase 2 Intrusive Investigation Method Statement

Based on the findings of the Desk Study, Preliminary Site Investigation & Risk Assessment Report (Project ID JT0341), potential for contamination remains on site. Thus, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA C665 & C552 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

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

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

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

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

#### 14. Remediation Validation

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

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

#### 15. Construction Environmental Management Plan (CEMP)

The development shall be carried out in accordance with the approved scheme set out in the Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022 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 2023.

#### 16. Landscaping

Construction of the building above ground floor level shall not commence on site until details of an arboricultural method statement to include a landscape management plan, in conjunction with a detailed bee-friendly landscaping and tree planting scheme, has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, and details of hardsurfaces.

On substantial completion of the development, the approved scheme of hard landscaping shall have been constructed.

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

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

#### 17. Boundary Treatment



Construction of the building above ground floor level shall not commence on site until details of the proposed boundary treatment including position, external appearance, height and materials of all boundary walls, fences and gates have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been implemented on site. It shall be retained at all time in the future.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2023.

#### 18. Bins & Recycling facilities

The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future.

REASON To ensure that there is adequate storage facilities available at the site 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 2023.

#### 19. Crime Prevention

No development above ground floor slab shall commence until a secure access strategy and secure letter/parcel drop strategy in line with the principles of Secured by Design and in consultation with Thames Valley Police 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 behavior in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices) and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework 2023.

#### 20. 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.

## 21. Visibility

No other part of the development shall be occupied until visibility splays of 2.4m x 43m have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 600mm in height above the nearside channel level of the carriageway.

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

## 22. Car Parking Provision

The parking spaces and turning areas shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect 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, Policy T2 of The Adopted Local Plan for Slough 2004 (saved policies), and the requirements of the National Planning Policy Framework 2023.

## 23. EV Charging facilities

Prior to the first occupation of each unit, the residential car parking provision for the unit shall be provided, to include a 5 electric vehicle charging points and 5 parking spaces with passive electric vehicle parking provision, providing a total of 10 parking spaces with EVCP provision. 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 2023.

## 24. Cycles storage

Prior to the first occupation of the development hereby permitted details of the cycle parking provision (including the security measures of the facilities and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose.

REASON To ensure that there is adequate cycle parking available at the site in

accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

25. External Site 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.

REASON In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

26. Wheelchair accessible flats

Prior to commencement of works above slab level, details of access and internal layouts for at least 2no. wheelchair accessible flats and associated car parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and retained as such for the lifetime of the development.

REASON: To provide for the diverse needs of Slough's local communities, in accordance with Policies 8 and 11 of the Slough Borough Council Core Strategy 2008, guidance in the Council's Developers Guide Part 2, (2008, updated 2017) and the National Planning Policy Framework 2023

27. Level Access

The ground floor entrance doors to the Development shall not be less than 1 metre wide and the threshold shall be at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the main lobbies.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2023.

28. No new windows

Notwithstanding the provisions of the Town & Country Planning (General

Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any elevations of the development without the prior written approval of the Local Planning Authority.

REASON To protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

#### 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. 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; so it is in accordance with the National Planning Policy Framework.

1. 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](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.

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

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

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

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

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

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

2. Ventilation Strategy

Should mechanical ventilation be utilised, the system is to be designed by a

suitably qualified engineer or M&E consultant. The system shall be designed so the sound levels from any external plant or inlet/outlets do not exceed the background noise level at any noise receptor. This may require further assessment once the type and location of system has been specified.

### 3. Thames Water

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.

#### **Assessment**

Further to the assessment of the scheme under P/01158/037, it was recommended that planning approval be granted subject to the provisions of the S.106 Agreement.

At the Planning Committee on 21<sup>st</sup> December 2022, Committee members agreed the Officer's recommendation which is:

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

*1) For approval subject to: the satisfactory completion of a s106 agreement to ensure financial contributions towards each of the matters set out in paragraph 20.1 in this report, finalising conditions, and any other minor changes.*

*2) Refuse the application if a satisfactory s106 Agreement is not completed by 30<sup>th</sup> June 2023, unless otherwise agreed by the Planning Manager in consultation with the chair of the Planning Committee.”*

It is noted that the time set out in B) above has to be extended in discussion between the Chair and the DM Manager. The completion of the requisite s.106 has taken longer than expected but progress was being made and thus the process to Refuse was not pursued.

HB Law has confirmed the following by e-mail on 13<sup>th</sup> September 2023 that the s.106 has been completed – copy of Completion Statement attached.

<b>Sec. 106 Planning Obligation: (Take date from signed document or as confirmed by Legal)</b>	12/09/2023
<b>Sec. 106 – Any special instructions see Comments below</b>	

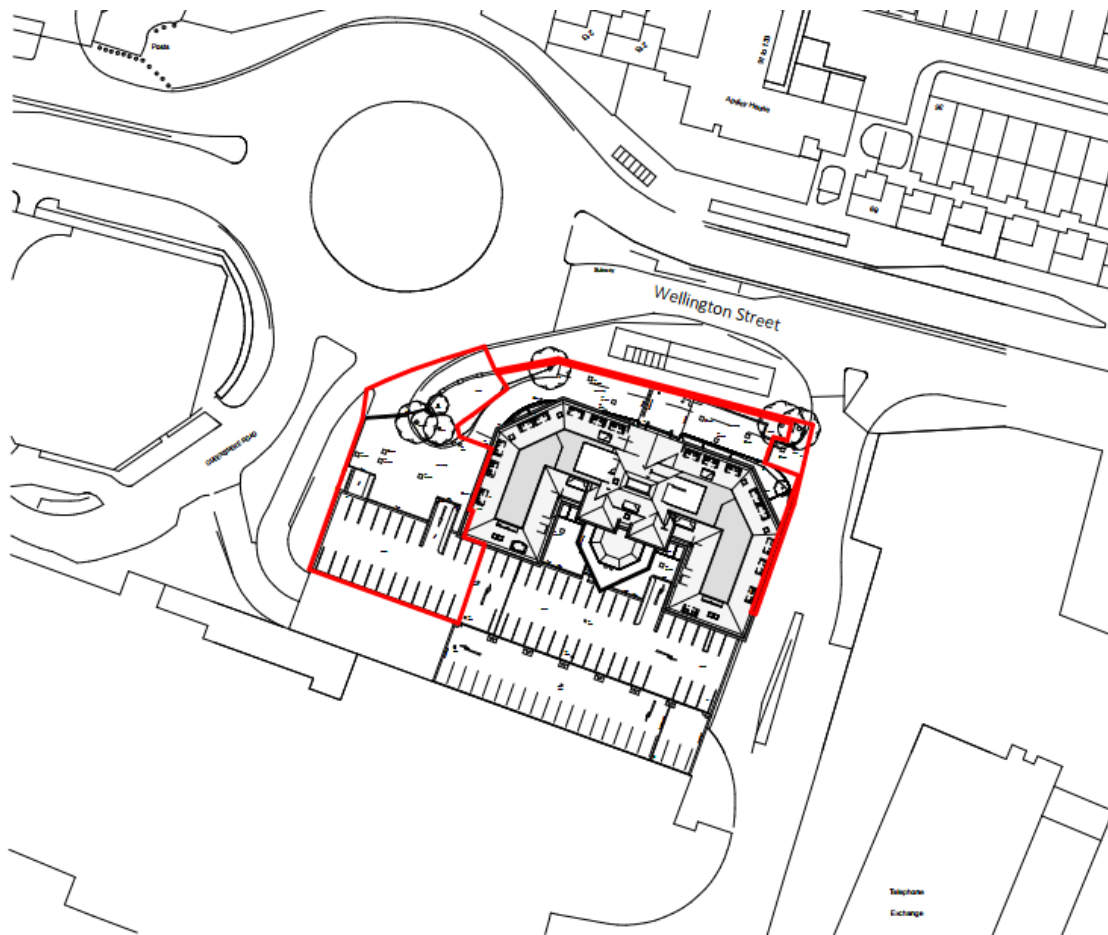
<b>Officer Delegated Application: (Report/Conditions/reasons attached)</b>	Yes, application delegated to Planning Manager under Delegation Agreement.
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<b>RECOMMENDATION:</b> Approval, subject to conditions.		
<b>Officers Signature:</b>	<b>Michael Scott</b>	<b>Date: 13/09/2023</b>
<b>Team Leader Signature:</b>		<b>Date:</b>
<b>Comments/Special Instructions;</b>		
None		

Registration Date:	23-Oct-2023	Application No:	P/03596/074
Officer:	Michael Scott	Ward:	Central
Applicant:	CG Slough 2 Ltd.	Application Type:	Major
		13 Week Date:	22 January 2024 [EoT 05 Apr 2024]
Agent:	Tetra Tech, 1 Angel Court, 11th Floor, London, EC2R 7HJ		
Location:	Verona 2, 50, Wellington Street, Slough, SL1 1YL		
Proposal:	Redevelopment of site to provide a residential building (Use Class C3) comprising 29 apartments with associated infrastructure, demolition, landscaping, drainage, car parking, cycling parking and ancillary works.		

**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 block of flats by reason of its scale, height, bulk and massing would fail to respect or respond to the established character and appearance of the area, and would constitute a cramped form and an overdevelopment of the site. As a result, the proposed development would significantly harm the character and appearance of the area and the wider street scene and would prejudice the potential future development of adjoining land. The proposal is considered to be contrary to the provisions of The National Planning Policy Framework (2023); Core Policy 8 of Slough Core Strategy (2006-2026), December 2008 and Policies EN1 and H9 of Slough Local Plan 2004.
2. The proposal would, if acceptable in other respects, be required to legally secure affordable housing, off-site infrastructure made necessary by the development including financial contributions towards education, open space enhancements and mitigation for the cumulative impact on Burnham Beeches, all of which would need to be secured by the completion of a section 106 agreement. No such agreement has been completed, contrary to Policies 4, 9 and 10 of the Slough Local Development Framework Core Strategy 2006 - 2026, Slough Borough Council's Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106) and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

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



## **PART A: BACKGROUND**

### **2.0 Proposal**

2.1 This is a full planning application for:

- Demolition of the existing car park structure.
- Construction of a part 9/part 10-storey building to provide a total of 29 no. residential apartments (11 x one-bed, 11 x two-bed and 7 x three-bed).
- The scheme at submission included 12 affordable housing units on the basis of Rent to Buy/Shared Ownership/Discount Market Rent which represents 41% i.e. policy compliant – a subsequent letter sets out that a body may take and deliver 29 Rent to Buy affordable housing units.
- 14no. car parking spaces would be provided; so, off-street parking would be reduced by some 23 car parking spaces.
- None of the remaining car parking is identified for Blue Badge holders.
- 4no. parking spaces have been identified for the provision of electric vehicle charging facilities (EVCP).
- Secure storage for 58no. cycles within an integral store at Lower Ground floor level for future residents.
- New brick-built secure bin and recycling storage facilities would be provided to serve each of block - Verona 1 and the propose Verona 2 separately.
- Access/egress would be shared with Verona 1 as per the existing circulation within the overall site.

2.2 The new building would be sited: immediately on the western boundary; some 1.5m from the southern boundary; some 7.3m. from the closest part of Verona 1 beyond the eastern boundary of the plot; and, project some 2.5m. further forward than the northern face of the existing car park decks that it would replace.

2.3 The overall footprint of the proposed building would be almost square – some 18.25 metres (west-east) and 18 metres (north-south). There would be a single-storey undercroft area at the north-west corner to provide the entrance at ground floor level There would be a set-back (of some 6 metres across west-east by some 2.25 metres deep north-south) above first floor level at the north-west corner closest to Verona Apartments; so, the northern face of the new building would then rise to nine storeys, whilst the western, southern and eastern facades would rise to ten-storeys, with a mix of recessed and projecting balconies. At roof level there would be a flat roof giving space to provide solar panels and the lift overrun set behind a parapet. The overall height would be close to 34 metres.

2.4 The facades would comprise of contrasting red and grey facing materials with a blue/grey anodised aluminium cladding.

### **3.0 Application Site**

- 3.1 The application relates to a plot to be formed by adapting the western end of the two-tier deck parking structure serving the Verona Apartments (Verona 1) building. The existing decks at lower ground and ground floor level are accessible to any vehicle; though private parking controls apply. There is a ramp up from the street level access off the HTC roundabout to the open upper ground floor level and a separate ramp alongside to the covered lower ground floor level. The existing deck structure would be demolished and the plot made ready for the foundation of the new building rising to ten storeys.
- 3.2 The Verona Apartments building is a former office block now converted and occupied as residential flats. This is 'horse-shoe' shaped with a long axis fronting Wellington Street and two return 'wings' at the western and eastern ends. A south facing aspect is formed by the siting of the block around a deck level amenity area. It comprises five storeys with a sixth floor at roof level. There are some 130 private residential units at Verona 1.
- 3.3 Immediately adjacent to the south of the application plot is the sheer but open colonnaded north face of the Observatory Car Park serving the integral Shopping Centre. The ramp within the car park lies within the open colonnade. By contrast, Verona 1 lies some 20 metres away to the north of the north façade of the Observatory Centre.
- 3.4 For completeness, it should be noted the plot lies: in the designated Town Centre; in an Air Quality Management Quality Management Area (AQMA); in Flood Zone 1 (where no Flood Risk Assessment is required); but is not in a Conservation Area and there are no heritage assets close by; and, there are no trees under a Tree Preservation Order in close proximity.

### **4.0 Relevant Site History**

- 4.1 There have been a series of Pre-Application submissions in relation to this plot.

(a) Pre-App/00824

In February 2017 an enquiry was received for a scheme entailing a "Proposed development of 102 residential units comprising 26 studio apartments, 62 one bed apartments and 12 two bedrooms apartments".

(b) Pre-App/00946

In November 2017 an enquiry was received for a scheme entailing the “Erection of a 12 storey building to provide with 46 flats (32 x 1 bed & 14 x 2 bed)”.

The officers’ concluding remarks in a letter dated 3 January 2018 regarding Pre-App/00946 were, as follows:

*As proposed [the 12-storey scheme], the building would be of an excessive height which would be out of keeping with the context of the area and result in potential conflict with prospective proposals for the comprehensive redevelopment of Slough High Street. The proposed height and siting of the building would also result in harmful impact upon neighbouring residential living conditions resulting in significant loss of light and increased sense of enclosure and overbearing appearance in outlook. As such, the proposal cannot be supported in any form which would result in this kind of impact.*

*It is commendable that the proposal has been amended from previous schemes to reduce its height and scale and which addresses concerns regarding overlooking, however insufficient evidence has been provided at this stage to justify the proposed height in terms of context, density and scale.*

*The proposal has also failed to take into account the context of the site regarding its impact on the existing townscape and although the proposed height has taken into consideration the emerging proposals for the Queensmere redevelopment, no regard has been taken of the proposed accessing arrangements required for the redevelopment to take place. If it were possible to overcome concerns relating to scale and impact on the adjoining buildings, you would be encouraged to review the proposals under application P/06684/015 and to develop a comprehensive approach to any potential development on this site. You are also encouraged to take into account emerging proposals for extensions at Verona 1 and the potential impact of the proposals upon this residential neighbour.*

These remarks are not binding on the determination of a formal planning application.

(c) Full planning application P/03596/070

This formal submission was received in August 2018 for “Redevelopment of existing car park to provide a new part 8 part 10 storey detached building comprising 39 dwellings (14no. 2-bed units and 25no. 1-bed units). Associated parking and landscaping.”

This application was REFUSED by Slough Borough Council Planning Committee at its meeting on 31<sup>st</sup> October 2018 for the following reasons:

1. *The proposed block of flats by reason of its scale, height, bulk*

*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. As a result, the proposed development would significantly harm the character and appearance of the area and the wider street scene. The proposal is considered to be contrary to the provisions of The National Planning Policy Framework (2018); Core Policies 7, 8 and 9 of Slough Core Strategy (2006-2026) and Policies EN1 and EN3 of Slough Local Plan.*

2. *The proposed development, by reason of its siting, scale, height and massing would result in loss of outlook, an increased sense of enclosure and light intrusion, and by reason of the close proximity of the proposed new building there would result in increased noise and disturbance that would be detrimental to the residential amenity of the occupiers of the adjacent residential occupiers located at Verona Apartments (Verona 1). Such impacts upon the residential amenity of the neighbouring occupiers are considered to be unacceptable and harmful contrary to the aims of the NPPF, Core Policy 8 of Slough Local Plan and Policy EN1 of Slough Local Plan.*
3. *The proposed development, by reason of its proximity to the adjacent buildings at Verona Apartments and the Observatory Shopping Centre would result in a very poor outlook, a very strong sense of enclosure and the likelihood of noise and disturbance, as well as light intrusion, arising from the occupation of the Verona Apartments and the vehicular activity within the Observatory Shopping Centre, that would be detrimental to the residential amenity of the future occupiers of the proposed residential building. Such a failure is considered to be unacceptable and harmful contrary to the aims of the NPPF, Core Policy 8 of Slough Local Plan and Policy EN1 of Slough Local Plan.*
4. *The proposed development has failed to demonstrate, to the satisfaction of the Local Planning Authority that the development should not provide: (1) affordable housing as required by Core Policy 4 of Slough Core Strategy 2006-2026, and, (2) a financial contribution to open space enhancements as required by Core Policy 10 of Slough Core Strategy 2006-2026.*

This was a formal determination, which represents a material consideration in the determination of the current application P/03596/071.

(d) Pre-App 1165

In March 2019 an enquiry was received for a scheme entailing the “Erection of a new residential development on a redundant brownfield to provide 34no. apartments”.

The officers’ concluding remarks in a letter dated 9 July 2019 regarding Pre-App/01165 were, as follows:

*The proposed scheme reduces the footprint of the previously refused building, and in doing this it improves the relationships to neighbours to some extent. However, this does not overcome the first reason for refusal nor does it demonstrate that the development would overcome the second and third reasons. The fourth reason for refusal could be overcome by providing a suitable section 106 agreement that would make provision for an appropriate quantum of affordable housing and off-site amenity improvements, subject to any scheme coming forward that fully addresses reasons 1, 2 and 3.*

*Given the very tightly constrained nature of the site, it is apparent that there are very considerable difficulties in bringing forward an acceptable development on this site. It is questioned whether this small area of land should be considered for development as a stand-alone site. Redevelopment may be more achievable if it was to be carried out in conjunction with the future development of the Observatory Shopping Centre.*

The concluding remarks were as follows:

*Given the very tightly constrained nature of the site, it is apparent that there are very considerable difficulties in bringing forward an acceptable development on this site. While it was not cited in the reasons for refusal [under P/03596/070], it is noted that saved Local Plan Policy H13 sets out a range of criteria for infill development. The refused application failed to meet some of those criteria, and the possibility for optimising the potential for more comprehensive development of the area forms a further point of assessment which it is considered relevant to this proposal. While no objection was raised on that point, in light of the type of development being proposed for this very small parcel of land both in the refused application and in this amended [Pre-app] proposal, it is questioned whether this small area of land should be considered for development as a stand-alone site; its redevelopment may be more achievable if it was to be carried out in conjunction with the future development of the Observatory Shopping Centre.*

These remarks are not binding on the determination of a formal planning application.

(e) Full planning application P/03596/071

This formal submission was received in October 2022 for “Redevelopment of site to provide a residential building (Use Class C3) comprising 29 apartments with associated infrastructure including landscaping, drainage, car and cycle parking.”

This application withdrawn by the applicant prior to determination.

The current application for determination is largely the same as P/03596/071 but with a different access arrangement.

## **5.0 Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), five site notices were displayed – each immediately adjacent to the perimeter of the application site which encompasses the site of Verona 1 - on 14/11/2023.
- 5.2 The application was advertised as a major application in the Slough Express published on 3<sup>rd</sup> November 2023.
- 5.3 There have been representations from some 37 neighbours at the time this report was complete for publication – any further objections will be included on the Amendments Sheet for Members at the Committee meeting. The matters raised cover a wide range of issues, not all of which are “planning” matters, the objections are summarised below:
- Loss of privacy/overlooking due to proximity of the new buildings, its height and large footprint.
  - It would compromise the quality of life and diminish the living conditions for the residents.
  - Slough Borough Council have acknowledged in SLDF the key demand for properties in Slough is 4+ bedroom houses. Therefore, approving this scheme would not align with the local planning policy.
  - The Slough Local Development Framework (2026) shows that there is already a significant oversupply of flats / apartments compared to conventional housing, which is 30% below the average for Berkshire, a further development of flats is only going to make this worse.
  - Consequent pressure to extend existing family housing.
  - The SLDF notes that Slough has the highest level of overcrowding in the region. Slough Borough Council (SBC) itself has stated that with the vast majority of new dwellings being built in Slough being one and two bedroom flats, there is increased pressure upon the existing housing stock to be extended or adapted to meet the demand for larger family housing in the Borough.
  - Parking, traffic and highway safety: this development is in a highly densely populated part of the town, next to an extremely busy roundabout which will only be further exacerbated. This will increase risk of traffic accidents and danger to pedestrians crossing. In addition, car park space is already at a premium and this development will only add to the demand for car parking spaces. There is insufficient local parking, there are parking spaces in the adjoining development but the design of the space is prohibitive for

- many vehicles and there are no electric charge points.
- Noise and disturbance: When the 6th floor penthouse suites were constructed on top of the existing Verona apartments, the developers were very inconsiderate of the existing residents. Construction work was prolonged and below par which led to leaks into existing apartments as well as falling masonry creating a very unsafe environment. Residents have no confidence in the developers as responsible, health safety conscious builders.
  - Pest infestation and Security: the bin areas for the existing Verona building are already overloaded and despite security measures it's difficult to stop trespassers. There have been incidents of residents' private correspondence being used as part of scams. The overloading has led to pest infestation on the ground floor of Verona. The new building does not appear to have a waste disposal solution to deal with this problem and believe they are planning to use the existing bin area which will only lead to further problems.
  - Ageing population doesn't need flats.
  - Density puts pressure on existing limited open space/parks.
  - Many unsold flats in Slough Borough Council
  - Loss of light
  - Developer's "poor track record", for example the common areas of the existing Verona Apartments were neglected for a number of years, and the increase in local residents will make this worse. Developers who have submitted this plan have neglected to maintain their existing building Verona Apartments to an acceptable state. Putting their focus on a new development would further take their focus away from making the existing building safe and liveable.
  - The Slough Schools Strategy 2018-2023 recognises there is insufficient capacity for older school pupils and this will only worsen with an increasing population, as such these properties are potentially adding to this problem.
  - The Developers have an exceptionally poor track record of similar developments in Slough and should not be trusted, they are exceptionally aggressive and use highly complex and convoluted corporate structures to avoid accountability. As an example, the current Verona Apartment block is without a Building Guarantee Warranty and with properties which cannot be sold. They have sold the freehold to another company without giving leaseholders any notice, which I understand is a breach of the law.
  - Leaseholders at Verona Apartments have had to spend tens of thousands of pounds to start to put right the mess they have left, including forming a Right to Manage Committee. I am one of many leaseholders who have been trapped in this terrible situation with these extremely aggressive developers, doubling ground rent issue, no building

insurance in place, unsafe parking and inadequate spacing making it difficult to actually use many of the spaces, and now the new development plan to build another tall building right next to the existing one.

- Developer has “contractual/legal issues with existing building/transfer of freehold and tenants”.
- Leaseholders “trapped” by legal issues.
- Incorrect information submitted and boundary has been inaccurately described by the applicant.

5.4 Additionally, observations have been received from the agent representing British Land (the owner/developer of the Queensmere Shopping Centre).

Their Executive Summary states:

*“Our client acknowledges that the applicant has sought to respond to some of the reasons for refusal included within the Committee Report for the previous submission [P/03596/071], notably in respect of access/egress and planning obligations. ... Officers expressed particular concern regarding the scale, height, bulk, and mass of the previous scheme.*

*The footprint, scale, height, bulk, and mass of the current submission have not been amended from the previous submission. Furthermore, the location and orientation of the proposals have not been updated and as such, the current submission has not addressed the key concerns expressed by Officer in respect of the previous scheme.*

*These elements, which constituted reasons for refusal of the previous submission, therefore remain unresolved and in our view remain valid reasons for refusal as they are equally applicable to the current submission. It is noted that several of the reasons for refusal, including the concern that the proposals would represent an overdevelopment of the Site’s location and proximity to existing assets, are not possible to overcome.”*

## 6.0 **Consultations**

### 6.1 **Highways and Transport**

#### **Introduction**

This document provides Slough Borough Council’s consultation response regarding Highways and Transport for application P/03596/074.



A Transport Statement by Patrick Parsons has been submitted in support of the application.

### **Vehicle Access**

SBC Highways and Transport require the agreement of a planning condition which secures amendment of the access arrangement prior to planning permission being granted.

The vehicle access to the site would need to be amended to ensure that residents of the proposed development do not exit the site in close proximity to the ramp for the Observatory Shopping Centre where there is poor visibility of vehicles approaching from both directions (photos provided below). Egress could be restricted by road markings, signage and metal flaps known as 'alligator teeth'.

The application does not confirm the visibility splays available from the site egress adjacent to the ramp for the Observatory Shopping Centre car park. Photos of left hand and right-hand visibility from the proposed egress are shown below:



The northern access junction (egress) has been designed as the site egress with a no-entry sign and the building line angled to allow right hand visibility towards vehicles approaching from Observatory Car Park and car parks to the rear of the High Street Shops. A fence appears to have been erected which would need to be removed/reduced to allow suitable visibility.

### **Refuse and Delivery Vehicle Access**

SBC Highways and Transport are satisfied that refuse collection and deliveries to the proposed development could be completed under the existing arrangement for the existing dwellings at Verona 2. The existing arrangement is for refuse vehicles to enter from HTC roundabout and this access to the site would be retained.

Measurements taken on site indicate there is 4 metres overhead clearance within the undercroft which provides enough overhead clearance to allow fire engines and delivery vehicles to pass through the undercroft. The Transport Statement states there is 5 metres overhead clearance available.

### **Access by Sustainable Travel Modes**

SBC have previously requested improvements to the sustainable transport infrastructure for any application on this site. Due to the low level of car parking on-site, the proposed development would create additional demand for Slough's walking, cycling and public transport facilities.

The Transport Statement submitted by Patrick Parsons states in Paragraph 5.13 that the 'The client is willing to fund/undertake the following works as part of a Section 278 agreement:

- The upgrade of the pelican crossing outside the site to a toucan crossing through a Section 278 Agreement. This is to connect cyclists from the site with the shared cycle path along the north side of the A4 and with Slough railway station;
- The provision of a table crossing across the site access junction along the Southern A4 footway;
- The upgrade of the footway to shared footway between the site entrance and the new toucan crossing;

The proposed development is located 600 metres (9 minutes' walk) from Slough Railway Station and just 5 minutes' walk from Tesco Extra and Slough High Street.

The closest bus stops to the site are 'The Sorting Office' Bus Stops on the A4 which are located 150 metres from the proposed dwellings. Buses available at these stops include the A4, No. 5, No. 6, No. 7, No. 81, No. 107 and No. 703 which allow travel to Britwell, Cippenham, Wexham, Slough Trading Estate, Heathrow Airport, Hounslow, Uxbridge, Maidenhead and Bracknell.

### **Trip Generation and Traffic Impact**

SBC have no objection to the proposed dwellings due to the forecast vehicle trips. The 29 dwellings and 14 parking spaces are forecast to generate up to 7 two-way vehicle trips per hour throughout the day. SBC Transport Officers would not expect the development to have a severe impact on vehicle queues or congestion.

The forecast is based on survey data from developments of flats in the TRICS Database. The TRICS Database provides trip survey data from similar developments around the UK.

### **Proposed Car Parking**

14 parking spaces are proposed, which equates to 0.48 parking spaces per dwelling. This would be considered in accordance with Slough's Car Parking Policy and is acceptable given the improvements offered for sustainable travel and the site's close proximity to Slough Station, Slough Town Centre and bus stops.

The proposed dwellings are situated within Slough's defined Town Centre Area where Nil Car Parking is allowed by Slough's Adopted Car Parking Standards.

Slough's Core Strategy provides the following policy regarding car parking for developments in the Town Centre: '*Maximum restraint will be applied to parking for residential schemes in the town centre*' – Slough Core Policy 7 (2006 – 2026).

### **Blue Badge/Disabled Parking**

SBC Transport Officers require a planning condition which secures one parking space for blue badge/disabled drivers. No blue badge/disabled car parking spaces are shown on the submitted site plans.

SBC Transport officers require that a minimum of 1 car parking space is designed for blue badge/accessible drivers. Inclusive Mobility (2021) recommends 5% of parking spaces are designed to an accessible standard with a 1200mm access strip at residential developments.

DfT data released in March 2023 showed that 4.6% of the UK population (2.57 million people) hold a valid blue badge.

### **Electric Vehicle Parking**

The Transport Statement outlines that 4 parking spaces would be provided with EV Chargers in an unallocated car parking layout with passive provision for future activation. This would be considered acceptable according to the requirements of the Slough Low Emissions Strategy (2018 – 2025).

### **Cycle Parking**

SBC also request a planning condition which secures the provision of Sheffield stands at the entrance to the proposed development to provide short-stay visitor cycle parking. These short-stay cycle parking spaces cater for those visiting the development on bikes or Deliveroo riders. The Slough Developer's Guide requires the provision of short-stay visitor cycle parking for flatted developments

of 10 dwellings or more.

58 secure and covered cycle stands are proposed inside the development which would provide two cycle parking spaces per dwelling for residents. The Slough Developers' Guide requires the provision of 1 secure and covered cycle parking space per dwelling.

### **Summary and Conclusions**

I can confirm that I would have no objection to the application and recommend approval is subject to the conditions and informatives listed below:

### **Conditions for Approval**

#### **Vehicle Access**

No part of the development shall commence until a drawing has been submitted to and approved in writing by the Local Planning Authority which includes measures preventing egress via vehicle access adjacent to the ramp for Observatory Car Park. Once approved, the altered means of access shall be sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Design Guide.

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

#### **Car Parking**

Prior to the development hereby approved first being brought into use, 14 no. car parking spaces shall be provided and made available for use in connection with the residential development and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business, commercial or residential use.

REASON: 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`

#### **Disabled Car Parking**

Prior to the commencement of the development, a drawing shall be submitted to and approved by the Local Planning Authority which provides an amended car parking layout with 1 car parking space

for disabled/blue badge driver in accordance with DfT Guidance Inclusive Mobility. The parking space shall be designed with a 1200mm access strip and sign posted for blue badge users only. Once approved, the development shall be constructed in accordance with the approved parking layout.

REASON: To ensure suitable car parking providing for blue badge holders or disabled drivers.

### **Electric Vehicle Charging**

Prior to the commencement of any development hereby approved, details of the 4 active electric vehicle charging points (Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase), together with underground ducting and cable provision to provide a passive supply for the remaining car parking spaces shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully installed and the active charging points shall be fully operational prior to the first occupation of the development and be retained in good working order at all times in the future.

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

### **Residents Cycle Parking**

No part of the development shall be occupied until secure cycle parking store has been provided in accordance with the approved plans and in accordance with the standards set out in the Slough Developers Guide. Once laid out and constructed that area shall not thereafter be used for any other purpose.

REASON: To ensure that adequate and convenient cycle storage is provided to accord with the standards set out in the Slough Developers Guide.

### **Visitor Cycle Parking**

No part of the development shall be occupied until details of short-stay visitor cycle parking have been submitted to and approved by the Local Planning Authority. Once approved, the cycle parking shall be provided in accordance with these details and shall be retained at all times in the future for this purpose.

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

### **Construction Traffic Management Plan**

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

1. A site set up plan displaying 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.
2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 0800 – 0900 and 1700 – 1800, and outside of 1430 – 1530 where the development is located in proximity to a school.
4. 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.
5. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
6. Details of dust control measures and wheel washing facilities to be provided on site.
7. Confirmation of whether any abnormal loads will be required for the construction or demolition. If so, the LHA must be notified of any abnormal loads at the following location:  
<https://www.slough.gov.uk/licences-permits/abnormal-loads/1>.

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

REASON: In the interest of minimising danger and inconvenience to vehicular traffic and pedestrian highway users in accordance with policies 7 and 8 of the Core Strategy 2008 and the requirements of the National Planning Policy Framework 2019.

### **Bin Storage**

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

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

### **Informatives**

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

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.

## 6.2 **Lead Local Flood Authority**

Having reviewed the applicant's submitted details located within:

1. P/03596/074(002) PLANNING STATEMENT
2. P/03596/074(012) DRAINAGE STRATEGY

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.

**Condition**

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 the NPPF and Policy 5 of the Core Strategy for North Northamptonshire 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.

**Condition**

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

**Condition**

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy, ref. P/03596/074(012) DRAINAGE STRATEGY 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

**Informative**

Please note that the comment on the acceptability covers only submissions for the proposed surface water drainage scheme for the development.

We ask to be re-consulted on this requested surface water drainage information. We will provide you with bespoke on formal re-consultation.

6.3 Environmental Quality Officer

Please find my comments in relation to air quality and environmental noise considerations of the scheme: Verona Apartments, 50, Wellington Street, Slough, SL1 1UL (P/03596/074).

### **Proposal**

This application is an amendment to a previous proposal under /071, for the redevelopment of the site to provide a residential building (Use Class C3) comprising 29 apartments with associated infrastructure including landscaping, drainage, car and cycle parking. The updated proposal now includes demolition and ancillary works.

The main change to the development design is the reduction of external amenity space to accommodate a new entranceway. Diagrams which illustrate this are presented below:



### **Air Quality Comments**

The air quality assessment that accompanies the application is dated September 2022, therefore it is expected that no changes have been made to the assessment. As such, the comments made on the previous application (P/03596/071) still apply and are presented below for completeness.

In line with the Slough Low Emission Strategy, the scheme is considered to have a minor impact on air quality due to the low number of predicted vehicle trips. The proposed development is approximately 25m from the roadside, therefore exposure to poor air quality is very unlikely for future occupants.

A Construction Environmental Management Plan (CEMP) 'framework' has been submitted in support of this application. It states that as contractors have not yet been appointed, this CEMP aims to set out the fundamentals of construction management and it is expected that an updated version will be

submitted once details are confirmed. Within this CEMP, much of the detail on noise and dust management is already provided, including use of wheel washing facilities, screens to reduce dust and damping down. It is noted however that details of emission standards are not provided, which is expected to be specified in the updated submission.

As the development is expected to cause a minor air quality impact, the scheme only requires the integration of Type 1 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. As stated in the Design and Access Statement, 4 EV charges will be provided, which is accepted. It is recommended that cabling is installed to allow for future provision for the remaining parking spaces allocated to this development.
- 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 Institute of Air Quality Management (IAQM) dust mitigation, including a Dust Management Plan as specified within the Air Quality Assessment, plus methods to control noise.
- 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.

### **Construction Environmental Management Plan**

A revised Construction Environmental Management Plan (CEMP) has been submitted as part of this application. As outlined above, the core principles of the CEMP were accepted, however some information was missing.

The case remains that the contractors for the development have not yet been appointed. Once appointed, the contractors will liaise with SBC prior to starting on-site to finalise and agree details and methods. It is expected therefore that a CEMP will be required via condition (details provided below).

### **Construction Environmental Management Plan:**

*No demolition or development shall commence on site until a Construction Environmental Management Plan to control*

*environmental effects of demolition and/or construction, has been submitted to and approved in writing by the Local Planning Authority.*

*The Plan shall include the provision to be made to accommodate:*

- i) all site operatives and visitors*
- ii) construction vehicles which meet a minimum Euro 6/VI Standard*
- iii) loading and off-loading*
- iv) parking and turning within the site*
- v) wheel cleaning facilities during the construction period*
- vi) non-road mobile machinery (NRMM) to comply with the emission standards in Table 10 in the Low Emission Strategy guidance.*

*The Plan shall also include details of:*

- (i) control of noise*
- (ii) control of dust, smell and other effluvia*

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

### **Environmental Noise Comments**

An updated environmental noise assessment has been prepared by Tetra Tech in support of this application. A summary of the original application is provided below:

- The assessment was informed by a combination of noise monitoring to establish the baseline (survey period 10<sup>th</sup> – 16<sup>th</sup> August 2022) and noise modelling to determine noise impact to future occupants of the development. Dominant noise sources identified include road traffic noise from the A4, some residential noise and aircraft.
- Results indicated that noise levels reached 62.3dB LAeq during the day and 57.7dB during the night, with an L<sub>Amax</sub> of 94.7dB.
- To mitigate against these noise levels, double glazing (30dB R<sub>w</sub> achieved with 6/12/6mm) and an acoustic ventilation system was proposed, which was accepted.
- In regards to external amenity noise levels, only the northern facing balconies (AR03) experience noise levels above the limit of 55dB. As the use of this balcony is at the occupant's discretion, and there is alternative screened outside space available on the ground floor, this was accepted.
- The proposal included a substation on the ground floor, however at the closest receptor, noise levels were predicted to be 10dB below the background noise level, under the assumption that plant noise will be limited to 39.3dB(A) at 1m or 30.1dB(A) at 3m.
- Conditions regarding glazing and ventilation details, and plant noise limits (43dB), were applied, which would result in an acceptable application in terms of noise impact.

A comparison between the two reports has been provided below.

Report Section	P/03596/071	P/03596/074
1.1 Purpose of the Report	Lists development as residential.	Lists development as 'residential-led mixed use'. This issue of the report has been updated to include the existing road into the proposed development from the HTC roundabout that was previously removed.
1.2 Legislative Context	Provides a summary of NPPF and applicable paragraphs, plus PPG guidance summary.	No change.
1.3: Acoustic Consultants' Qualifications and Professional Memberships	Summary table provided of personnel involved in the report development.	No change.
2.1: Internal and External Noise Assessment Criteria	Internal and external noise assessment criteria provided in table with alignment with NPSE effect level.	No change.
2.2: Pro PG Planning and Noise	Summary of Pro PG guidance provided, including Stage 1 and 2 risk assessment methodology.	No change.
3.1: Noise Modelling Methodology	Methodology for noise modelling provided with CADNA noise model figure and assumptions.	Outline of proposal updated – everything else unchanged
3.2: Model Verification (Existing Ambient Noise Climate)	Tables provided that compare the modelled data against the monitored data.	No change.
3.3: Receptor Locations	(Two sections are both labelled 3.3 – receptor locations and external amenity receptors). Table with sensitive receptor locations is provided with supporting map.	External amenity labels have been corrected (previously wrongly labelled between map and table). Receptor A04 and A05 appear to have changed orientation but table description is unchanged. Appears to still represent external communal green space.
4.1 Noise Survey Methodology	Noise survey methodology provided, with map showing monitoring locations.	No change.
4.2 Noise Survey Results	Table of results provided. Table 4.2 shows meteorological information with a description of the	No change.

	dominant noise source, and Table 4.3 shows the average baseline noise monitoring survey results.	
5.1 Building Services Plant Assessment	The substation is located on the ground floor of the building facing east, therefore breakout noise is assessed via the louvre on east of the building.	Substation is now on ground floor of building facing north, inside proposed commercial unit, therefore plant breakout assessed through louvre on north of building. Plant rating levels have therefore been updated in Table 5.2, showing highest noise levels at R06. The results are similar (10dB – 36dB below background), just affecting different receptors.
5.2 ProPG Stage 1 Risk Assessment	A table of risk levels is provided, with the noise contour outputs from the model. Shows risk is low during the day, and medium-low during the night.	Table/figure descriptions in the text have been updated. Under Figure 5.3, the text has been reworded slightly but no fundamental changes.
5.3 ProPG Stage 2	<p>External amenity noise levels provided in Table 5.4, showing compliance against 50dB target noise level, but exceedance of this is experienced at AR03 at 58dB (northern façade).</p> <p>The noise intrusion assessment (5.3.2) shows the noise impact with and without windows open, compared with the internal noise level criteria, for day and night, supported with noise contour maps.</p> <p>Proposed mitigation includes glazing of Rw + Ctr 30dB and ventilation with sound reduction equivalent to glazing (typically acoustic trickle vents) for all living rooms and bedrooms of the development</p>	<p>Wording has been amended slightly, nothing fundamental. External amenity noise levels in Table 5.4 have been amended – higher than the original assessment by 1dB and 0.3dB, at A02 and A03, respectively. A04 and A05 are less than the original results by 0.4dB and 1.1dB, respectively. External amenity area includes 1.8 solid fence and includes existing fence around bin storage for Verona Apartments. Previously was a solid fence/equivalent 'green wall' – seemingly removed from design. Figure 5.3 shows external amenity barrier location amended to enclose a section closer to the main building (design was changed to accommodate new road).</p> <p>The noise intrusion tables have been updated in light of the information above. Table 5.5 noise levels are mostly the same, although external façade LAeq at 1m distance have been amended slightly. Daytime changes: decrease by 0.4dB at R05 and R06, 0.2dB at R07, 0.1dB at R08, and a 0.1dB increase at R09. Night time changes: decrease</p>

		<p>by 0.3dB at R05, 0.5 decrease at R06, 0.2dB at R07, no change at R08, and 0.1dB increase at R09.</p> <p>Overall relatively unchanged and expect this is a result of the reorientated barrier.</p> <p>Table 5.6 L<sub>Amax</sub> noise intrusion levels, small decrease in external façade L<sub>Amax</sub> at 1m distance by maximum 0.2dB. Very little change in internal noise levels, 0.1dB worsening of internal noise level at receptors R08-R10.</p> <p>Text under Figure 5.6 is unchanged.</p> <p>The same glazing and ventilation performance requirements are presented.</p>
5.4 Approved Document Part O	Not included in original report.	<p>An additional Section (5.4) has been added regarding overheating, stating that the internal noise levels at night do not exceed the L<sub>Aeq</sub> or L<sub>Amax</sub> limits specified within Approved Document O, therefore can rely on openable windows to prevent potential overheating. All receptors however show exceedance of the BS8233 internal noise limit of 30dB, the greatest being at R06 (39dB), therefore there is risk that this will result in noise impacts during the night.</p> <p>It is therefore requested that an overheating assessment is provided which determines the frequency and duration of overheating occurrences, to determine whether use of windows for overheating mitigation is a suitable option.</p>
6.0 Conclusions	A summary of the above details is provided, concluding that an exceedance of the SOAEL is not expected.	<p>Changes include removal of the term 'eco sound barrier/green wall' from the description of the fence.</p> <p>External amenity noise level 'set to achieve the desired 50dB external amenity limit', now changed to 'set to achieve the upper 55dB external amenity limit'. As before, this is acceptable.</p>

		Glazing configuration is the same. Conclusion is the same that no exceedance of SOAEL.
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To conclude, the above conclusions are accepted pending detail of the frequency and duration of overheating occurrences, to determine whether the proposed overheating mitigation strategy (natural ventilation via openable windows) is acceptable from an internal noise perspective. The conditions requested in the original comments regarding glazing and ventilation details and plant noise limits (no exceedance of 43dB) still apply.

6.4 Natural England

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

6.5 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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Management of surface water from new developments should follow guidance under sections 167, 168 & 169 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/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design>

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "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. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>  
Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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

<https://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](https://www.thameswater.co.uk/buildingwater).

The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>  
Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).

The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>  
Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

On the basis of information provided, Thames Water would advise

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

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

#### 6.6 Crime Prevention Design Advisor (Thames Valley Police)

I ask before any planning permission is granted an Access and Security Strategy is provide to support the application illustrating further detail including:

- The access controls proposed, their attributes and positioning.
- How adequate compartmentation will be achieved through the development.
- How lobbies protecting lift/stair cores and residential corridors will be secured.
- The positioning of postal services preventing the need for unrestricted access into private areas of the development.
- How the development will differentiate between users, residents/visitors/trades and how access will be varied (intrinsically linked to the ability to compartmentalise the development).
- The proposed level of physical security in terms of standard achieved relating to windows and doorsets across the development and ensuring their fitness for purpose (BS 6375).
- How the car parking areas will be secured in terms of vehicle and pedestrian control as mentioned briefly in the DAS.

This is not a finite list of contents, however detail of the requirements relating to the physical security are enclosed in the link below and makes up my recommendations for this development.

[https://www.securedbydesign.com/image/HOMES\\_GUIDE\\_2023web.pdf](https://www.securedbydesign.com/image/HOMES_GUIDE_2023web.pdf)

To aid the applicant, below is the previous response to the site under

P/03596/071 where many points have not been addressed but are relevant to this application and its layout.

It is good to see that the applicant has acknowledged the requirement for a suitable level of security being present to protect the future residents and the development itself from the negative impacts of crime and anti-social behaviour. This is particularly pertinent due to the location.

Having reviewed the application I have been unable to find a 'Security and Access Strategy' for the development, this should be provided and approved prior to planning permission being granted.

I make the following comments and ask that these are either confirmed, amended or addressed in additional documentation requested.

- From the DAS (P39) the bin storage is proposed to be enclosed and secure. I have significant concerns in relation to a single large bin store for the site in that it is likely to attract anti-social activities if left insecure. If the requirement is that the bin store should be enclosed then the following should be addressed;
  - Additional bin stores should be provided to allow a reduction in size of each unit creating a sense of ownership amongst residents for these stores. Reducing the size will likely increase better visibility internally around the store, prevent the flytipping of large unwanted items and reduce the potential for the store to be used for a number of other unwanted activities.
  - Robust access controls must be present – electronic fob access must be present on each store.
  - A single wide self-closing door should be provided with an internal thumb turn to prevent accidental lock in.
  - The door should meet the minimum standards of LPS 1175 SR1 to ensure both physical security and durability of hardware.
  - Internal lighting must be present.

Alternatively I would suggest the use of an external store with visibly permeable sides to allow surveillance in and open to the elements reducing the potential and desire of individuals to use these stores for other activities.

- I have been unable to identify any details regarding the provision for postal services. Postal services should not have unrestricted access into the development and any entry into the stairwells, lifts or communal corridors should only be possible for postal services when allowed to enter by a resident. If the proposal is that postal services will be located in the secure lobby area then postal workers should have access only through the initial front door set. The most appropriate system for this type and size of development would be to provide through the wall delivery requiring access only through the perimeter gate. Further confirmation and details are required.
- From the plans provided access controls are proposed for the perimeter gate to the development. Further detail is required regarding how visitors to the site will be managed. **This should be addressed in the security and access strategy.**
- I have been unable to identify how compartmentation will be provided through the building. Whilst there is the potential to access controls doors exiting the stair core the same is not possible in terms of the lift cores.

A visitor entering the development and accessing the lift would be able to exit on any floor. This could be addressed through access controlled lift operation if the current layout cannot be amended. **This should be addressed in the security and access strategy.**

- Whilst the DAS refers to the presence of access control no further details have been provided. The positioning and attributes of access controls and visitor entry systems must be provided to ensure they provide sufficient physical security to this development. This should confirm that no 'Trades' or timed release button will be present. Break glass to exit should not be present as these leave the development insecure in some cases for several days until the glass is replaced. An alternative that allows the system to be reset in timely manner after an emergency or false activation must be present. **This should be included in the security and access strategy.**
- Not all offenders are external to a development. Compartmentation must be provided through the development to allow residential fobs to be programmed, enabling access only to those areas they have a legitimate need to access and in all other locations treated as visitors. E.g. a resident located on the second floor should not have unrestricted access to the communal corridor of the 6<sup>th</sup> floor and should enter this area as a visitor. **This should be included in the security and access strategy.**
- I have been unable to find any details relating to the proposed secure vehicle gate its structure and how it will operate. Additional documentation should be provided. **This should be included in the security and access strategy.**
- Formal surveillance should be present on this development. Additional details should be provided regarding the positioning and type of cameras provided. **This should be included in the security and access strategy.**
- Communal entrance doors should meet the general standards of LPS 1175 SR2 or equivalent to ensure sufficient physical security and durability are present. This should include the doors located in from the parking area into the development. Confirmation is required. **This should be included in the security and access strategy.**

6.7

### Fire Safety Office

No comments have received. An update will be provided on the

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

#### **7.1 National Planning Policy Framework 2023**

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes

Section 7: Maintaining the vitality of Town Centres

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

#### **7.2 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (adopted December 2008)**

Core Policy 1 - Spatial Vision and Strategic Objectives for Slough

Core Policy 3 – Housing Distribution

Core Policy 4 - Type of housing

Core Policy 7 - Transport

Core Policy 8 - Sustainability and the Environment

Core Policy 9 - Natural and Built Environment

Core Policy 10 - Infrastructure

Core Policy 11 - Social Cohesiveness

Core Policy 12 - Community safety

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

H9 – Comprehensive Planning

H14 - Amenity space

EN1 - Standard of Design

EN3 - Landscaping

EN5 - Design and Crime Prevention

OSC15 - New facilities in Residential Developments

T2 - Parking Restraint

T8 - Cycling Network and Facilities

T9 - Bus Network and Facilities

#### **Other Relevant Documents/Guidance**

- Local Development Framework Site Allocations Development Plan Document - November 2010
- Slough Borough Council Developer's Guide Parts 1-4 - November 2008, January 2016, December 2017, November

2018

- Slough Flood risk and surface water drainage Planning guidance - January 2016
- Proposals Map – 2010
- Nationally Described Space Standards May 2016 (as amended)
- Slough Low Emission Strategy - 2018 - 2025
- Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems - March 2015
- The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended)
- Footprint Ecology report 'Impacts of urban development at Burnham Beeches SAC and options for mitigation: update of evidence and potential housing growth, 2019'

#### 7.4 Slough Local Development Framework Site Allocations DPD (2010)

The Site Allocations DPD (2010) includes a number of Site Specific Allocations (SSA) with detailed development proposals for selected sites.

The location of the current application plot does not lie in any SSA site but lies adjacent to one of these sites – designated 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 Council is promoting “major comprehensive redevelopment within the Centre of Slough” as part of its wider growth agenda. This Interim Planning Framework is produced by the Local Planning Authority's Policy Team and is the first step in producing a Centre of Slough Framework Master Plan.

The Framework does not replace any of the existing policies in the Local Plan, Core Strategy or Site Allocations DPD. It does, however, provide a land use framework that future work can be hung upon. It can be used to inform planning decisions but does not have the weight of planning policy. The Framework was considered at Planning Committee on the 31 July 2019 and members endorsed the approach taken in the strategy.

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 (Nov 2020)

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

It should be noted that the consultation document for the Proposed Spatial Strategy does not contain any specific planning policies or allocate any sites. It made it clear that the existing planning policy framework for Slough would remain in force until replaced by new Local Plan policies in the future. Nevertheless, it sets out the most up to date statement of the Council’s position with regards to strategic planning issues. 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 is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world. HRA employs the precautionary principle and Reg 102 ensures that where a project is ‘likely to have a significant effect’ (LSE), it can only be approved if it can be ascertained that it ‘will not adversely affect the integrity of the European site’. Burnham



Beeches is designated a SAC under this Directive which is located to the north of Slough.

The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC).

#### 7.8 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 the result in better schemes which fully integrate thinking on fire safety.

#### 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 December 2023.

The National Planning Policy Framework 2023 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 2023, 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 2023 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.

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 2023 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
- Design, impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Housing supply and mix
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Flooding and drainage
- Trees and landscaping
- Habitats
- Energy and sustainability
- Air quality
- Heritage issues
- Land contamination
- Infrastructure and Section 106 Contributions
- Presumption in favour of sustainable development
- Equalities Considerations

**8.0 Principle of development**

8.1 The red-line of the application site comprises a car parking area with formal spaces marked out at lower ground level and an open deck surface with no bays marked but where the parking of vehicles occurs.

8.2 The area included in the red line is indistinguishable from the areas at

each level and alongside (to the east) within the context of its use for car parking with the exception that on the upper level there are no bays marked out on the surface of the deck.

- 8.3 It has been indicated by the applicant that the “site” is defined by its different ownership to that of the areas beside but which appear indistinguishable.
- 8.4 Paragraph 123 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.
- 8.5 Paragraph 127 of the NPPF states local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to: a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.
- 8.6 The applicant’s case is that *“The application site comprises an area of hardstanding and multistorey car parking area that is no longer fit for purpose. The areas of hardstanding are used for access, car parking and manoeuvring.”* Furthermore, they state *“The redevelopment of the site will also result in a reduction of hardstanding, and an increase in soft landscaping and biodiversity, improving its sustainability and enabling the site to be adapted to climate change.”*
- 8.7 The applicant’s Design & Access statement describes the application plot as part of a “redundant” car park. However, the specific portion of the car park that the applicant includes in this application, is a functional and integral part of the larger car park. Furthermore, it includes an access and an egress for the overall complex; albeit, these specific access and egress points are not the sole access and egress points; so, the rest of the car park can function were these points of access and egress no longer available.
- 8.8 Core Policies 1 and 4 which seek high-density, non-family type housing to be located in the Town Centre; whilst, in the urban areas outside of the town centre, new residential development is expected to be predominantly family housing.
- 8.9 The plot is located within the designated Town Centre, where it would be appropriate to consider flatted accommodation, were there not a

fundamental issue with the principle of siting a new building at this location.

- 8.10 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.
- 8.11 Whilst the plot is considered to be located in a sustainable location, as it benefits from access to public transport, education, retail, leisure, and employment and community facilities, there remains an objection of principle to the formulation of this scheme.
- 8.12 As set out above, the adjacent land is designated in the SPD as SSA14 where significant redevelopment is anticipated. However, the proposed scheme would entail a ten-storey building with south facing windows serving residential accommodation almost on the boundary. As such, it is considered that the potential relationship would not be respectful of the rights of an adjoining ownership and effectively prejudice the future plans for the land within SSA14.
- 8.13 Therefore, having regard to the National Planning Policy Framework and the Local Development Plan, there is fundamental objection to the principle of a new building on this plot, as it would be a cramped form of development that represents an overdevelopment that would prejudice the comprehensive development of adjoining land.

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

- 9.1 The National Planning Policy Framework 2023 encourages new buildings to be of a high-quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policy EN1.
- 9.2 Furthermore, 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. Of these, it is considered the proposals raise significant issues in relation to the environmental objectives of the thrust of the NPPF.
- 9.3 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.
- 9.4 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.

- 9.5 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.
- 9.6 Local Plan Policy H9 sets out that:
- 9.7 *“A comprehensive approach should be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised.”*
- 9.8 The emphasis is on the promoting of comprehensive development rather than piecemeal schemes in order to ensure the rational layout of land for residential use.
- 9.9 In summary, were the proposals to be acceptable in principle, the issues would turn on overall impact on potential redevelopment of the wider area in conjunction with whether the scale of any infilling development could be accommodated sensitively with the fullest regard to the character of the surroundings, as well as, the handling of any potential impact on the amenities of the neighbouring occupants.
- 9.10 As described above, the application plot lies in the Town Centre and forms a part of a structure which is an integral and operational part of the Verona complex. It is characterised by its function, which is to provide access and parking within that context. As the plot lies adjacent to the HTC roundabout and the pedestrian and vehicular routes to the Queensmere Centre, it is considered to be a part of the functional town centre and its visual characteristics flow from these functions. The Queensmere Centre and adjoining land has a resolution to grant planning permission by Slough Borough Council Planning Committee on 29 September 2022, reference: P/19689/000 for *Outline application (with all matters reserved) for the demolition of buildings and the phased redevelopment of the Site to provide a mixed-use scheme comprising residential floorspace (C3 use and provision for C2 use); flexible town centre uses floor space (Use Class E and Use Class F), provision for office floorspace (Use Class E (g) (i)), supporting Sui Generis town centre uses (including a range of the following uses: pubs, wine bars, hot food takeaway), Sui Generis leisure uses (provision for a cinema or live music venue); provision for the creation of basements, car and cycle parking (including provision for a Multi-Storey Car Park); site wide landscaping, new public realm including provision of a new town square and public spaces and associated servicing, associated infrastructure, energy generation requirements and highways works*. It should be noted that at the time of the previous refusal in 2018 for this site, Queensmere did not have a resolution, although now the position has changed and the impact on

this site in terms of not sterilisation the neighbouring site, needs to be taken into consideration to not prejudice the potential future development of adjoining land.

- 9.11 The existing form of the car park decks is unobtrusive and of modest scale; albeit, of no particular visual quality in the foreground of the open-sided, larger scale of the Queensmere centre behind.
- 9.12 The proposals entail a new ten-storey, flatted block sited at the back-edge of the footway leading to and/from the Queensmere centre. This would represent a very overbearing form alongside the public footway.
- 9.13 The proposals entail a narrow gap of some 1.5m between the northern face of the Queensmere Centre and the ground to fourth floors of the new ten-storey, flatted block. So, the upper floors of the proposed building with its south-facing windows would effectively be borrowing amenity from the air space over the adjacent land, which is in a different ownership, which is contrary to the thrust of Policy H9.
- 9.14 The setting of the current proposals is very similar to those under P/03596/070, when it was noted:

*“The proposed form of the development would introduce a significant built form on the site where there has been none of significance. The proposals are described as “part 8/part 10” storeys in the application which would be out of scale with the adjacent existing forms of Verona 1 and the Observatory Shopping Centre.*

*The proposed development would be sited immediately at the back edge of the footway alongside the pedestrian route on the east side of the access from the HTC roundabout to the Shopping Centre. It would rise ten storeys on that façade.*

*The rear of the ten-storey structure would be some 2.5 to 3.0 metres from the northern façade of the Shopping Centre car park.*

*The building would be some 2.5 to 3.5 metres from the Verona 1 apartments. At this point the proposed building would be eight-storeys high.*

*The close proximity of a building that is also taller than the neighbouring structures would appear somewhat cramped and oppressive. Given its siting is also immediately adjacent to the footway between Wellington Street and the Shopping Centre, there is a concern that it would be somewhat overbearing for pedestrians at this point.*

*Therefore, for the reasons above, it is considered that the scale and height would appear out-of-keeping on the site within the context of its place in the street scene.”*

- 9.15 The current proposals involve a new building rising to 10-storeys, which would be sited a modest distance further from Verona Apartments (than those under P/03596/070) and negligibly different in

relation to its southern and western boundaries.

- 9.16 Essentially, the proposals are piecemeal with a harmful relationship to the adjacent major site – SSA14 – where a significant form of development is expected to be comprehensively pursued. The earlier pre-application advice has set out that the developer should note that the site is constrained and would not be suitable for piecemeal proposals.
- 9.17 Based on the above, the proposals would have an unacceptable impact on the character and visual amenity of the area, whilst failing to bring forward comprehensive proposals that would not prejudice the wider redevelopment of the area. The proposals therefore do not comply with Policies EN1 and H9 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework 2023.

#### 10.0 **Impacts on the amenities of neighbouring occupiers**

- 10.1 The National Planning Policy Framework 2023 encourages new developments to be of a high-quality design that should provide a satisfactory level of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policy EN1.
- 10.2 As set out above, there are the Prior Approval residential units in the converted former offices now called Verona Apartments. The western end of this block lies immediately to the north-east of the proposals.

#### In respect of daylighting and sunlight

- 10.3 A full Daylight and Sunlight Assessment has been produced for the impact of the proposed scheme on that property, with the following findings:

In terms of daylight criteria –

*“The results of the detailed technical analysis demonstrate that the daylight VSC [Vertical Sky Component Assessment (which is the ratio of the direct sky illuminance to the unrestricted sky)] targets for existing residential windows will be achieved at 39 (75%) of the 52 assessed windows as the VSC measured at the centre of the window is greater than 27% and more than 80% its former value, in accordance with BRE guidance.*

*Further technical analysis for daylight was undertaken using NSL [No skyline] for existing residential living spaces. The NSL assessment*

*demonstrates that 46 of the 46 assessed living spaces met the criteria for NSL by retaining more than 80% its former value and will therefore receive 'adequate' daylight."*

In terms of sunlight criteria (this criterion is only applicable to those relevant windows that lie in relation to the path of the sun) –

*"A sunlight assessment was undertaken for the existing residential living spaces surrounding the proposed development to determine the annual probable sunlight hours (APSH) and winter probable sunlight hours (WPSH). Of the 46 living spaces within existing residential properties, 21 living rooms contain at least 1 window facing 90 degrees due south, and 17 (80.95%) meet the BRE criteria for full year and winter periods. The remaining 25 living spaces, which do not have a window facing within 90 degrees due south, are considered not to receive sufficient sunlight due to their orientation and therefore do not require APSH or WPSH assessment, in accordance with BRE guidance. It should be noted that it is acknowledged within BRE guidance that is 'difficult to achieve good levels of sunlight in all spaces within a building.'"*

10.4 It has to be noted that the NPPF sets out that at Paragraph 129 that:

*"Where there is an existing or anticipated ... [shortfall] ... to meet housing needs, it is especially important that ... developments make optimal use of the potential of each site. In these circumstances:*

*(c) In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."*

10.5 So, it must be noted that as the affected property at Verona Apartments lies in the Town Centre there may have to be an expectation that the tight urban grain will create difficulties with achieving full levels to meet BRE guidelines. So, further to the NPPF and the Council's housing shortfall, 'adequate' levels may have to be accepted.

10.6 However, there are fundamental issues with the proposals that result in a recommendation to not support the scheme and as such the outcome of the daylight and sunlight study ought to be considered as further indicator of a cramped form of development.

In respect of potential loss of privacy and light issues

10.7 As set out above, the proposed new building would be sited close to Verona Apartments. The application submission has been accompanied by a Design & Access Statement that has sought to



demonstrate that the detailed design incorporates means to avoid overlooking and loss of privacy between both sets of potential and extant occupiers.

- 10.8 The introduction of blanking panels to the windows to block line-of-sight from the proposed block, as well as, the detailed treatment of window openings, reveals and angles of faces on the elevation and the introduction of fins to the external balconies with the intention of preventing direct overlooking, are somewhat artificial techniques to avoid direct issues of harm. So, whilst it must be recognised that these are remedies that could reduce or avoid the issues, this degree of attention to the design to overcome potential harm, is a further indication of the cramped setting and overdevelopment of the plot.

11.0 **Housing supply and mix**

- 11.1 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.

- 11.2 Slough Borough Council is in the process of preparing a new Local Plan for Slough which covers the 20-year plan period between 2016 and 2036. The Council's Housing Delivery Action Plan (July 2019) confirms that the objectively assessed housing need for the plan period is 893 dwellings per annum (dated April 2019). The emerging targets are for the delivery of near 20,000 new homes over the plan period in order to ensure this strategic target is achieved and exceeded to allow for additional population increases over the lifetime of the Local Plan.

- 11.3 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 28 residential units would make a contribution to the supply of housing, and given that that the tilted balance is engaged, this contribution would in principle attracts positive weight in the planning balance although tempered given the quality of the development and over-provision of smaller flats.

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.

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

- 1 bed / 1persons = 3
- 1 bed / 2persons = 8
- 2bed / 3persons =1
- 2bed / 4persons =10
- 3bed / 5persons = 7

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

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

12.1 The National Planning Policy Framework 2023 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 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.”

### Internal layout

12.3 All the units would meet the Council’s internal space standards, as set out in the Technical Housing Standards – Nationally Described Space Standard 2015.

### In respect of daylighting and sunlight

12.4 The applicant’s Daylight & Sunlight Assessment sets out that:

In terms of daylight criteria –

*“Further assessment was undertaken to consider the daylight Factor (DF) within the proposed rooms. 83 proposed internal rooms which represent the 149 windows were assessed for DF. The DF assessment demonstrates that 56 (67.47%) out of the 83 rooms meet the DF criteria and will therefore receive ‘adequate’ daylight.*

*An additional assessment was undertaken to determine the level of Spatial Daylight Autonomy (SDA) within proposed rooms. The SDA assessment demonstrates that 73 (87.95%) out of the 83 rooms meet the BRE criteria and will therefore receive ‘adequate’ daylight.”*

In terms of sunlight criteria for the proposed accommodation (this

criteria is only applicable to those relevant windows that lie in relation to the path of the sun) –

*“A sunlight assessment was also undertaken for the proposed living spaces to determine the Sunlight Exposure (SE). Of the 83 living spaces at the proposed development, 55 (66.27%) meet at least the respective requirement for minimum Sunlight Exposure.*

*It is recommended within the guidance that at least one habitable room in the dwelling should have exposure to at least ‘adequate’ sunlight. Therefore, of the 29 proposed habitable dwellings assessed, 28 (96.55%) meet the respective criteria for Sunlight Exposure. It should be noted that all 3 habitable rooms within the ground floor dwelling which did not meet the SE criteria, met at least one of the VSC, DF or SDA criteria.”*

- 12.5 In conclusion, it is considered that in accordance with the BRE guidelines for a setting in the Town Centre and the context of a dense urban grain, there would be reasonable levels of light, both daylight and sunlight, and as such these findings would not warrant a reason for refusal.

#### In respect of potential loss of privacy and light issues

- 12.6 It is noted that work has been done to refine the design of the proposed block to avoid the direct issues of loss of privacy for future occupiers between both the proposed flats and their accompanying balconies and the proximity of the existing Verona Apartments.

#### Amenity space

- 12.7 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities.
- 12.8 Of the upper floor flats twenty-five would have a reasonably proportioned balcony. However, three units at first floor level would have no private amenity space.
- 12.9 The single ground floor flat, which would represent family accommodation, has potentially an outside ‘defensible’ space – it is annotated as indicating that the area is dedicated to this unit though it would have required some means of enclosure were it to have been included in a scheme that were otherwise acceptable. In terms of quality, it is impaired by its openness to the public realm.

- 12.10 However, there is no other place within the scheme for communal or private amenity to support potential future occupants' needs on site. As such, their needs for such recreational space would have to be met by public open spaces. There are no such meaningful parks or gardens close by – as both Herschel Park and Lascelles Park lie just under one kilometre from the proposals.

### Conclusion

- 12.11 Based on the above, there are outstanding issues relating to the living conditions for future occupiers that would have required amendments and mitigation, in order to have considered the overall level of living conditions satisfactory and to have been in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy EN1 of the Adopted Local Plan.

## **13.0 Safe environment and accessibility**

- 13.1 Paragraph 96 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:
- Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.
  - Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas.
- 13.2 These objectives are consistent with Core Strategy Policies 8 and 12, and Local Plan Policy EN5, which seeks to ensure all development schemes are designed to reduce the potential for criminal activity and anti-social behaviour.
- 13.3 Thames Valley Police has reviewed the submission – their comments are set out in full at 6.6 above – and states that a suitable level of security is particularly pertinent due to the location.
- 13.4 As such, they require a Security & Access Strategy prior to any approval. The agent for the developer has submitted a response confirming their client's how they intend to satisfy the requirements – this response is listed under the List of Documents in the Informatives below.
- 13.5 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential security and safety aspects of the scheme is a neutral consideration in the planning balance.

## **14.0 Highways, sustainable transport 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.
- 14.2 This is reflected in Core Policy 7 and Local Plan Policy T2 (Parking Restraint) which sets out:
- in terms of residential car parking that the level will be appropriate to both its location and scale whilst taking account of local parking conditions, impact on street scene, need to overcome local road safety problems and protect amenities of adjoining residents.
- 14.3 Paragraph 115 of the National Planning Policy Framework 2023 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'*.
- 14.4 It is noted that the plot lies within the designated 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. So, it is acknowledged that the plot lies in a sustainable location
- 14.5 Moreover, given the plot's location in the designated Town Centre, it must be noted that the Council's parking standards require nil parking spaces.
- 14.6 The Highway Authority (HA) would require that measures are introduced to ensure the vehicles do not egress using the one-way access from the HTC roundabout. Were the scheme to have been otherwise acceptable, details could have been subject to a condition as set out under the HA comments in 6.1 above.
- 14.7 The HA is satisfied that the extant circulation pattern of entry from the HTC roundabout and egress on to Wellington Street via the eastern end of the overall complex would be satisfactory. This would be capable of serving residents'/visitors' cars, deliveries and the refuse collection service.
- 14.8 It is noted that irrespective of the Council's Parking Standards, as the scheme involves the extant car parking structure, the submission does

propose to retain some 14no. parking spaces. However, whilst the HA has no objection, it would have required a single space to have been designated for a Blue Badge holder's use.

- 14.9 It is noted that the current submission does identify the provision of four spaces for EV charging facilities. The HA has confirmed that this meets the minimum requirements of the Council's Low Emissions Strategy.
- 14.10 In line with the greater need for pedestrian movements, as well as the safety of cyclists in the location, the applicant has confirmed that they would have been willing to facilitate improvements to the infrastructure in the locality.
- 14.11 The proposals show the provision of secure but communal cycle storage facilities in a Lower Ground floor area. The HA notes that the Council's standards require 29no. spaces; though the scheme would have provided some 58 spaces. Notwithstanding this level of provision, the HA would have required cycle facilities for visitors at the ground level close to the building's entrance. Were the proposals to have acceptable, this could have been subject to a condition.
- 14.12 The proposals include a new enclosed bin and recycling facility, in conjunction with the replacement of the existing facilities, in order to serve Verona 1 and the proposed building in separate enclosures, which would have been close to the highway, in accordance with the Council's standards. The HA is satisfied with the scheme, subject to conditions, as noted above in 6.1.
- 14.13 Given the form of the scheme is detrimental to the character and appearance of the area, it is considered the proposals are not capable of being supported. However, based on the above, it is noted that subject to conditions, as set out by the HA in paragraph 6.1 above, the proposals would have not led to severe harm to highways users and thus could be considered to be in accordance with the requirements of the NPPF and comply with Policies T2 and T8 of the adopted Local Plan and Core Policy 7 of the Core Strategy.

## **15.0 Flood risk and surface water drainage**

- 15.1 In respect of flooding matters, it is noted that according to the Environment Agency's 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.
- 15.2 Since April 2015, major developments have been required to provide measures that will form a Sustainable Drainage System. It has been

recognised that 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.

- 15.3 The National Planning Policy Framework (2023) 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 Paragraph 175 of the NPPF 2023 requires major developments to incorporate SuDS unless there is clear evidence that this would be inappropriate.
- 15.5 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.
- 15.6 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 a site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 15.7 As this is a major application, the application includes a drainage strategy. The Lead Local Flood Authority has commented that the relationship between the proposals and the adequacy of the system to cope with the scale of the scheme meets their requirements. Their views are set out in full at 6.2 above; so, were the proposals to have been acceptable, this matter would have been dealt with by appropriate conditions.
- 15.8 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

16.0 **Trees & Landscaping/Impact on biodiversity and ecology**

16.1 Paragraph 180 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

16.2 Firstly, it is noted that the application site does not represent a habitats

site, as set out in paragraphs 185-187 of the NPPF.

- 16.3 Secondly, that given its existing uses and structures, the application site does not represent a site of biodiversity or part of an ecological network.
- 16.4 The developer's Planning Statement cites the inclusion of some *"tree planting and green walls in between brick piers at the entrance, to soft the site entrance and provide a more verdant entrance to the site"*.
- 16.5 It considered that these proposals are somewhat modest and would not be significant in the scale of the setting.

## 17.0 **Habitats**

- 17.1 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.
- 17.2 Paragraph 186 of the NPPF 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.
- 17.3 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.
- 17.4 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.
- 17.5 The site is located approximately some 5.3 km from the Burnham Beeches Special Area of Conservation (SAC) and therefore falls within the potential 5.6km development impact zone as proposed within the evidence base carried out by Footprint Ecology.



17.6 The applicant has submitted a Habitat Regulations Assessment as part of the submission. The findings set out that: given the low number of trips arising from the proposed development its impact on air quality “a detailed assessment is not considered required”: “no likely significant effects are expected” as a result of a small increase in visitor numbers; “no likely significant adverse effects are expected” in relation to habitat fragmentation; the proposals “will not have any effect on deer management”; there will be “no significant adverse effects” on species decline or invasive species in the SAC.

17.7 The assessment then states:

*“The overall combined pressure [of development in 5.6km. of Burnham Beeches] could result in a possible significant effect ...”*

17.8 Thus the Council has adopted a mitigation strategy based on the cumulative impact of all further major residential development in the Borough. As such, any scheme with 10 or more residential units falls within the scope of the scheme.

17.9 Following negotiations with Natural England a fee of £570 per dwelling towards enhancements and proposals at Upton Court Park (or another suitable location) has been introduced and will be linked to the completion of a section 106 agreement. The recommendation of this report includes a requirement for the mitigation package to be secured by the Council.

## 18.0 **Energy & Sustainability**

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

18.2 A statement that the proposed scheme can achieve the required targets would have been needed were the proposals to have been capable of support in principle.

18.3 Notwithstanding this omission, in NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

19.0 **Air Quality**

- 19.1 Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. 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.
- 19.2 The Council has adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic, requiring electric charging points, and low emission boilers within new developments. The Low Emission Strategy is a material planning consideration, but it does not form part of the current local development plan.
- 19.3 The application site is situated within an Air Quality Management Area (AQMA).
- 19.4 The application is accompanied by an Air Quality Assessment by an appropriate specialist practice. In summary, this sets out that:
- A range of best practice mitigation measures will be implemented with a Dust Management Plan
  - Development generated trip generation is well below criteria - thus the effect will not be significant
  - There will be no significant point of sources of emissions within the proposed development
  - Pollutant concentrations will be below the relevant air quality objectives and air quality for future residents will thus be acceptable
  - Overall, the construction and operational air quality effects are judged to be “not significant”.
- 19.5 It is noted that electric charging points have included and thus the proposals do accord with the Local Environmental Strategy, which seeks to mitigate air quality concerns from additional traffic and parking.
- 19.6 Were the scheme have been acceptable, a condition governing noise and dust could have been imposed to ensure satisfactory atmospheric conditions prevailed during demolition and construction works.
- 19.7 As is fully set out in 6.3 above, the Council’s Environmental Quality officer has examined the proposals and concluded that the scheme would have been capable of being completed to a level that ensures

future occupants would be able to satisfactorily occupy the accommodation were the appropriate measures introduced at the detailed stage.

19.8 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

19.9 Based on the above, were the application to have been supported, it is considered that these issues could have been covered by the appropriate conditions to ensure compliance and a satisfactory outcome.

## 20.0 **Heritage Issues**

20.1 As reported above, there are no heritage assets in the vicinity of the proposed new building and the site does not lie in a conservation area. The nearest is the Church of Our Lady Immaculate & St. Ethelbert, which lies some distance to the west along Wellington Street. Therefore, it is considered that these proposals would have no potential impacts on the significance of that heritage asset.

## 21.0 **Land Contamination**

21.1 Paragraph 189 of the NPPF sets out that the LPA should ensure policies and decisions ensure a site is suitable for its proposed use taking account of grounds conditions and any risks arising from land instability and contamination. Core Policy 8 states that development shall not be located on polluted land.

21.2 The submission is not accompanied by a ground investigation report. However, as described above, it is noted that the plot is currently a concrete framed car parking structure. Its removal would facilitate further investigation of any potential contaminants.

21.3 Based on the above, were the application to have been supported, it is considered that these issues could have been covered by the appropriate conditions to ensure compliance and a satisfactory outcome.

## 22.0 **Infrastructure and Section 106 requirements**

22.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new 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

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

<b>Financial contributions</b>	
Education	£96,837
Recreation and open space.	£8,700
Burnham Beeches SAC mitigation	£16,530
<b>Total</b>	<b>£122,067</b>

The applicant has submitted a Draft Heads of Terms (HoT) with the application, which sets out their agreement to each of these specific figures.

22.3 Additionally, their draft HoT sets out their agreement to off-site highways Works involving the following works:

- The upgrade of the Pelican crossing outside the site to a Toucan crossing through a Section 278 Agreement. This is to connect cyclists from the site with the shared cycle path along the north side of the A4 and with Slough railway station.
- The provision of a table crossing across the site access junction along the southern A4 footway.
- The upgrade of the shared footway between the site and the new Toucan crossing.

#### Affordable housing

22.3 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.

22.4 Core Policy 4 provides for residential developments for 15 or more dwellings to have between 30% and 40% of the dwellings as social rented units, along other forms of affordable housing, with the affordable housing should to be secured by a section 106 planning obligation. The Council's updated Developer Guide Part 2, (September 2017) requires developments of 25 to 69 units to make a 30% on-site provision of affordable housing (split between Slough Affordable / Social Rent, Slough Living Rent Intermediate).

22.5 The Draft Heads of Terms sets out an offer of the provision of 30% Affordable Housing in accordance with Core Policy 4.

22.6 Notwithstanding that initial offer by the applicant, they have subsequently provided details of an interest from Metropolitan Thames Valley (MTVH) "*in taking on and delivering 29 flats in this location*".

- 22.7 This would entail their *“use of Grant funding to facilitate delivering this scheme as fully affordable, with all Homes being delivered as Rent to Buy. It is our intention therefore to include these units within our bid for the Homes England Affordable Homes Programme 21/26.”*
- 22.8 In their undated letter, MTVH state *“We view Rent to Buy as an excellent affordable tenure to be delivering in the current economic climate. It allows those in the private rented sector who cannot currently afford Shared Ownership housing, to rent from us at 80% of market rent, enabling them to save for a deposit to eventually buy their own home from us”.*
- 22.8 Finally, they state *“Our technical team are still undertaking a full review of the opportunity, although I can confirm that the principle of delivering 29 Rent to Buy homes in this location, meeting the housing mix provided, is a strong interest to us.”*
- 22.9 Given the Recommendation that the proposed form of development could not be supported, no further analysis and negotiation has been pursued regarding this matter.

### **23.0 Presumption in favour of sustainable development/Tilted Balance**

- 23.1 It is concluded that there would be significant harm to the character and appearance of the area in respect of conflict with Core Policy 8 and policies EN1 and H9 of the Local Plan. As these policies go to the heart of the decision, it is considered that the proposal conflicts with development plan taken as a whole.
- 23.2 It is noted that there is a shortfall in the supply of deliverable housing land that is less than 5 years, as the current supply of deliverable housing land amounts to 2.6 years supply.. Therefore, it is considered the shortfall to be considerable and significant. Consequently, paragraph 11d of the Framework is engaged.
- 23.3 In the absence of a five-year supply of housing land, the most important policies for determining the appeal are out-of-date. Whilst it is acknowledged that both the Core Strategy and the Local Plan pre-date the original 2012 NPPF, it is considered that any conflict with relevant policies should not be disregarded, as that will depend on their consistency, or otherwise, with the policies in the Framework.
- 23.4 It has been concluded that the proposed development would have a significant, adverse effect on the character and appearance of the area. That brings the development into conflict with Policy 8 of the Core Strategy, and Saved Policies EN1 and H9 of the Local Plan.
- 23.5 Core Policy 8 sets out requirements for environmentally sustainable development with a high standard of design and without giving rise to unacceptable impacts in terms of pollution and flooding are relevant to all

development. Furthermore, it requires development within existing residential areas to respect the amenities of adjoining occupiers and provide a high quality of design, which has a clear synergy with para 131, 135 of the NPPF. As such, full weight should be given to any conflict with the policy in this determination.

- 23.6 Policy EN1 seeks to ensure that development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in relation to a range of criteria, including relevant to the appeal, scale, height, massing and bulk, visual impact and the relationship with neighbouring properties. It goes onto say that factors will be assessed in the context of each site and immediate surroundings. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused. Whilst it is recognised the policy lacks the more nuanced approach of the Framework, which requires a balanced judgement taking into account the shortfall of housing land and to make efficient use of land. Nevertheless, the objectives of the policy reflect paragraph 131 of the NPPF which seeks to ensure developments achieve good design, are visually attractive, are sympathetic to local character and history. Moreover, the policy strongly resonates with paragraph 139 of the NPPF which states very clearly that development that is not well designed should be refused. Synergy also exists with paragraph 135f of the NPPF with regards to ensuring a high standard of amenity for existing and future users. Consequently, therefore at least moderate, if not almost full weight must be given to the conflict with policy EN1.
- 23.7 Attention is drawn to Core Policy 1, which sets out the spatial strategy for the area. It directs development to within the built-up area, predominately on previously developed land. It also directs development for high density development to appropriate parts of the town centre. It goes onto say that elsewhere the scale and density of development will relate to a site's current accessibility, character and surroundings. Core Policy 3 directs development to the town centre or other appropriate urban areas. Core Policy 4 relates to the type of housing, directing high-density housing to the Town Centre and requires a minimum density of 37 dwellings per hectare. These policies are consistent with the NPPF.
- 23.8 The proposal should make contributions to education provision, off-site open space improvement in lieu of satisfactory on-site provision of private open space and include measures to mitigate the effect of the development on the Burnham Beeches SAC. These contributions are merely required to mitigate the effect of the development. So, these are not a positive matter in the equation of planning balance merely neutral factors in this case.
- 23.9 It is noted that the proposals would contribute to the supply of housing where there is currently a significant shortfall consistent with NPPF, which seeks to significantly boost the supply of housing. Substantial weight must be attached to the contribution of 29 dwellings in this case.

- 23.10 It is also noted that the proposal would result in investment in the town, through the creation of a number of temporary jobs in the short term and it would also result in longer term benefits from increased expenditure from the additional occupiers. Significant weight must be attached to these economic benefits.
- 23.11 It is also noted that the site is in a location that benefits from access to a range of public transport connections. In addition, the proposal may lead to a reduction in vehicular movement and car use within the Town centre. Significant weight should be attached to this matter.
- 23.12 Furthermore, the proposal would lead to the redevelopment of previously developed land within a sustainable location. Substantial weight must be attached to this matter.
- 23.13 Consequently, the considerations in favour of the development collectively carry significant to substantial weight in NPPF terms.
- 23.14 However, it is considered that the proposal would have a significant harmful effect on the character and appearance of the area. Overall, it is considered that the proposal conflicts with the NPPF taken as a whole.
- 23.15 Consequently, it is considered that the cumulative adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. Neither are the benefits sufficient to overcome the statutory presumption in favour of the development plan.

#### 24.0 **Equalities Considerations**

24.1 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).

24.2 It is noted that were the proposals to otherwise be acceptable the

scheme would be required: to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access; a condition would be imposed to ensure level thresholds at any entrance to the block; and, furthermore, proposals will be required to make provision for wheelchair accessible car parking spaces.

24.3 Likewise, were the proposals to otherwise be acceptable, it is considered that there would have been only temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development was under construction, by virtue of the construction works taking place. People with the following characteristics would have had 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 would have had the potential to cause nuisances to people sensitive to noise or dust. However, measures under other legislation covering environmental health would have been exercised as and when required.

24.4 In relation to the car parking provisions, there are potential adverse impacts on individuals within the pregnancy/maternity, disability and age protected characteristics, if the occupier/individual does not have access to a car parking space in the development. A justification for the level of car parking is provided in the transport section of this report to demonstrate compliance with the NPPF and transport planning policies in the Local Plan/Core Strategy.

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

## 25.0 **PART C: RECOMMENDATION**

25.1 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.

## 26.0 **PART D: INFORMATIVES**

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. However, in this case the application was deemed fundamentally unacceptable and as such has been recommended for refusal. 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. Reason for Refusal no. 2 is the LPA's "holding" position, as the applicant has not yet signed a completed Section 106 Agreement to encompass the issues set out in this Reason for Refusal.

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

(a) Drawing No. 15-569-WCA-V2-XX-DR-A-PL001-P03, Dated 18/10/22, Recd On 23/10/2023

(b) Drawing No. 15-569-WCA-V2-XX-DR-A-PL002-P12, Dated 20/02/24, Recd On 20/02/2024

(c) Drawing No. 15-569-WCA-V2-XX-DR-A-PL003-P01, Dated 17/10/22, Recd On 23/10/2023

(d) Drawing No. 15-569-WCA-V2-XX-DR-A-PL004-P03, Dated 08/02/23, Recd On 23/10/2023

(e) Drawing No. 15-569-WCA-V2-000-DR-A-PL99-P07, Dated 17/05/23, Recd On 23/10/2023

(f) Drawing No. 15-569-WCA-V2-00-DR-A-PL100-P10, Dated 26/05/23, Recd On 23/10/2023

(g) Drawing No. 15-569-WCA-V2-01-DR-A-PL101- P07, Dated 17/05/23, Recd On 23/10/2023

(h) Drawing No. 15-569-WCA-V2-02-DR-A- PL102- P07, Dated 17/05/23, Recd On 23/10/2023

(i) Drawing No. 15-569-WCA-V2-02-DR-A- PL104- P07, Dated 17/05/23, Recd On 23/10/2023

(j) Drawing No. 15-569-WCA-V2-09-DR-A-PL109-P06, Dated 17/05/23, Recd On 23/10/2023

(k) Drawing No. 15-569-WCA-V2-RF-DR-A-PL110-P04, Dated 08/02/23, Recd On 23/10/2023

(l) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL200-P07, Dated 29/03/23, Recd On 23/10/2023

(m) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL201-P06, Dated 03/03/23, Recd On 23/10/2023

(n) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL202-P04, Dated 08/02/23, Recd On 23/10/2023

(o) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL300-P06, Dated 16/03/23, Recd On 23/10/2023

(p) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL301-P03, Dated 08/02/23, Recd On 23/10/2023

(q) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL302-P04, Dated 14/02/23, Recd On 23/10/2023

(r) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL303-P02, Dated 14/02/23, Recd On 23/10/2023

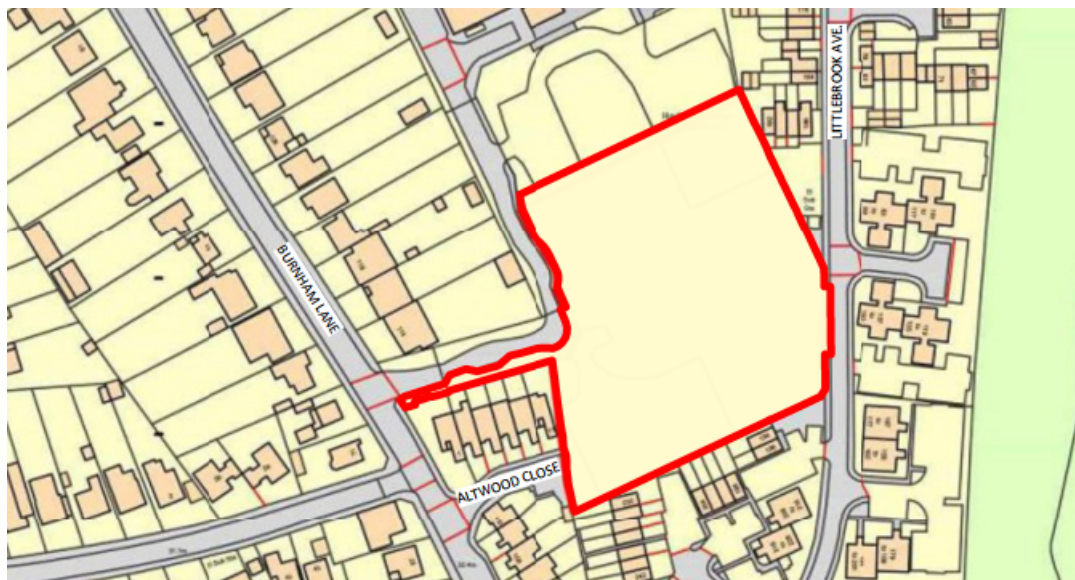
(s) Air Quality Assessment by Air Quality Consultants ref: J10/13792A/10/1/F1, Dated 29 September 2022, Recd On 23/10/2023

(t) Construction Management Plan Framework by Patrick Parsons ref:

10937 Rev. 4.0, Dated 22/05/2023, Recd On 23/10/2023  
(u) Daylight, Sunlight & Overshadowing Assessment by NALO Tetra Tec ref: 784-B028672 Issue 2, Dated 28<sup>th</sup> March 2023, Recd On 23/10/2023  
(v) Design & Access Statement by Whittam Cox Architects ref: 15-569 Issue 02, Dated October 2022, Recd On 23/10/2023  
(w) Drainage Strategy by Partick Parsons ref: 10937 Rev. 2.0, Dated 12.04.23, Recd On 23/10/2023  
(x) Gateway One Fire Statement by Artec Fire ref: 00022-XX-XX-RP-FE-0001 Rev. 03, Dated 31/05/2023, Recd On 23/10/2023  
(y) Noise Assessment & Mitigation Strategy by Tetra Tec ref: 784-B028672 Rev. 2, Dated 13<sup>th</sup> February 2023, Recd On 23/10/2023  
(z) Planning Statement by Simply Planning ref: SP22-1217 V2, Dated October 2023, Recd On 23/10/2023  
(aa) Transport Statement by Patrick Parsons ref: 10937 Rev. 5.0, Dated 22/05/2023, Recd On 23/10/2023  
(bb) Travel Plan Framework by Patrick Parsons ref: 10937 Rev. 3.0, Dated 22/05/2023, Recd On 23/10/2023  
(cc) Undated/unnumbered statement regarding Car Parking by PBM, Recd On 23/10/2023  
(dd) Habitats Regulations Assessment by Aval Consulting Group ref. no. 93102 Rev. B Final, Dated 8<sup>th</sup> January 2024, Recd On 09/01/2024  
(ee) Access & Security Statement letter by Simply Planning ref. no. SP22-1217, Dated 25<sup>th</sup> January 2024, Recd On 25/01/2024  
(ff) Existing & Proposed Site Egress by Patrick Parsons dwg. no. VER-PPC-00-XX-DR-C-0009 Rev. P2, Dated 08.03.24, Recd On 08/03/2024

Registration Date:	29-November-2023	Application No:	P/04628/030
Officer:	Michael Scott	Ward:	Northborough & Lynch Hill Valley
Applicant:	Slough Urban Renewal (SUR LLP)	Application Type:	Major
		13 Week Date:	28 February 2024 [EoT – 05/04/2024]
Agent:	DHA Planning, Astral Towers, Betts Way, Crawley, RH10 9XA		
Location:	Haymill Centre, Littlebrook Avenue, Slough, SL1 6LZ		
Proposal:	Redevelopment by the construction of 33 residential dwellings (Use Class C3), comprising a mix of 2-4 bedroom market and affordable units, together with a central amenity space, private gardens, car and cycle parking, landscaping, internal roads, a new primary access from Littlebrook Avenue, and other associated works.		

**Recommendation:** Delegate to Planning Group Manager for approval



**1.0 SUMMARY OF RECOMMENDATION**

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

A) Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure policy compliant affordable housing, education and Burnham Beeches contributions, together with funding towards highway issues (including Traffic Regulation Order and Travel Plan), which are required to mitigate the impact of the development.
- (ii) Finalising conditions and any other minor changes;

or

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 30 September 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 to be determined at Planning Committee, as it is an application for a Major development comprising 10 or more dwellings.

**PART A: BACKGROUND**

**2.0 Proposal**

2.1 This is a full planning application for:

- Construction of 33no. dwelling houses, comprising a mix of:
  - 9no. 2-bedroom
  - 20no. 3-bedroom
  - 4no. 4-bedroom
- The scheme includes both market and affordable housing units.
- The proposals included a central landscaped area.
- The vehicular access/egress would be from Littlebrook Avenue.
- An emergency vehicle only access would be provided from Burnham Lane.

- Parking comprises a range of private garages with hardstanding forecourts, as well as allocated bays on the internal circulation carriageways for houses without garages. There will be 71 car parking spaces.
- Houses with garages have space within to keep two cycles; houses without garages would have a shed within their private garden for cycle storage.
- All homes shall meet Part S of the Building Regulations with provision of a 7kW vehicle charging facility.
- A link for pedestrians & cyclists, with access for emergency vehicles shall be established to the site from Burnham Lane.

### **3.0 Application Site**

- 3.1 The site lies between Littlebrook Avenue to the east and Burnham Lane to the west with Altwood Close adjacent towards the southwest.
- 3.2 The application site extends to 0.89 hectares in area. It was previously comprised of educational and community use buildings known as the Haymill Centre. These buildings were cleared to ground level in 2014 following planning approval for the development of Haybrook College. The College now occupies the land immediately to the north and adjoining the current application site.
- 3.3 There are no remaining buildings on the site, although the remnants of a hardstanding in its south-western corner is used for surface level parking by a Council community project. Ground levels fall from north-west to south-east.
- 3.4 There are residential properties immediately adjacent to the north-east corner and along the southern boundary of the site - each set of these dwellings lie off Littlebrook Avenue - and further residential properties immediately adjacent in Altwood Close to the south-west.
- 3.5 To the north-west is the access road to Haybrook College. For the purposes of defining a pedestrian and emergency access route to the site from Burnham Lane, a part of this access way is within the application red-line.
- 3.6 There is one significant tree and areas of scrub and shrub growth within body of the site, as well as a line of mature trees within the link access from Burnham Lane to the point of the proposed emergency access in the scheme.
- 3.7 The site lies some 2.6km from Burnham Beeches Special Area of

Conservation (SAC).

- 3.8 For completeness, it should be noted the site lies: outside of the designated Town Centre; it is not in an Air Quality Management Area (AQMA); it is not in a Conservation Area and there are no heritage assets close by; and, there are no trees under a Tree Preservation Order in close proximity; but it is in Flood Zone 1 (where no Flood Risk Assessment is required).

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

- 4.1 There is no relevant planning history for the application site following the redevelopment of the land to the north under the scheme for Haybrook College.

#### **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), six site notices were displayed – four of which were each immediately adjacent to the perimeter of the application site spanning that boundary from north to south along Littlebrook Avenue and one each in the access way to Haybrook College and in Altwood Close - on 12/12/2023.
- 5.2 The application was advertised, as a Major application, in the Slough Express published on 23<sup>rd</sup> February 2024.
- 5.3 There has been 4 neighbours representations at the time this report was complete for publication – any further objections will be included on the Amendments Sheet for Members at the Committee meeting. These have been received from nos. 176, 178, 182 and 203 Littlebrook Avenue.

1. The proposed development will reduce the on street parking facility available on Littlebrook Avenue, by removing 3 parking bays on the straight section which is often oversubscribed, contrary to applicant's submission. In addition Transport Statement states that only 1 parking bays out of 71 will be created for visitors, which is not considered as sufficient based on the scale of the development. It is therefore asked that the residents of the development are not eligible to apply for parking permits or visitor vouchers for on street parking. In addition it would be prudent for the on street parking restriction times to be changed to ensure no overspill from the development occupies the on-street parking. The application submission and all relevant documents don't provide the assessment of the impact of the build on Littlebrook Avenue. There are no traffic counts to show how the additional build movements will increase already busy Littlebrook

Avenue during peak times. It is therefore asked that any deliveries are to be fully accommodated on site with all deliveries scheduled only between 09:00 - 15:00 to remove impact on the pick-up/drop off traffic at the end of Littlebrook Avenue, due to walking access to Burnham Station.

2. I wish to register my disappointment that the concerns raised by many residents of Littlebrook Ave in the first public consultation [by the developer] for the Haymill site development have been ignored. My main objection relates to the proposed access via Littlebrook Ave, and the increased traffic that will create. Driving on this street, with its numerous twists and turns, is already like playing Russian Roulette. The extra traffic, and probably extra cars utilising street parking, as there will inevitably be insufficient spaces to accommodate visitors on the new site, will make every journey even more hazardous. Littlebrook Ave also sees a fair amount of anti-social behaviour, mostly youths on noisy mopeds/scooters. This extra access will leave us vulnerable to similar activities in larger vehicles and create more safety issues. I urge you to consider these concerns as the planning process progresses.
3. I am formally objecting to the proposed changes on Littlebrook Avenue as a resident for the reasons below. Any time and motion study can see the narrow road which is already over run with traffic. We already have increased traffic due to drop offs and pick-ups to the station. Making another way in and out of Littlebrook Avenue would increase anti-social behaviour giving any criminals yet another means of getting in and out of Littlebrook Avenue. These new houses are very close to existing properties in Littlebrook Avenue, causing privacy concerns. There is insufficient space for any works vehicles on Littlebrook this may cause safety issues with car access.
4. I would like to submit my concerns regarding the proposed houses planned under the above reference. I am very concerned about the new entrance planned in Littlebrook Avenue. The road is narrow, and cars are parked on the blind bend on the left as you drive down. It is very dangerous as you cannot see cars coming from the other direction and the extra traffic generated by these 33 new properties will certainly make it even more dangerous than it is at present. It's a serious accident waiting to happen.

#### 5.4 Officer's response to objections:

A detailed response has been received from the Local Highway Authority, this can be found in section 6.1 and 14.0 of this report which raises no highway safety concerns and where appropriate mitigation has been sought. Furthermore with regards to access to/from and use of Littlebrook Avenue, there has been no objection raised.

Secondly, the issue raised regarding the impact on the privacy of

neighbouring occupiers are covered by the section below under Impact on Neighbours at 10.0.

Lastly, with regards to anti-social behaviour, a secure by design condition has been attached to mitigate impacts raising from the development in terms of crime and ensuring safety.

## **6.0 Consultations**

### **6.1 Highways and Transport**

#### Introduction

This document provides Slough Borough Council's consultation response regarding Highways and Transport for planning application No. P/04628/030 on Littlebrook Avenue, Slough.

A Transport Statement produced by DHA has been submitted in support of the planning application.

#### Vehicle Access

SBC Transport Officers would have no objection to the proposed vehicle access junction on Littlebrook Avenue. The NPPF states that applications for development should provide '*Safe and Suitable Access for all users*'.

The proposed vehicle access junction would be located outside 139 Littlebrook Avenue. The Transport Statement includes a drawing which demonstrates a visibility splay of 2.4m x 43m can be provided from the proposed vehicle access junction. The proposed vehicle access is 5.4m wide which is wide enough for two-way traffic.

There have been no recorded collisions resulting in injury during the most recent 5-year period at the location of the proposed site access junction.

An Independent Stage 1 Road Safety Audit (RSA) has been completed of the proposed site access points by an independent road safety auditor. Two points were raised, which were addressed in a Designers Response report. SBC are satisfied with the responses in the Designers Response to the audit.

The removal of three residents parking bays on Littlebrook Avenue will be required to provide suitable manoeuvring space at the vehicle access junction. SBC require a Section 106 contribution of £3,500 towards the Traffic Regulation Order for the amendment of



the on-street car parking bays.

### Emergency Access and Cyclists/Pedestrian Connection

An emergency access is proposed on the west of the site which will also provide a pedestrian and cyclist connection into the site. The emergency access will link in with the access to Haymill College. This will create a new pedestrian and cyclist connection between Littlebrook Avenue and Burnham Lane.

### Trip Generation

SBC Transport Officers have no objection to the proposed development on the basis of the forecast vehicle trips generated by the proposed dwellings.

The proposed 33 dwellings are forecast to generate 16 two-way trips during the AM Peak Hour (08:00 – 09:00) and also during the PM Peak Hour (17:00 – 18:00). 143 two-way trips are forecast across the course of a 12-hour day (07:00 – 19:00).

The trip generation forecast is based on survey data from the TRICS Database which is the UK's National Trip generation database. TRICS has been used to extract a trip rate per dwelling from 62 privately owned housing developments in Suburban and Edge of Town Locations.

This would equal circa. 1 vehicle trip every 4 minutes during the peak hour or 1 every 12 minutes across the course of a day. Vehicles would have time to leave the site and disperse across the road network before queues would form at the site access or on the surrounding road network.

### Access by Sustainable Travel Modes

The proposed development is located 290 metres (4 minutes' walk) from Burnham Railway Station. The site is also 400 metres (4 minutes' walk) from Tesco Express and 600m (8 minutes' walk) from Priory Primary School.

For Bus Stops, a walking distance of 400 metres (and 200m within town centres) is deemed a reasonable walking distance by the Chartered Institute of Highways and Transport (CIHT) within their document: *'Planning for Walking and Cycling, 2015'*.

The Chartered Institute of Highways and Transportation also advises that: *'Walking neighbourhoods typically characterised as having a range of facilities within 10 minutes' walking distance (Around 800 metres)'* and that people will walk up to 800 metres to access a railway station, reflecting its greater perceived quality

and the importance of rail services.

Burnham Station offers 4 services per hour to Reading and various destinations within London. A summary of the rail services is provided in the table below:

<b>Destination from Langley</b>	<b>Journey Time</b>	<b>Frequency Per Hour</b>
Reading	20 – 22 minutes	4 per hour
M Maidenhead	5 – 6 minutes	4 per hour
Slough Town Centre	3- 5 minutes	4 per hour
Hayes and Harlington	17 – 19 minutes	4 per hour
Southall	20 – 22 minutes	4 per hour
London Paddington	32 – 39 minutes	4 per hour
Bond Street	35 – 48 minutes	4 per hour
Farringdon	40 – 47 minutes	4 per hour
London Liverpool Street	43 – 50 minutes	4 per hour
Canary Wharf	52 – 56 minutes	4 per hour

### Car Parking

SBC Transport Officers are satisfied with the proposed number of car parking spaces and that there will be no overspill of parked vehicles onto the surrounding road network.

71 car parking spaces are proposed for the proposed dwellings, including 1 unallocated bay for visitors. This slightly exceeds the requirements of SBC's adopted car parking standards which require the provision of 70 car parking spaces for the proposed mix of dwellings.

<b>SBC Parking Standards (Predominantly Residential)</b>		
<b>Dwelling Type</b>	<b>Spaces per Dwelling</b>	<b>Total Spaces</b>
2-Bedroom Dwelling (9)	2	18
3-Bedroom Dwelling (20)	2	40

4-Bedroom Dwelling (4)	3	12
<b>Total Parking Spaces</b>		<b>70</b>

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

It is proposed that all two and three-bedroom dwellings will be allocated with two parking spaces, with some spaces provided within a garage. The four bed dwellings would have 3 parking spaces.

Swept path analysis has been provided which shows a large car measuring 4.71m long can ingress/egress the proposed parking spaces.

### Travel Plan

A Travel Plan to encourage sustainable travel has been submitted in support of the application. The Travel Plan aims to achieve a 10% reduction in car driver mode share, split between other sustainable modes of travel.

The Travel Plan lists sustainable measures such as disseminating travel information via welcome packs, encouraging lift sharing and providing a noticeboard with travel information.

The Travel Plan outlines that a Travel Plan Coordinator (TPC) will be appointed. A survey will be completed 3 months after occupation to establish baseline travel patterns and Travel Plan Monitoring surveys completed at Years 1, 3 and 5 after occupation of the development.

The TPC will liaise with SBC following each review period to summarise results of the surveys and detail any revised targets.

A Travel Plan Monitoring contribution of £3,000 is required to cover SBCs cost of Travel Plan Monitoring.

### Electric Vehicle Parking

The Transport Statement proposes that each dwelling will be provided with 1 Electric Vehicle Charging Point (Section 3.4), with a total of 33 being provided on site.

This accords with the requirements of the Slough Low Emissions Strategy (2018 – 2025) which 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'.*

### Cycle Parking

SBC Transport Officers have no objection to the cycle parking for the proposed development.

Cycle storage is proposed either within the garage or the shed in the rear garden of each dwelling.

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.

### Deliveries, Servicing and Refuse Collection

The Transport Statement includes swept path analysis which demonstrates that the site provides suitable turning space for a refuse vehicle (11.4m long), pantechicon and a large estate car.

Swept path analysis has been provided which demonstrates a Fire Engine (8.4 long) can ingress/egress the site using the emergency access and the proposed vehicle access on Littlebrook Avenue (DHA Drawing No. T-02-Rev-P2, titled 'Vehicle Swept Path Analysis – Fire Tender', dated 22.11.23).

The site allows for loading, unloading and manoeuvring of service vehicles clear of the public highway and this will avoid the stationing of service vehicles on the highway and vehicles reversing onto or off the highway to the detriment of public and highway safety.

### Construction Management

If approval is granted, it is recommended that a Construction Management Plan (CMP) is secured by planning condition. The Construction Management Plan will secure details of construction programme, HGV routes, construction hours, emissions control, noise control, dust control, staff parking, construction access and a general site set up plan.

In advance of providing a CMP, the applicant has already confirmed that delivery and construction HGVs will be accommodated on site with no waiting on the public highway.

### Summary and Conclusions

I can confirm that I would have no objection to the proposed development due to highways and transport issues. I would

recommend inclusion of the planning conditions [as set out in the Recommendation] below, should you decide to grant planning permission.

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 the planning conditions [as set out below in the Recommendation] 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 **SBC Tree Officer**

No response received for this application. [Any comments received will be reported into the Amendment Sheet]

6.4 **SBC Scientific Officer**

I have reviewed the submitted information, together with our database of Potentially Contaminated Land sites. Please see my comments below:

- **SITE INVESTIGATION REPORT** (Ref no. 10862/BD) dated 27<sup>th</sup> November 2023 (Rev1), and prepared by Soil Consultants Ltd.

This report summarises the findings of a Stage 1 Tier 1 Preliminary Risk Assessment (Desk Study), followed by an intrusive site investigation and assessment.

A constrained investigation deemed the site a moderate to high risk, thus warranting further assessment is undertaken.

I agree with the proposals in Section 7 of the report, and the proposed additional investigation.

Based on the above, I recommend the conditions [as set out in the Recommendation] are placed on the decision notice.

6.5 **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.

WITHIN 5.6 KILOMETRES

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment (HRA) is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity.

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

A mitigation strategy or equivalent will be required for Slough to avoid adverse impacts at the SAC.

## 6.6 **Thames Water**

### Waste Comments

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.

The application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

### 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](https://thameswater.co.uk/buildingwater)

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the informative [as set out in the Recommendation] be attached to this planning permission.

## **PART B: PLANNING APPRAISAL**

### 7.0 **Policy Background**

#### 7.1 **National Planning Policy Framework 2023**

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 15: Conserving and enhancing the natural environment.

- 7.2 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (adopted December 2008)  
 Core Policy 1 - Spatial Vision and Strategic Objectives for Slough  
 Core Policy 3 – Housing Distribution  
 Core Policy 4 - Type of housing  
 Core Policy 7 - Transport  
 Core Policy 8 - Sustainability and the Environment  
 Core Policy 9 - Natural and Built Environment  
 Core Policy 10 - Infrastructure  
 Core Policy 11 - Social Cohesiveness  
 Core Policy 12 - Community safety

- 7.3 The Adopted Local Plan for Slough 2004 (Saved Policies)  
 H14 - Amenity space  
 EN1 - Standard of Design  
 EN3 - Landscaping  
 EN5 - Design and Crime Prevention  
 OSC15 - New facilities in Residential Developments  
 T2 - Parking Restraint  
 T8 - Cycling Network and Facilities  
 T9 - Bus Network and Facilities

Other Relevant Documents/Statements:

- 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
- Residential Extensions Guidelines, Supplementary Planning Document 2010

- 7.4 The Proposed Spatial Strategy (Nov 2020)

Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This set out a vision and objectives along with proposals for what the pattern, scale and quality of development will be in

Slough. The consultation document contained a revised Local Plan Vision which supports the Council's vision for Slough as a place where people want to "work, rest, play and stay."

It should be noted that the consultation document for the Proposed Spatial Strategy does not contain any specific planning policies or allocate any sites. It made it clear that the existing planning policy framework for Slough would remain in force until replaced by new Local Plan policies in the future. Nevertheless, it sets out the most up to date statement of the Council's position with regards to strategic planning issues. 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).

#### 7.5 Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

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

The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC).

#### 7.6 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 December 2023.

The National Planning Policy Framework 2023 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 2023, 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 2023 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 2023 which has been used together with other material planning considerations to assess this planning application.

#### 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 below in this report.

#### 7.8 The planning considerations for this proposal are:

- Principle of development
- Design, impact on the character and appearance of the area

- Impact on amenity of neighbouring occupiers
- Housing mix
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Flooding and drainage
- Trees and landscaping
- Habitats
- Energy and sustainability
- Air quality
- Heritage issues
- Land contamination
- Infrastructure and Section 106 Contributions
- Presumption in favour of sustainable development
- Equalities Considerations

## **8.0 Principle of development**

- 8.1 As set out above, the application site comprises a cleared site with a temporary use of parking by a Council community transport project on a portion of the site.
- 8.2 The former educational use of the site has been consolidated in the scheme implemented under the redevelopment for the Haybrook College.
- 8.3 The applicant has stated that the Council has confirmed that under the Academies Act 2010, the site “will be unencumbered ten years after it was last used for educational purposes” i.e., in April 2024. Therefore, the site represents a brown field site, as such, it is entered on the Brownfield Register (ref. BR17).
- 8.4 Paragraph 123 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.
- 8.5 Core Policies 1 and 4 which seek high-density, non-family type housing to be located in the Town Centre; whilst, in the urban areas outside of the town centre, new residential development is expected to be predominantly family housing.
- 8.6 The site is not located within the designated Town Centre, therefore there is a presumption in favour of family housing in this location, the

application proposed family housing.

8.7 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.

8.8 As the site is considered to be located in a sustainable location - it benefits from access to public transport, education, retail, leisure, and employment and community facilities - there is no objection to the principle of this scheme.

## **9.0 Design, impact on the character and appearance of the area**

9.1 The National Planning Policy Framework 2023 (paragraphs 131 and 135) encourages new buildings to be of a high-quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policy EN1.

9.2 Furthermore, Paragraph 8 of the NPPF sets out that in seeking to achieve sustainable development the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.

9.3 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.

9.4 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.

9.5 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.

9.6 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.

9.7 Firstly, it is imperative to consider the overall layout and the quality of the design and then secondly, its compatibility with the site and its surroundings.

9.8 The proposals entail a set of dwelling houses that would be clustered around the central open space, with a few limbs of development radiating from this place of focus for future occupiers.

- 9.9 The house types include 2no. detached properties, 16no. semi-detached properties and 15no. detached properties linked by their garages.
- 9.10 The dwellings are considered to be arranged in a satisfactory layout that would accord good levels of daylight and sunlight together with natural surveillance of the streets within the scheme.
- 9.11 In terms of scale and massing, it is considered that the proposed scheme of these new dwellings would respect the site and its surroundings, with each element introducing a new distinct character and appearance that is wholly compatible with the emerging urban scene in this setting.
- 9.12 The character of the proposed properties is set by the introduction of street facing gables and clear eaves lines, which results in a series of two- and two-and-half-storey façades.
- 9.13 Each property in the scheme then has a clearly defined frontage and defensible space, with a well-ordered means of access, parking and bin storage.
- 9.14 The proposed properties would enhance the setting with a palette of materials, comprising buff brick facades (Ibstock Ivanhoe Cream – a multi stock brick) with textured bricks at ground floor level to provide an articulation to the simple pattern of the scheme that conveys a coherent style to the overall scheme. The materials and boundary treatment details have been included in condition 2 as these are considered to be acceptable.
- 9.15 A few prominent - in particular, corner plots - are highlighted using a dark grey slate finish to the upper storey. These will incorporate a cement type slate in dark grey, as per the roofs, which would aid the coherence of the overall character and appearance of the entire scheme.
- 9.16 In summary, it is considered that the proposed design would be a successful response to the sensitive urban grain of a back land site, whilst reflecting the character of the surrounding earlier forms of development.
- 9.17 It is noted that the surrounding residential development exhibits a range and variety of architectural styles. As such, it is considered that the proposed scheme, which has its own typology, is considered to represent a cohesive and satisfactory set of proposals that would not be out-of-keeping with the visual amenities of the overall area.
- 9.18 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area. The proposals

therefore comply with Policies EN1 and H9 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 2023.

10.0 **Impacts on the amenities of neighbouring occupiers**

10.1 The National Planning Policy Framework 2023 encourages new developments to be of a high-quality design that should provide a satisfactory level of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policy EN1.

10.2 As set out above, there are existing dwellings immediately adjacent to the proposed new dwellings. Below is a copy of the block plan to show the relationship with adjoining neighbours and orientation of the development:



**In respect of daylighting and sunlight**

10.3 A Daylight and Sunlight Study was submitted with the application, which demonstrates that there would be no significant impacts on the amenities at the following surrounding residential properties:

83-99 (odds), 137-153 (odds), 188/190, 192, 194/196, 198-204 (evens) & 230 Littlebrook Avenue; and nos. 9 and 11 Altwood Close.

Of the 64no. windows tested for Vertical Sky Component Assessment (which is the ratio of the direct sky illuminance to the unrestricted sky), only one would have any reduction in daylighting and that exception - at 11 Altwood Close - would remain within BRE Guidance, in that occupiers would not have any noticeable loss of daylight, as the impact

would be minimal, i.e., 8%, which is within the 27% loss allowable.

Of the 41no. rooms tested for No Skyline Assessment – describes the distribution of daylight within rooms, for the impact on the daylight distribution within the room, all were satisfactory under BRE Guidance.

All windows and rooms pass each of the three sunlight tests under BRE Guidelines.

Of the above properties only 11 Altwood Close and 192 Littlebrook Avenue qualify as sensitive receptors for analysis of the impact on their private amenity space. The assessment found no adverse impact from the proposals within the guidelines set out in BRE Guidance.

In respect of potential loss of privacy

- 10.4 It is considered that given the layout, orientation and distances between the proposed properties and the extant neighbouring homes, there would be no concerns.
- 10.5 In NPPF terms, the impact on neighbours is a neutral consideration in the planning balance.

11.0 **Housing mix**

- 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 two, three and four-bedroom houses, as follows:
- 2bed / 3persons = 7
  - 2bed / 4persons = 2
  - 3bed / 5persons = 20
  - 4bed / 7 persons = 4

Given the acknowledged need for family houses in the Borough, it is considered that the provision of these predominately larger houses would be acceptable.

- 11.3 The proposals are to be policy compliant with 30% affordable housing, comprising 9no. 2-bedroom units and one 4-bedroom unit. Of these 25% shall be First Homes, i.e., 3no. homes, and the remainder made up of a mix of Social Rent, Living Rent and Intermediate dwellings.
- 11.4 In order to create a package for a Registered Provider, the affordable homes shall be grouped for efficient management. Plots 7 – 11

inclusive and 17 – 21 inclusive have been identified as the Affordable Housing within the scheme.

- 11.5 In NPPF terms, the proposed provision of 33 dwellings would have a moderate positive weight in the planning balance.

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

- 12.1 The National Planning Policy Framework 2023 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 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.”
- 12.3 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities.
- 12.4 All the units would meet the Council’s internal space standards, as set out in the Technical Housing Standards – Nationally Described Space Standard 2015.
- 12.5 All the properties would comply with Part M [4(1)] of the Building Regulations 2010 to ensure fully accessible internal arrangement of space for all.
- 12.6 In terms of the levels of daylight & sunlight, aspect, and outlook, it is considered that each dwelling would have satisfactory levels of residential amenity for future occupiers.
- 12.7 All the proposed homes would comply with the Council’s standards (Council’s adopted Residential Extensions Guidelines SPD) for the respective house type, i.e., at least 50sq.m. of private amenity space for a 2- or 3-bedroom dwelling and at least 100sq.m. for dwellings with four bedrooms or more. Although to ensure suitable amenity space retention, a condition to remove permitted development rights for the houses is both necessary and reasonable in terms of Class A (extensions, enlargement, improvement or alteration) and Class E (outbuildings and enclosures).

12.8 Based on the above, there are no outstanding issues relating to the living conditions for future occupiers that require mitigation or amendments. Therefore, it is considered that the overall level of living conditions will be satisfactory and thus the scheme is in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policies EN1 and H14 of the Adopted Local Plan.

### **13.0 Safe environment and accessibility**

13.1 Paragraph 96 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.
- Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas.
- Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.

13.2 These objectives are consistent with Core Strategy Policies 8 and 12, and Local Plan Policy EN5, which seeks to ensure all development schemes are designed to reduce the potential for criminal activity and anti-social behaviour.

13.3 The applicant states in their Design & Access statement that the proposals have been designed by adopting the principles of the Secure by Design guidelines.

13.4 It is considered that the buildings and layout has been designed with attention to providing defensible space, in respect of surveillance and good lighting. Trees and planting have been incorporated with a view to avoiding climbing and ball-kicking incidents giving rise to anti-social behaviour.

13.5 The proposals include a link to Burnham Lane using an existing tree-lined access to Haybrook College up to the point where it meets the site of the housing scheme. The route thereafter would entail a pair of right-angle turns rather than a direct alignment through the proposed layout. The route would include lighting and sufficient natural surveillance by the proposed housing to not warrant a substantive objection.

13.6 Based on the above, there are no outstanding issues relating to the safety of future occupiers that require mitigation or amendments.



Therefore, it is considered that the overall level of safety and accessibility will be satisfactory and thus the scheme is in accordance with the requirements of the NPPF, Core policies 8 and 12 of Council's Core Strategy, and Policy EN5 of the Adopted Local Plan.

#### **14.0 Highways, sustainable transport 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.
- 14.2 This is reflected in Core Policy 7 and Local Plan Policy T2 (Parking Restraint) which sets out:
- In terms of residential car parking that the level will be appropriate to both its location and scale whilst taking account of local parking conditions, impact on street scene, need to overcome local road safety problems and protect amenities of adjoining residents.
- 14.3 Paragraph 115 of the National Planning Policy Framework 2023 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'*.
- 14.4 It is noted that although the site does not lie within the designated Town Centre, it has a high level of accessibility to a range of public transport. Therefore, it benefits from all the facilities locally and regionally that would provide future occupiers with their needs for retail, entertainment, employment, education and health. So, it is acknowledged that the plot lies in a sustainable location.
- 14.5 The proposed access would be taken from Littlebrook Avenue on the eastern side of the site. There would be a link to Burnham Lane on the western side of the site for pedestrians and cyclists; although, this would be designed to cater for emergency vehicle access, too.
- 14.6 The use of Littlebrook Avenue as the access and egress for the scheme is supported by a Road Safety Audit of the junction layout. The implication of the formation of the access here is that three existing parking bays would need to be removed.

- 14.7 In relation to concerns expressed by objectors to this junction and the reliance on Littlebrook Avenue for future use by construction traffic and subsequently by the residents of the scheme, it has to be noted that the Highway Authority (HA) has assessed these matters and is satisfied with the proposals, as set out in their comments above at 6.1.
- 14.8 Furthermore, the HA has confirmed the internal site layout and access are acceptable, subject to conditions set out below at 26.0.
- 14.9 The HA acknowledges that the quantum of car parking to serve the proposed building and EV charging facilities would be acceptable. To ensure adequate car parking spaces for the houses is retained, a condition to remove Class D (porches) is required to ensure that no front extension reduces the size of the driveway and also to remove Classes B (addition or alteration to roof) and C (other alterations to the roof) to prevent further bedrooms within the loft space. This condition will ensure that the site is not intensified with reducing the proposed parking provision or increasing its demand.
- 14.10 Each dwelling house would be provided with bin/recycling and cycle storage facilities in accordance with the Council's standards. The HA is satisfied with this provision.
- 14.11 Based on the above, and subject to the conditions set out below, it is considered that the proposals would not lead to severe harm to highways users and thus are considered to be in accordance with the requirements of the NPPF and comply with Policies T2 and T8 of the adopted Local Plan and Core Policy 7 of the Core Strategy.

## **15.0 Flood risk and surface water drainage**

- 15.1 In respect of flooding matters, it is noted that according to the Environment Agency's flood maps, the site is located entirely within 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.
- 15.2 Since April 2015, major developments have been required to provide measures that will form a Sustainable Drainage System. It has been recognised that 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.
- 15.3 The National Planning Policy Framework (2023) 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 Paragraph 175 of the NPPF 2023 requires major developments to incorporate SuDS unless there is clear evidence that this would be inappropriate.
- 15.5 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.
- 15.6 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 a site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 15.7 As this is a major application, the application includes a Flood Risk & Drainage Strategy. There have been no objections from the Lead Local Flood Authority, subject to appropriate conditions.
- 15.8 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

#### 16.0 **Trees & Landscaping**

- 16.1 Paragraph 180 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.
- 16.2 Given the site history, set out above, the area has been somewhat neglected and vegetation is self-sown and comprise unmanaged grassland, scrub and ephemeral/ruderal vegetation.
- 16.3 An Arboricultural Assessment accompanies the submission. This identifies there are ten individual trees and some eight groups of trees within the site. All of these have been assessed by the relevant experts, who have concluded the specimens ranged from “moderate” to “unsuitable for retention”. Whilst the moderate specimens were considered to be of fair to good overall condition with no major defects, they were impaired by features that did not warrant their inclusion in the proposed site layout.

- 16.4 Only one significant tree towards the south central part of the site was recorded of interest and a series of options explored for its retention. However, this tree has not been retained, as ultimately it was concluded that the most viable layout and the setting-up of the surface water attenuation proposals required its removal.
- 16.5 The scheme entails new hard and soft landscaping, as well as the treatment of all the site boundaries.
- 16.6 In general, the communal and public areas will be planted in accordance with sound principles for the future longevity of the site to ensure a lasting attractive landscaped setting including trees, hedges and shrubs, a condition with regards to landscaping has been included.
- 16.7 The Design & Access Statement sets out that the variety of landscape types has been designed to provide a focus for improving biodiversity and resilience to climate change. The soft landscape focuses primarily on native species, which have been selected to provide all-year round interest.

17.0 **Habitats**

- 17.1 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.
- 17.2 Paragraph 186 of the NPPF 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.
- 17.3 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.
- 17.4 Evidence put forward within the Footprint Ecology report 'Impacts of urban development at Burnham Beeches Special Area of Conservation (SAC) and options for mitigation: update of evidence and potential housing growth, 2019' recognises that new housing within 5.6km of the SAC can be expected to result in an increase in recreation pressure.

- 17.5 The site is located approximately some 2.6 km from the SAC and therefore falls within the potential 5.6km development impact zone as proposed within the evidence base carried out by Footprint Ecology.
- 17.6 The applicant has submitted an Ecological Appraisal that includes a Habitat Regulations Assessment as part of the submission. The findings set out that whilst the development proposals are “*highly unlikely*” to lead to habitat fragmentation, “*unlikely*” to affect deer, “*unlikely*” to affect air quality, at the SAC; it could lead to a “*slight increase in visitor pressure*” there, due to “trampling, soil compaction, damage to trees, dog fouling, spread of disease and possible import of non-native species”.
- 17.7 The assessment then states:
- “However, it is acknowledged that in the absence of mitigation and in combination with [other developments in Slough] there may be a combined effect on the SAC ...”.*
- 17.8 The Council has adopted a mitigation strategy based on the cumulative impact of all further major residential development in the Borough. As such, any scheme with 10 or more residential units falls within the scope of the strategy.
- 17.9 Following negotiations with Natural England a fee of £570 per dwelling towards enhancements and proposals at Upton Court Park (or another suitable location) has been introduced and will be linked to the completion of a section 106 agreement. The recommendation of this report includes a requirement for the mitigation package to be secured by the Council.
- 18.0 **Energy & Sustainability**
- 18.1 Core Policy 8 combined with the Developers Guide Part 2 and 4 requires both renewable energy generation on site and BREEAM/Code for Sustainable Homes. The Developer’s Guide is due to be updated to take account of recent changes and changing practice. In the interim, to take account of the withdrawal of Code for Sustainable Homes new residential buildings should be designed and constructed to be better than Building Regulations (Part L1a 2013) in terms of carbon emissions. Specifically designed to achieve 15% lower than the Target Emission Rate (TER) of Building Regulations in terms of carbon emissions.
- 18.2 The applicant has identified the following measures to achieve the aim of a sustainable development scheme:
- Fabric first approach to energy efficiency.

- Target fabric insulation levels achieving improvements over the Building Regulations Part L 2021 requirements.
- Target fabric air permeability improvement beyond the Building Regulations Part L 2021.
- Efficient space heating systems with programable and thermostatic controls.
- Efficient low energy lighting throughout all spaces.
- Insulated pipework to minimize losses.
- Insulation of potable water reduction methods (low flush cisterns etc.)

18.3 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.

18.4 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

19.0 **Air Quality**

19.1 Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. 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.

19.2 The Council has adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic, requiring electric charging points, and low emission boilers within new developments. The Low Emission Strategy is a material planning consideration, but it does not form part of the current local development plan.

19.3 The application 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, as such an Air Quality Assessment has not been submitted as part of the application.

19.4 There are identified areas where there could be a temporary impact during the construction phase, such as dust, however these can be mitigated through the approval of a construction management plan.

- 19.5 Further mitigation to reduce air quality is through the provision of EV charging points which will be secured by condition.
- 19.6 On the basis of the above considerations there are no objections in respect of air quality impacts.
- 19.7 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

## 20.0 **Heritage Issues**

- 20.1 As reported above, there are no heritage assets in the vicinity of the proposed scheme and the site does not lie in a conservation area. Therefore, it is considered that these proposals would have no potential impacts on the significance of that heritage asset.

## 21.0 **Land Contamination**

- 21.1 Paragraph 189 of the NPPF sets out that the LPA should ensure policies and decisions ensure a site is suitable for its proposed use taking account of grounds conditions and any risks arising from land instability and contamination. Core Policy 8 states that development shall not be located on polluted land.
- 21.2 The submission is accompanied by a Phase 1 Desk Study carried out by an accredited specialist practice that concludes that the overall risk rating for the site is "Moderate to Low".
- 21.3 The developer's documentation concludes that further additional investigation should be undertaken, including boreholes/probes within areas currently not accessible, dynamic probing at each building plot, precautionary gas monitoring, etc.
- 21.4 Therefore, it is considered that it would be appropriate to impose conditions relating to carrying out the further investigative works required to ensure safety during redevelopment and for future occupiers.

## 22.0 **Infrastructure and Section 106 requirements**

- 22.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new 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

- 22.2 The proposals entail the introduction of 33 new residential units. As such, the scheme would trigger affordable housing on site and a financial contribution to education under the Council's policies, as set out in the Developer's Guide.

#### Affordable housing

- 22.3 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.
- 22.4 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 be secured by a section 106 planning obligation. The Council's updated Developer Guide Part 2, (September 2017) requires developments of 25 to 69 units to make a 30% on-site provision of affordable housing (split between Slough Affordable / Social Rent, Slough Living Rent Intermediate).
- 22.5 The agent has identified that 10no. dwellings are to be Affordable Housing, comprising 9no. x 2-bedroom and 1no. x 4-bedroom entailing 5no. houses in the north-west and south-west of the site layout.
- 22.6 As a policy compliant offer towards Affordable Housing, it is considered that the scheme is acceptable.

#### Education

- 22.7 Given the mix, as set out above at 11.2, the scheme would require the following contributions:
- 9no. 2-bedroom houses - £8,753 per unit = £78,777
  - 20no. 3-bedroom houses - £13,182 per unit = £263,640
  - 4no. 4-bedroom house - £24,187 per unit = £96,748

#### Recreation/Open Space

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

#### Highways infrastructure

- 22.8 As set out above in paragraph 6.1, the Highway Authority has identified the need for contributions towards a TRO (to amend the local parking regulations) and towards monitoring the Travel Plan. The requisite figures are £3000 and £3500 respectively.



### Burnham Beeches SAC

22.9 The site lies within the area for contributions under the need for mitigation of Burnham Beeches; so, a sum of £570 per dwelling unit would be required.

#### In summary

22.10 In summary, the following Section 106 financial contributions are required:

<b>Financial contributions</b>	
Education	£439,165
Highways (Traffic Regulation Order & Travel Plan issues)	£6,500
Burnham Beeches SAC mitigation	£18,810
<b>Total</b>	<b>£464,475</b>

Based on the information assessed to date, such obligations would be considered to 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.

### **23.0 Presumption in favour of sustainable development/Tilted Balance**

23.1 The application has been evaluated against the Development Plan and National Planning Policy Framework 2023 (NPPF) and the Local Plan Authority (LPA) has assessed the application against the core plan principles of the NPPF and whether the proposals deliver “sustainable development.”

23.2 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.

23.3 In the application of the appropriate balance, it is considered that there are some benefits from the scheme.

- The provision of 33 residential units in a sustainable location should be given substantial positive weight.
- The provision of policy compliant affordable housing and full education contribution should also be given substantial positive weight, especially when acknowledged that it includes family homes in the mix.
- The proposal will bring a long-redundant site back into use, making

the best use of previously developed land which is a benefit that should be afforded moderate positive weight.

- Sustainable energy measures to be secured at the site are a benefit that should be afforded moderate positive weight.
- Initially, the scheme shall create employment at the construction stage, which is given some slight positive weight.
- 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, which is given some slight positive weight.

The application includes the provision of financial contributions towards highways/transport infrastructure, which is considered to be a positive benefit.

23.4 As is the case with proposals when para 11 of the NPPF is engaged, the application does present a balanced case.

23.5 Therefore, in coming to a conclusion, officers have given due consideration to the benefits of the proposal in providing a net gain of 33no. 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 and the positive contribution to the streetscene and character of the area, as a result of the improvement to the quality of the environment. These factors create a range of limited, moderate and considerable benefits which weigh in favour of the development in the planning balance.

23.6 On the basis of the arguments above, it is considered that the benefits of the current scheme would significantly and demonstrably outweigh the identified impacts when assessed against the policies in the Local Development Plan and the NPPF taken as a whole.

#### 24.0 **Equalities Considerations**

24.1 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).

24.2 It is noted that the design details are based on meeting with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access.

24.3 It is considered that there would have been only temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development was under construction, by virtue of the construction works taking place. People with the following characteristics would have had 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 would have had the potential to cause nuisances to people sensitive to noise or dust. However, measures under other legislation covering environmental health would have been exercised as and when required.

24.4 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.

25.0 **PART C: RECOMMENDATION**

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

A) Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure policy compliant affordable housing, education and Burnham Beeches contributions, together with funding towards highway issues (including Traffic Regulation Order and Travel Plan), which are required to mitigate the impact of the development.
- (ii) Finalising conditions and any other minor changes;

or

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 30 September 2024 unless a longer period is agreed by the Planning Manager, or Chair of the Planning

Committee.

26.0 **PART D: LIST of CONDITIONS and INFORMATIVES**

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 unless otherwise agreed in writing by the Local Planning Authority.

- (a) Drawing No. 151530-STL-P-01; Recd On 29/11/2023
- (b) Drawing No. 151530-STL-P-02; Recd On 29/11/2023
- (c) Drawing No. 151530-STL-P-10; Recd On 29/11/2023
- (d) Drawing No. 151530-STL-P-11; Recd On 29/11/2023
- (e) Drawing No. 151530-STL-P-12; Recd On 29/11/2023
- (f) Drawing No. 151530-STL-P-13 Rev. A; Dated 12.02.2024; Recd On 12/02/2024
- (g) Drawing No. 151530-STL-P-15; Recd On 29/11/2023
- (h) Drawing No. 151530-STL-P-16; Recd On 29/11/2023
- (i) Drawing No. 151530-STL-P-17; Recd On 29/11/2023
- (j) Drawing No. 151530-STL-P-18; Recd On 29/11/2023
- (k) Drawing No. 151530-STL-P-20; Recd On 29/11/2023
- (l) Drawing No. 151530-STL-P-21; Recd On 29/11/2023
- (m) Drawing No. 151530-STL-P-22; Recd On 29/11/2023
- (n) Drawing No. 151530-STL-P-23; Recd On 29/11/2023
- (o) Drawing No. 151530-STL-P-24; Recd On 29/11/2023
- (p) Drawing No. 151530-STL-P-25; Recd On 29/11/2023
- (q) Drawing No. 151530-STL-P-30; Recd On 29/11/2023
- (r) Drawing No. 151530-STL-P-31; Recd On 29/11/2023
- (s) Drawing No. 151530-STL-P-32; Recd On 29/11/2023
- (t) Drawing No. 151530-STL-P-35; Recd On 29/11/2023
- (u) Drawing No. 151530-STL-P-40 Rev. A; Dated 12.02.2024; Recd On 12/02/2024
- (v) Drawing No. 151530-STL-P-41; Recd On 29/11/2023
- (w) Drawing No. 151530-STL-P-50; Recd On 29/11/2023
- (x) Drawing No. 151530-STL-XX-XX-DR-L-09000 PL\_PL01; Dated 17/11/2023; Recd On 29/11/2023
- (y) Drawing No. 151530-STL-XX-XX-DR-L-09101 PL\_PL02; Dated 27/11/2023; Recd On 29/11/2023

- (z) Drawing No. 151530-STL-XX-XX-DR-L-09401 PL\_PL01; Dated 17/11/2023; Recd On 29/11/2023
- (aa) Drawing No. 151530-STL-XX-XX-SP-L-SP002 S3 PL02; Dated 07.11.2023; Recd On 29/11/2023
- (bb) Drawing No. 151530-STL-XX-XX-SP-L-SP003 PL PL01; Dated 17.11.2023; Recd On 29/11/2023
- (cc) Drawing No. 151530-STL-XX-XX-SP-L-SP004 PL PL02; Dated 27.11.2023; Recd On 29/11/2023
- (dd) Arboricultural Assessment by FPCR ref. no. L:\11800\11872\ARB\11872AA Rev. A Final; Dated 14.11.23; Recd On 29/11/2023
- (ee) Daylight & Sunlight Assessment by Herrington Consulting ref. no. Revision 1 Final Issue; Dated 27<sup>th</sup> November 2023; Recd On 29/11/2023
- (ff) Ecological Appraisal by FPCR ref. no. L:\11800\11872\ECO\Eco App\Report\11872EcoApp Rev. B Final; Dated 15.11.23; Recd On 12/12/2023
- (gg) Materials Schedule by Stride Treglown ref. no. U:\151500\1515300\_M01\_231124; Dated 24/11/2023; Recd On 29/11/2023
- (hh) Planning Noise Impact Assessment by Anderson Acoustics ref. no. 6814\_001R\_2-0\_MS Second Issued Version; Dated 23/11/2023; Recd On 29/11/2023
- (ii) Site Investigation Report by Soil Consultants ref. no. 10862/BD; Dated 27<sup>th</sup> November 2023; Recd On 29/11/2023
- (jj) Transport Statement by DHA ref. no. SM/31157; Dated November 2023; Recd On 29/11/2023
- (kk) Draft Travel Plan by DHA ref. no. SM/HB/31157; Dated November 2023; Recd On 29/11/2023

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 in accordance with the requirements of the National Planning Policy Framework 2023 and to comply with the Policies in the Development Plan.

3 Drainage (SuDS #1)

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 the requirements of the National Planning Policy Framework 2023 and Policy 5 of the Core Strategy for Slough Borough Council 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.

#### 4 Drainage (SuDS #2)

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 the requirements of the National Planning Policy Framework 2023 and Policy 5 of the Core Strategy for Slough Borough Council by ensuring the satisfactory

means of surface water attenuation and discharge from the site.

5 Construction Management Plan (CMP)

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

1. A site set up plan displaying 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.
2. Confirmation that construction access shall be taken from Littlebrook Avenue.
3. 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.
4. 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.
5. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
6. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
7. Details of dust control measures and wheel washing facilities to be provided on site.
8. Confirmation of whether any abnormal loads will be required for the construction or demolition. If so, the LHA must be notified of any abnormal loads at the following location:  
<https://www.slough.gov.uk/licences-permits/abnormal-loads/1>.

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

REASON: In the interest of minimising danger and inconvenience to vehicular traffic and pedestrian highway users in accordance with the requirements of the National Planning Policy Framework 2023 and Policies 7 and 8 of the Core Strategy 2008.

6 Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy

Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the SITE INVESTIGATION REPORT (Ref no. 10862/BD) dated 27th November 2023 (Rev1), and prepared by Soil Consultants Ltd. The risk assessment shall be prepared in accordance with the Land Contamination: Risk Management (LCRM) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site-Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use in accordance with the requirements of the National Planning Policy Framework 2023 and Policy 8 of the Core Strategy 2008.

## 7 Remediation Validation

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

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with the requirements of the National Planning Policy



8 Landscaping

The external areas of the development shall be landscaped, as set out on Drawing No. 151530-STL-XX-XX-DR-L-09140 PL\_PL01; Dated 17/11/2023; Recd On 29/11/2023 and Drawing No. 151530-STL-XX-XX-DR-L-09141 PL\_PL01; Dated 17/11/2023; Recd On 29/11/2023 hereby approved and in no other way unless and otherwise approved by the Local Planning Authority.

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

REASON: In the interests of the visual amenity of the area in accordance with the requirements of the National Planning Policy Framework 2023 and Policy EN3 of The Adopted Local Plan for Slough 2004.

9 Landscape Maintenance

The development hereby approved shall not be first occupied until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas shown on the approved landscape plan, and should include a time scale for the implementation and be carried out in accordance with the approved details and retained thereafter.

REASON: To ensure the long term retention of landscaping within the development in accordance with the requirements of the National Planning Policy Framework 2023 and the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

10 Boundary Treatment

The boundary treatment of the development shall be formed as set out on Drawing No. 151530-STL-XX-XX-DR-L-09180 PL\_PL01; Dated 17/11/2023; Recd On 29/11/2023 hereby approved and in no other way unless and otherwise approved by the Local Planning Authority.

On substantial completion of the development hereby approved, the approved scheme for the treatment of the boundaries shall have been carried out. The development shall not be occupied until the approved boundary treatment has been implemented on site and retained thereafter.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with the requirements of the National Planning Policy Framework 2023, Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008).

11 Drainage (SuDS #3)

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy, Ref P/04628/030 FLOOD RISK AND DRAINAGE STRATEGY 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.

12 Bins & Recycling facilities

The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to Occupation of the development and retained thereafter.

REASON: To ensure that there is adequate refuse and recycling storage to serve the development in accordance with the requirements of the National Planning Policy Framework 2023 and Policy EN1 of

The Local Plan for Slough 2004.

13 Access

No part of the development shall be occupied until the new means of access has been constructed in accordance with details to be approved prior to commencement and constructed in accordance with Slough Borough Council's Design Guide.

REASON: To ensure that adequate access provision is available to serve the development to prevent highway congestion and safety issues and to protect the amenities of the area in accordance with the requirements of the National Planning Policy Framework 2023, 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.

14 Visibility

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

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with the requirements of the National Planning Policy Framework 2023.

15 Layout

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

REASON: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with the requirements of the National Planning Policy Framework 2023.

16 Car Parking Provision

Prior to the development hereby approved first being brought into use, 71 no. car parking spaces shall be provided and made available for use in connection with the residential development and maintained for the parking of cars thereafter. The car parking spaces are for the sole use of the residents in the development and shall not be used for any

separate business or commercial.

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 the requirements of the National Planning Policy Framework 2023, 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.

17 Cycles storage

No part of the development shall be occupied until a secure cycle parking store has been provided for each dwelling in accordance with the approved plans and the standards set out in the Slough Developers Guide. Once laid out and constructed that store shall be retained at all times.

REASON: To ensure that there is adequate cycle parking available at the site in accordance with the requirements of the National Planning Policy Framework 2023, Policy T8 of The Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

18 External Site 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 and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

19 No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any elevations of the development.

REASON: To ensure the visual character and appearance of the

facades are preserved and to ensure the development does not prejudice the future development of adjoining lands; so, as to protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with the requirements of the National Planning Policy Framework 2023, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices).

20 Permitted Development Rights Removed

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

REASON: The rear garden(s) and parking areas are considered to be only just adequate for the houses of the size proposed. It would be too small to accommodate future development(s) which would otherwise be deemed to be permitted by the provision of the above order. In the interests of ensuring the limited parking provision is unaffected through future development and ensuring amenity standards are retained in accordance with the requirements of the National Planning Policy Framework 2023 and Policies EN1, T2 and H14 of The Adopted Local Plan for Slough 2004.

21 Secure by Design

No development shall take place above slab level 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 the requirements of the National Planning Policy Framework 2023, Policy EN5 of The Adopted Local Plan for Slough 2004 and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026.

22 Level Access

The ground floor entrance doors to any part of the development shall

have a threshold at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the flattened residential units and the external amenity/balconies and the main lobbies.

REASON: In order to ensure the development provides ease of access for all users, in accordance with the requirements of the National Planning Policy Framework 2023, Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008).

## INFORMATIVES

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice; so it is in accordance with the National Planning Policy Framework.

2. 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](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.

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

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

The applicant 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 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.

3. Thames Water

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.

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Registration Date:	06 December 2023	Application No:	P/20369/000
Officer:	Martin Cowie	Ward:	Herschel Park
Applicant:	Mr Kaushal, Modage Ltd, 2 <sup>nd</sup> floor, Amba House, 15 College Road, Harrow, HA1 1BA	Application Type:	Major
		13 Week Date:	06 March 2024
Agent:	Mr Karran Corpaul, The White House Design Ltd, 7 Whittle Parkway, Slough, SL1 6DQ		
Location:	Car Park R/O, 198, High Street, Slough, SL1 1BN		
Proposal:	Full application for the redevelopment of the existing site comprising of the erection of an 11 storey residential block comprising 28 residential units with associated parking, gate, cycle provision and waste storage.		

**Recommendation:** Delegated to the Planning Group Manager for Refusal



**1.0 SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies set out below, and comments that have been received from internal and external consultees, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for refusal for the following reasons:

1. The application does not propose any affordable housing or infrastructure contributions contrary to Core Policies 4 and 10 of the Core Strategy, Part 2 of the Slough Developer Guide, and the requirements of the National Planning Policy Framework 2023.
2. By reason of its layout, design, scale, and height, the proposed building would represent an overdevelopment of the site, appear obtrusive, and harm the character and appearance of the surrounding area including the setting of heritage assets contrary to Policy EN1 and EN17 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
3. By reason of its layout, design, scale and height, and failure to assess sunlight/daylight, noise and wind related impacts, the proposed development would harm the residential and visual amenities of future occupiers of the proposed development and fail to comply with, Local Plan Policy H14, Emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
4. By reason of its layout, design, scale and height, and failure to assess sunlight/daylight, noise and wind related impacts, the proposed development would harm the residential and visual amenities of future occupiers of developments approved on adjacent sites and fail to comply with Core Policy 8 of the Core Strategy, Local Plan Policy EN1, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
5. The proposal would prejudice the redevelopment of adjoining sites, preventing the comprehensive planning of the area and the effective use of land and fails to comply with Policy H9 of the Local Plan Slough March 2004, Core Policy 1 of the Core Strategy, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
6. The application does not include a drainage strategy to demonstrate how surface water would be effectively drained from the site in accordance with national and local published standards. The proposal would therefore fail to comply with Core Policy 8 of the Core Strategy, the standards set out within the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016, the Government's Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015, and the requirements of the National Planning Policy Framework 2023.

7. No energy strategy has been provided to demonstrate whether the development is capable of delivering the minimum required carbon emission target would be met set out in the Developer Guide. The submitted plans do not propose or make allowance to accommodate renewable energy measures in order to meet the required carbon emission target. Due the insufficient information submitted with the application, the proposal therefore has therefore failed to demonstrate compliance with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023 and the Developer Guide Part 2.
8. The application makes no provision for replacement off-street servicing for the existing commercial use to the rear of the site which would have a detrimental impact of highway safety and the commercial viability of the High Street. The proposal would not comply Core Policies 1 and 7 of the Core Strategy, Local Plan Policies S1 and T2, and is also contrary to the National Planning Policy Framework 2023.
9. The application does not include adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway. The development if permitted would lead to the stationing of vehicles on Herschel Street and/or vehicles reversing onto or off the highway to the detriment of public and highway safety. Double yellow lines and yellow kerb blips are present on the kerbs which restrict/ban the loading and unloading of vehicles. The proposal is contrary to Slough Local Plan Policy T2 Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to the National Planning Policy Framework 2023.
10. The development does not provide adequate cycle parking in accordance with adopted Slough Borough Council standards and therefore does not comply with the Council's Integrated Transport Strategy and is contrary to Slough Local Plan Policy T8, Slough Core Strategy Core Policy 7 and is also contrary to the National Planning Policy Framework 2023.
11. In the absence of an appropriate Fire Statement, the applicant has failed to demonstrate how the development can be laid out to incorporate adequate fire safety provisions. The proposal has therefore failed to demonstrate the proposal has been designed with fire safety in mind and would fail to comply with the requirements of Planning Gateway One.
12. The site is located within the 5.6 km development impact zone for the Burnham Beeches Special Area of Conservation as proposed within the evidence base carried out in the Footprint Ecology Report dated 2019. No information has been submitted to demonstrate that no likely significant effect would occur as a result of the development or to assist the competent authority in carrying out the appropriate assessment. In addition, the application does not propose net gains in biodiversity. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core

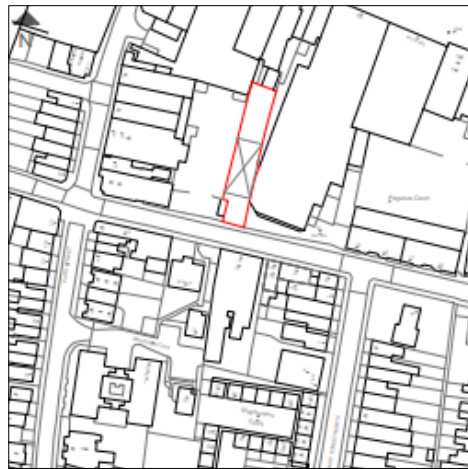
Strategy, the requirements of the National Planning Policy Framework, and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended).

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

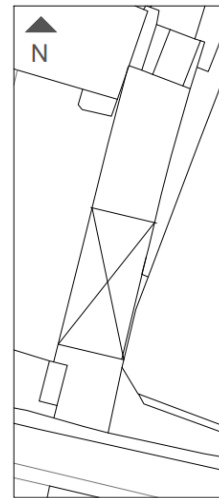
## **PART A: BACKGROUND**

### **2.0 Proposal**

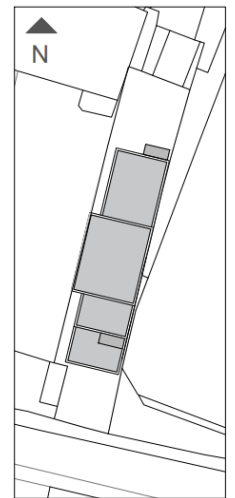
- 2.1 The planning application proposes the redevelopment of the site comprising the erection of an 11-storey residential block accommodating 28 residential units with associated parking, gate, cycle provision and waste storage.
- 2.2 The proposed building would have a frontage onto Herschel Street, set-back at 4-storeys and extend over most of the site to the rear at 10 and 11-storeys. The ground floor would effectively form an undercroft area, accommodating pedestrian and vehicular access, 5 parking spaces and refuse and cycle stores. The building would also be served by one staircore and lift.



Location plan



Existing block plan



Proposed block plan

- 2.3 The floors above would provide the following mix of flatted accommodation:

- 6 x 1bed 1person studio flats
- 9 x 1bed 2 person flats
- 13 x 2bed 2person flats

- 2.4 Each flat would incorporate some external amenity space by way of balcony or roof terrace and be dual aspect with outlook to the north, west and south. No windows feature in the east elevation of the building. The diagrams below show the proposed ground floor layout and several upper floors.



The application is accompanied by the following documents:

- Floor plans, elevations
- Design and Access Statement
- Fire Statement

2.5

3.0 **Application Site**

3.1

The site is a narrow plot of land to the rear of a 3-storey commercial property at 198 High Street. The land measures only 0.046 ha (463m<sup>2</sup>) and forms a car parking area with access and servicing from Herschel Street. The application documents state that the car park accommodates 26 spaces and serves surrounding buildings. The land is partly fenced along its frontage and western boundary and displays parking signs including one relating the “Star Karahi” restaurant which is on the opposite side of Herschel Street.



Photograph of site from Herschel Street looking east

- 3.2 On the eastern side of the site are the former BHS premises at 204-206 High Street, which has permission for a mixed-use development comprising replacement flexible retail space at ground floor level, flexible commercial floorspace at first floor fronting the High Street and 78 residential dwellings within 3 buildings at podium level across the site with heights of 5, 11 and 4 storeys. for a total of 89 no. 1 and 2-bedroom units within 3 buildings at podium level across the site with heights of 5, 13 and 4 storeys (see Relevant Planning History below).



Aerial photograph of site (red outline)

- 3.3 Immediately to the west of the site is a car park associated with the uses at Park Street and the High Street including 2 and 3-storey commercial premises.



Photograph of 198 High Street (Admiral) and adjoining property

3.4

Adjoining the site on its north-eastern boundary is a larger commercial building forming part 190-192 High Street. This property has received permission recently consent for a major redevelopment comprising the construction of a three-storey roof extension and conversion of the first and second floors to provide 46 residential units and re-provision of 2 commercial units at ground floor and associated facilities (see Relevant Planning History below).



Aerial photograph of site (red outline)

3.5

The site is located within the designated Town Centre of Slough on the southern edge of the High Street. The surrounding urban townscape is characterised by buildings of varying scale, style and age, transport infrastructure and public realm. The land uses are predominantly retail and commercial to the north of the site and residential to the south of the site.

- 3.6 The site is not within a Conservation Area, nor does it contain any statutory listed buildings, but there are three Locally Listed properties nearby. The Locally Listed buildings at Nos. 194-198 and 200-202 High Street are situated to the immediate north of the site on the High Street frontage and the Herschel Arms Public House sits on the other side of Herschel Street.
- 3.7 No. 200-202 comprises a three-storey red brick building with mobile phone repair shops on the commercial frontage. No.194-196 comprises a three-storey red brick building with an optician on the commercial frontage and No. 198 comprises a three-storey white painted brick building with a betting shop on the High Street. The Herschel Arms Public House forms an attractive single and two-storey Victorian building extending prominently along this part of Herschel Street to its corner with Park Street.

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

##### 4.1 Application Site:

No History.

##### 198 High Street

P/01909/016 Use of shop as amusements centre with ancillary retail sales and snack bar

Approved with Conditions 24 August 1993

##### 190-192, High Street

P/03079/018 Construction of a three-storey roof extension and conversion of the first and second floor to provide 46 residential units (Use Class C3); re-provision of 2 commercial units (Use Class E) at ground floor; associated cycle parking, refuse storage; roof garden; new residential access to the front (north) elevation; and upgrades to the high street façade.

Approved with Conditions and Informatives – 22 June 2023.

**[Case Officer Note: Not Implemented and Extant].**

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

Approved with Conditions and Informatives - 18 August 2022.

**[Case Officer Note: Implemented].**



204-206, High Street

P/02683/015 An application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 2 (Approved Drawing Numbers), Condition 5 (Approved Uses), Condition 6 (Hours of Operation) and Condition 36 (Fire Safety) of planning permission P/02683/013 for the Demolition and Redevelopment of the existing site for a mixed use development (granted 4th March 2020) namely for various material amendments including addition of 2 'floors' to the top of Block B to create an 11th and 12th floor and an additional 8 x 1 bed flats; use of the first floor of Block A for 3 x 2 bed residential units; flexible Class E space throughout the ground floor commercial unit; amendment to the commercial High St side entrance to form a residential entrance; increasing the number or cycle parking spaces and waste provision; and removal of the flexible office/gym space at first floor of Block A.

Approved with Conditions and Informatives – 21 February 2022.

P/02683/013 Demolition and Redevelopment of the existing site for a mixed-use development comprising replacement flexible retail space (Class A1, A2, A3 uses) at ground floor level, flexible commercial floorspace at first floor fronting the High Street for either B1 (offices) or Class D2 (gym) uses and 78 residential dwellings within 3 buildings at podium level across the site with heights of 5, 11 and 4 storeys. Shared amenity space provided at first floor podium level, with cycle, waste and recycling storage facilities at ground floor level, and provision of two accessible car parking spaces (for the residential uses), loading and drop off facilities and servicing area within ground floor level with access from Herschel Street.

Approved with Conditions and Informatives – 04 March 2019.

**[Case Officer Note: 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 as submitted was advertised as a major application in the 23/02/2024 edition of The Slough Express, four site notices were displayed outside the site on 12/12/2023.

5.2

The following comments objecting to the proposed development have been received from the Applicant of the QM OPA (Outline Planning Application) and owner of the Queensmere and Observatory Shopping Centres:

- The scale, height, bulk, and mass of the proposed building is significant, and substantially larger than any of the existing buildings within the immediate area, which is predominantly low rise. It is considered that the proposed scale, height, bulk and mass of the proposed building would appear out of place in this part of the town centre and within the wider street scene.
- Furthermore, the proposed building sits on a very small plot of just 463sqm. Accordingly, the proposals for 28 new residential units on such a small plot of land are considered overdevelopment of the Site.
- No consideration has been given to the approved scheme at No. 204-206 High Street nor any detail provided on how the Proposed Development will respond to this boundary. The Applicant is required to ensure that the Proposed Development does not stifle the development of this adjacent site.
- As a result of limited site area, the ground floor frontage of the development would consist of access gates and a door into the residential ground floor lobby, set back from road, with cycle parking and refuse storage at the rear. It is considered that this arrangement would result in a dead frontage within the town centre and would detract from the street scene. It is also possible that the proposed setback from the edge of the road would encourage opportunities for antisocial behaviour with limited natural surveillance.
- The planning application does not provide for any affordable housing within the Proposed Development and no viability assessment has been provided in support of this.
- The Applicant should be asked to consider whether the Proposed Development could incorporate one or two 3-bedroom family units to provide a more varied and appropriate unit mix.
- Secondary legislation under the Building Safety Act took effect from 1 October 2023. This requires buildings of over 18m or seven-storeys, in height, to provide a second staircase. The submitted elevation drawings appear to show that the proposed building will be 11-storeys and will exceed 30m in height. However, the submitted plans appear to show only one staircase. The Applicant is required to amend the proposals to allow a second staircase for fire safety purposes.
- Officers should request that the Applicant undertakes an assessment of the existing car park which should be submitted in support of the application.
- The Applicant should be asked to provide a Daylight and Sunlight Assessment to accompany the planning application.

[Case Officer Note: the above concerns are assessed within the relevant parts of the planning assessment below].

## 6.0 **Consultations**

### 6.1 Local Highway Authority Officer:

#### *Existing Car Parking:*

- SBC Transport Officers made a site visit where 12 cars were observed parked on site at approximately 1:04pm. Signs stated that car parking is only for the Communities Business on Slough High Street. The planning application does not confirm where the car parking for the existing retail unit and flats above the retail unit would be re-provided. The removal of car parking would displace cars associated with the existing residents, staff and customers of the existing flats and dwellings and cause them to park in other locations in public car parks such as Observatory Shopping Centre, Hatfield Road public car park or Herschel Street Car Park or in public car parking spaces on the surrounding road network where there is minimal capacity.

It is likely that the existing car parking could be accommodated within these public car parks and it is noted that SBC allow Nil. Parking provision for retail land use or residential land use within the Town Centre Area.

#### *Site Layout:*

- The application does not include swept path analysis which demonstrates that a large car measuring 5.079m in length can ingress/egress each parking space. SBC requires spaces bounded by a physical feature such as a fence or a wall to be widened by 300mm. This is because where spaces are not bounded by another space, drivers cannot open their car door over the adjacent space.

#### *Electric Vehicle Parking:*

- The planning application does not propose any Electric Vehicle Charging points for the proposed dwellings. Five electric charging points would be required by Slough's standards given five car parking spaces are proposed on site.

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'.

#### *Cycle Parking:*

- SBC Transport Officers would recommend refusal of the planning application because the proposed cycle store is not large enough to provide 1 secure and

covered cycle parking space per dwelling in accordance with the requirements of the Slough Local Plan. The requirements for cycle parking are set out within the Slough Developer's Guide – Part 3: Highways and Transport.

The proposed store (shown on Drawing No. KKC/HS/2023/A2) is not large enough to store 28 bicycles, as claimed by the Design and Access Statement. The bike store is only 2.49m wide. This does not provide suitable space for both cycle racks (1.8m long) and manoeuvring of bicycles in/out of the racks.

The store is only 6.57m in length, which is not long enough to provide enough racks for 28 bicycles. Two tier cycle racks are most space efficient and are 700mm wide each (400mm rack plus 300mm gaps). Therefore only 9 double cycle racks providing 18 cycle parking spaces could fit within a store 6.57m long; although there would not be enough room to manoeuvre bikes in/out of the racks.

*Deliveries, Servicing and Refuse Collection:*

- The application does not provide space for loading, unloading and turning of service vehicles clear of the public highway. This is required to avoid the stationing of service vehicles on the highway and vehicles reversing onto or off the highway to the detriment of public and highway safety. The application would therefore result in delivery vehicles waiting on Herschel Street whilst they make deliveries to the proposed dwellings and restrict the free flow of traffic. The proposed 28 dwellings would generate deliveries from Royal Mail, Online Food Shopping, Takeaways, Amazon parcel deliveries and occasional removals vehicles when residents move in/out of the proposed dwellings.

SBC Transport Officers require planning applications to include swept path analysis which demonstrates there is suitable turning space within the site for a Luton Box Van (7.5 Tonnes) and a Mercedes Sprinter L3 H2 315CDI RWD which is 6.96m long.

*Deliveries and Servicing – Existing Retail Units and Dwellings:*

- In developing the existing car park, the proposed development would also remove the loading/unloading area for the existing flats and retail unit at 198 Slough High Street. This would result in delivery vehicles associated with both the existing and proposed uses stationed on the public highway, blocking the free-flow of traffic to the detriment of highway safety.

*Bin Storage – Drag Distances:*

- The proposed bin store is located 30 metres from the public highway. This significantly exceeds SBC's maximum 10 metre drag distance for EuroBins. This maximum drag distance is specified within the Slough Developers Guide. The documents submitted do not make clear how bins will be presented for collection

at the kerbside. SBC collection operatives will not enter private property in order to collect/remove bins.

*Summary and Conclusions:*

- The Local Highways Authority would recommend refusal of the planning application for the reasons set out below:

Deliveries and Servicing - The applicant has not included adequate provision within the site for the loading, unloading, and manoeuvring of service vehicles clear of the highway. The development, if permitted would lead to the stationing of vehicles on Herschel Street and/or vehicles reversing onto or off of the highway to the detriment of public and highway safety. Double yellow lines and yellow kerb blips are present on the kerbs which restrict/ban the loading and unloading of vehicles. The development is contrary to Slough Local Plan Policy T2 Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to Paragraph 116 of the National Planning Policy Framework.

Cycle Parking - The development fails to provide cycle parking in accordance with adopted Slough Borough Council standards and therefore does not comply with the Council's Integrated Transport Strategy and is contrary to Slough Local Plan Policy T8, Slough Core Strategy Core Policy 7 and is also contrary to Paragraph 116 of the NPPF.

6.2 Environmental Quality Officer:

- An air quality assessment will not be required for this development, because the proposal includes a reduction in vehicle trips due to reduced parking, and the development is located on a minor road, therefore exposure to poor air quality is not likely. In line with the Low Emission Strategy, the applicant will be required to implement Type 1 mitigation which includes provision of EV charging, submission of a CEMP which considers dust and noise controls and meets emission standards for construction vehicles (Euro VI) and NRMM controls in line with Table 10.

All heating systems will also need to meet the emission standards laid out in table 7 of the LES Technical Report.

In regards to noise, I expect an assessment will be required due to the surrounding commercial uses which may cause disturbance during deliveries etc, and there seem to be some food outlets nearby which can have noise generating plant. Odour may also be an issue due to ducting fumes. I would suggest you consult Resilience and Enforcement regarding the potential noise and odour issues as they are more related to nuisance.

### 6.3 Resilience and Enforcement Officer

- Limited information provided.

I would like to see a Noise Impact assessment of the site to measure existing background decibel levels in this area. I know there has been development of existing buildings in the locality over the last 2-3 years to repurpose them into flats.

Older existing noise assessments were used for these builds instead of conducting new measurements. Problems have since arisen due to using historic data which at the time wasn't going to be reflective of current levels and as the area has changed further in the last few years I would want to see a new noise assessment conducted with recent data. This assessment should measure noise levels at the closest noise receptors and at the site itself. This will help to cover expected noise levels during any demolition and building phases and what measures will be needed to preserve existing background noise levels during development. It will also help to assess what type of insulation and glazing the build will require to meet WHO guidelines of day and night time background levels.

A demolition / construction plan would need to be submitted to show what Measures they are implementing to prevent the rise of dust, noise and vibration from development works. The 'Currys Yard' as we call it car park adjacent to the build has restaurants with extractors venting to the rear. This may be a consideration as existing extractor vents will be aimed directly at this build which may give rise to odour complaints. At present this is not an issue as there are no sensitive receptors, however the plans show numerous directly adjacent windows overlooking this car park all of which relate to sleeping and living areas.

Using mapping the distance from the rear of the shops to the build appears to be around 20 metres. I would like to see the noise assessment to be able to comment if existing extractors and plant are going to be an issue decibel level wise.

A few other considerations. Will the bin and cycle stores in this plan be locked? This is to prevent against ASB and rough sleepers which Slough suffers from in The Town Centre. External doors / gates and locks need to be fit for purpose or this will attract rough sleeping which will need to be dealt with further down the line. It is much easier to design it out at this stage. The location of the bin stores in respect to the main road. Bin lorries I believe are only permitted to reverse a maximum of 12 metres under recommendations.

### 6.4 Waste and Environment Officer

- Drag distance would be the main issue here. While we do state a maximum of 10m, direct access is always preferred. From the proposed drawings a family car can access below the flats and to the rear, the RCV of course cannot, it appears the drag distance here would be a great deal more than 10m, even if there is sufficient room to reverse in onto the property completely.

28 flats require 3x 1100L residual and x 1100L recycling, it is difficult to tell the size of the proposed oddly shaped bin store. They state it is 12.6m which is just twice the size of the five containers, which leaves little if no room to manoeuvre the refuse and recycling bins around each and out of the store itself. Size, location of the store and the inevitable drag distance would not be suitable.

6.5 Contaminated Land Officer:

- Comments to be reported at Committee via Amendment Sheet.

6.6 Thames Water:

- No objection subject to appropriate conditions and informatives in relation to waste water, sewage and infrastructure.

6.7 Lead Local Flood Authority:

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

Our information requirements in support of an application are outlined in our document Local Standards and Guidance for Surface Water Drainage.

We cannot support the application until adequate surface water drainage information has been submitted.

6.8 Heritage Advisor:

- The application site is currently an area of hard surfaced car parking to the rear of 198 High Street. This part of Herschel Street lacks a defined character but development along the street tends to be 2 / 3-storeys with gaps between buildings. It differs in character to the High Street which features taller, adjoining buildings of various periods of construction, as is typical of most High Streets.

The application submission does not look sufficiently detailed for such a large scale / tall building.

The Locally Listed Nos. 194-198 and 200-202 High Street are situated to the immediate north of the site, fronting the High Street. The Locally Listed Herschel Arms Public House on Herschel Street is located on the south side of Herschel Street and occupies a corner position to Park Street, it lies almost opposite the application site. These are non-designated heritage assets (as per the NPPF), and included on Slough's list of 'locally important' buildings (as set out in Appendix 6 of the Slough Local Plan, adopted March 2004). The Locally Listed Nos. 194-198 and 200-202 High Street are situated to the immediate north of the site, fronting the High Street. These are non-designated heritage assets (as per the NPPF), and included on Slough's list of 'locally important' buildings (as set

out in Appendix 6 of the Slough Local Plan, adopted March 2004).

A heritage asset is defined as “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing) (Annex 2: Glossary, National Planning Policy Framework).

The Herschel Arms public house is a modest 2-storey 19th century public house and has an attractive elevation to Herschel Street. Nos. 200-202 comprise a three-storey red brick Victorian building with gables and pinacles to the roof and an inset central balcony. No 198 is a gable fronted painted brick property. Nos. 194 - 196 is a late 19th century brick building with large window openings to the upper floors. These buildings make a positive contribution towards the street scene. Whilst these properties will not be directly impacted, the setting of these non-designated heritage assets should be considered within the application submission. Concerns are raised, in particular, in relation to the setting of the Herschel Arms public house - the new development will have an uncomfortably overbearing relationship with this property, and others along the south side of Herschel Street.

It is not clear from the plans if the proposed development will be a visible element within the High Street 'street scene' but it will be from other local roads, particularly Herschel Street / Park Road. BEAMS take the view the proposed residential block will be an incongruous element within its immediate locality due to its height and fail to respond / relate to its surroundings.

The plans lack detail and do not look to provide a building with any particular design merit. Materials are referred to as being 'brick' but it is not clear how this translates to the elevation plans which are black / grey.

The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Slough Policy EN1 is also relevant here.

Whilst BEAMS has some concerns over potential impacts upon the setting of the locally listed properties referred to above, significant concerns are raised over the scale and design of the proposed development in its current form (and in conjunction with the lack of detail provided within the application).

6.9 Berkshire Archaeology:

- Having reviewed the application and site details, do not believe archaeological mitigation to be required in this instance.

6.10 Natural England:

- Response to be reported at Committee.



6.11 Health and Safety Executive (Planning Gateway One):

- The associated documents have been reviewed and I can confirm that the application does not include a fire statement form. However, the attached document on LPA's website, named "Fire Statement", is a "Fire Safety Strategy". The Fire Statement and the Fire Strategy are separate documents performing distinct functions and satisfying different legal requirements.

Therefore, we would require a completed fire statement in order to carry out an assessment for this application.

We aim to respond to enquiries within 28 calendar days from receipt of the fire statement.

From 1 August 2021, developers have a statutory obligation to submit a fire statement setting out fire safety considerations specific to the development with a relevant application for planning permission for development which involves one or more relevant buildings. Further information can be found here: Planning application and fire statement forms: templates - GOV.UK ([www.gov.uk](http://www.gov.uk))

## **PART B: PLANNING APPRAISAL**

7.0 **Policy Background**

National Planning Policy Framework and National Planning Policy Guidance:

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 5: Delivering a sufficient supply of homes

Chapter 6: Building a strong, competitive economy

Chapter 7: Ensuring the vitality of town centres

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed and beautiful places

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Chapter 16: Conserving and enhancing the historic environment

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

Core Policy 1 – Spatial Strategy

Core Policy 3 – Housing Distribution

Core Policy 4 – Type of Housing

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

Core Policy 10 – Infrastructure

## Core Policy 12 – Community Safety

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

EN1 – Standard of Design  
EN3 – Landscaping Requirements  
EN5 – Design and Crime Prevention  
EN17 – Locally listed buildings  
H9 – Comprehensive Planning  
H14 – Amenity Space  
T2 – Parking Restraint  
T8 – Cycle Network and Facilities  
S1 – Retail hierarchy

### Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document - November 2010
- Slough Borough Council Developer's Guide Parts 1-4 - November 2008, January 2016, December 2017, November 2018
- Slough Flood risk and surface water drainage Planning guidance - January 2016
- Proposals Map - 2010
- Nationally Described Space Standards May 2016 (as amended)
- Slough Low Emission Strategy - 2018 - 2025
- Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems - March 2015
- The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended)
- Footprint Ecology report 'Impacts of urban development at Burnham Beeches SAC and options for mitigation: update of evidence and potential housing growth, 2019'

### Slough Local Development Plan and the National Planning Policy Framework:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The revised version of the National Planning Policy Framework (NPPF) was published on 19<sup>th</sup> December 2023.

The National Planning Policy Framework 2023 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 2023, the Local Planning Authority cannot 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 2023 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 2023 which has been used together with other material planning considerations to assess this planning application.

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

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

A number of strategic housing sites are identified in the spatial strategy. This site was not identified as a strategic housing site, however the site does fall within the High Street where Spatial Strategy proposes regeneration to rediscover the High Street and make it the focal point of the centre. The major change that is likely to happen is the redevelopment of the northern side of the High Street within the Queensmere and Observatory Shopping centre sites. Smaller scale changes are proposed to other sites in the town centre, including the application site. These are detailed in the Draft Centre of Slough Regeneration Framework (Aug 2020) and the Centre of Slough Interim Planning Framework 2019.

#### *The Draft Centre of Slough Regeneration Framework:*

In March 2020 Slough Borough Council commissioned Urban Initiatives Studio to prepare a Regeneration Framework for Slough’s Square Mile. This sets the Council’s vision and spatial framework for development in the town over the next 15 years. The Regeneration Framework is aligned with a number of other Council strategies. These include the Transport Vision adopted in 2019; the Inclusive Growth Strategy; the Climate Change Strategy and the Council’s Five-Year Plan.

The Draft Centre of Slough Regeneration Framework (Aug 2020) was presented to Members at the Planning Committee meeting of 9 September 2020 and was subsequently determined to be adopted as an evidence document for the forthcoming Slough Local Plan.

The Draft Centre of Slough Regeneration Framework identifies potential for 7,400 new homes across a 'Square Mile' which encompasses and extends beyond the defined Town Centre. Figure 3.2 sets out proposed land uses in the Square Mile. The site subject to this planning application is identified as appropriate for mixed-use up to the High Street frontage and residential to the rear. The adjoining sites including 204-208 High Street are similarly identified.

Figure 3.3 sets out potential building heights across the Framework area. The site subject to this planning application and adjoining sites are identified as being suitable for moderate scale development along the High Street frontage (4-5 storeys).

Figure 3.3 indicates that tall buildings (8-14-storeys) are proposed to areas adjoining the application to the north and northwest. The justification for tall buildings in these locations is to help enhance the legibility of the centre, marking an important location within the town's structure, and reinforcing a point of arrival or indicating the primacy of a particular use (e.g. the railway station).

#### Centre of Slough Interim Planning Framework 2019:

The Council is promoting "major comprehensive redevelopment within the Centre of Slough" as part of its wider growth agenda. This Interim Planning Framework is produced by the Local Planning Authority's Policy Team and is the first step in producing a Centre of Slough Framework Master Plan.

The Framework does not replace any of the existing policies in the Local Plan, Core Strategy or Site Allocations DPD. It does, however, provide a land use framework that future work can be hung upon. It can be used to inform planning decisions but does not have the weight of planning policy. The Framework was considered at Planning Committee on the 31st July 2019 and members endorsed the approach taken in the strategy

A key part of this strategy is to promote major housing and employment development in and around the centre which is aimed at providing much needed accommodation and supporting the town centre economy.

The Interim Framework encourages comprehensive development to ensure good quality design and optimise the scale of development on the site whilst respecting its surroundings. Some small sites can be redeveloped individually if there is a comprehensive masterplan to co-ordinate design and ensure piecemeal development does not disadvantage reasonable redevelopment of the next-door sites.

The application site and adjoining sites are identified within one of the Areas of Change as shown on Figure D – Residential Areas. Within these areas are specific

identified sites including 204-206 High Street next to the application site or areas for potential redevelopment. The identified sites and areas have been chosen for a variety of reasons. They have regeneration benefits such as the ability to improve image of the town and level of activity. They have scope for large scale development which can optimise the number of homes built. They are considered to be likely to come forward and practical to develop, taking into account ownership and viability. They can also help to support the Council strategic objectives such as promoting viable public transport and walking routes.

Figure D – Location for New Tall Buildings does not identify the site (nor adjoining sites) for Medium or High-rise Buildings.

The site is therefore identified as being potentially available for redevelopment to include housing and as a site that could contribute towards new homes in the town centre sought by the Centre of Slough Framework.

In addition, it is worth noting that the Framework also highlights that proposed developments on sites extending from the High Street to Herschel Street must be designed to enable a transition in height to be made reflecting the characteristics of the areas surrounding the site; visual amenity is a key consideration. The Framework does not promote tall buildings in this area and the proximity of distinctive small scale heritage development south of the area (Herschel Village) limits opportunities for large buildings nearby.

The Framework also states that the design of any proposed development must ensure that the amenities of the occupiers of current and future properties are protected and that many of the sites on the south side are narrow and it will be necessary in a number of circumstances for the promoters of specific sites to work together, particularly in relation to rear servicing and to optimise redevelopment opportunities.

7.1 The planning considerations for this proposal are:

- Principle of development and land use
- Emerging policy
- Supply of housing
- Impact on the character and appearance of the area
- Impact on heritage assets
- Impact on amenity of neighbouring occupiers
- Comprehensive development
- Living conditions for future occupiers of the development
- Highways/transport and parking
- Air quality
- Sustainable design and construction
- Surface water drainage
- Fire Safety
- Affordable housing and Infrastructure
- Equalities considerations

## 8.0 **Principle of development and land use**

- 8.1 The National Planning Policy Framework 2023 seeks to support the role that town centres play at the heart of local communities. Planning should promote the long-term vitality and viability of town centre by taking a positive approach to their growth, management and adaptation. The National Planning Policy Framework requires local planning policies to allow a suitable mix of uses which including housing within town centres.
- 8.2 Core Policies 1 and 4 of the Core Strategy seeks high density flatted development to be located within the town centre and urban areas. Local Plan Policy S1 resists development that would adversely affect the Slough Town Centre shopping centre. Core Policy 1 requires high density housing development in the town centre to be comprehensively planned in order to deliver maximum social, environmental and economic benefits to the wider community. Local Plan Policy H9 requires a comprehensive approach to be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised.
- 8.3 The provision of flats in the town centre is therefore in compliance with the local development plan and the National Planning Framework provided they do not have detrimental impact vitality and viability of the Town Centre.
- 8.4 Whilst the residential use of the site may be acceptable in principle, having regard to its size, the nature/status of adjoining sites, and the character and appearance of the surrounding area, the proposed development is considered unacceptable in principle and to represent a gross overdevelopment inappropriate to its existing and emerging settings. The application comprehensively fails to demonstrate how a residential development could be delivered that is well-designed and respects neighbouring property, including the continued servicing of the commercial unit fronting the High Street, and associated redevelopment opportunities and safeguards the residential and visual amenities of the surrounding area.
- 8.5 The application proposes a large building on a small and narrow plot, and significantly higher than most buildings in the immediate vicinity. Its footprint would occupy most of the site, and consequently it would present extensive flank elevations to the site boundary. Its western elevation, providing the main outlook for the proposed accommodation, would feature numerous habitable room windows facing directly onto the adjoining car park whilst a substantial blank wall would form its eastern boundary. The building would be sited close to the rear of the Locally Listed building at 198 High Street and at 10-storeys here would tower over the traditional 3-storey property and adjoining Locally Listed buildings. The front of the building would essentially mirror its back, but differ slightly in presenting a part 4, part 10 storey facade onto Herschel Street and exposing an undercroft area at ground floor with no active frontage.

- 8.6 It should be noted that the application is not supported by a detailed design analysis, townscape assessment, sunlight/daylight, heritage statement, fire safety or wind study. Therefore, without these technical reports, officers are not in a position to conclude the impact in relation to these matters.
- 8.7 Critically, the application does not show how the development would relate to potential and committed redevelopment opportunities on adjoining sites and in particular, the adjacent car park and the consented schemes at 190-192 High Street and 204-206 High Street (see Relevant Site History above). Given its proximity, scale, and design, it is considered that the proposed building would hinder the ability of bringing forward appropriate redevelopment of the neighbouring car park and associated property and severely impact the schemes granted at 190-192 and 204-206 High Street. In particular, the proposed building would adversely affect the residential and visual amenities of future occupiers of these permitted developments, and harm the character and appearance of the surrounding area.
- 8.8 In addition, the proposals make no provision in relation to servicing arrangements for the High Street commercial property to the rear of the site. Servicing on the High Street would not be acceptable due loading restrictions in place (no loading at any time). The lack of appropriate servicing arrangements would affect the free flow of traffic and compromise highway safety. It would also make the commercial use less attractive for future users and uses that may require more servicing (e.g. restaurant or food store) and adversely affect the town centre shopping centre.
- 9.0 **Emerging Policy:**
- 9.1 *Emerging Preferred Spatial Strategy for the Local Plan for Slough:*
- 9.2 This site is located the High Street where major regeneration is proposed to rediscover the High Street and make it the focal point of the centre. The major change that is likely to happen is the redevelopment of the Queensmere and Observatory Shopping centres on the northern side of the High Street which are existing site allocations within the current development plan.
- 9.3 Outside of these allocations, smaller scale potential changes are highlighted in other areas within the Town Centre, including the application site. The Draft Centre of Slough Regeneration Framework (Aug 2020) identifies the application site as being mixed-use to the High Street frontage, and residential at the rear. The proposed land use complies with the Emerging Preferred Spatial Strategy for the Local Plan for Slough.
- 9.4 In terms of scale however, the application proposes an 11-storey building. This conflicts with Draft Centre of Slough Regeneration Framework which in Figure 4.3 earmarks potential building heights for this site at 4-5-storeys.

- 9.5 *Centre of Slough Interim Planning Framework 2019:*
- 9.6 The application site and adjoining sites are identified within one of the Areas of Change as shown on Figure D – Residential Areas. Within these areas are specific identified sites including 204-206 High Street next to the application site or areas for potential redevelopment. The identified sites and areas have been chosen for a variety of reasons. They have regeneration benefits such as the ability to improve image of the town and level of activity. They have scope for large scale development which can optimise the number of homes built.
- 9.7 Figure D – Location for New Tall Buildings does not identify the site (nor adjoining sites) for ‘Medium or High-rise Buildings’. Medium-rise means about 10 storeys for the purposes of the Framework.
- 9.8 The site is therefore identified as being potentially available for redevelopment to include housing and as a site that could contribute towards new homes in the town centre sought by the Centre of Slough Framework.
- 9.9 The proposed 11-storey building however is a medium to high-rise building and this would conflict with scale of development on this site sought by the Interim Planning Framework.
- 9.10 *Conclusion:*
- The proposed land use would comply with the relevant emerging policies. However, the height of the proposed development would exceed the proposed building heights proposed by the Emerging Preferred Spatial Strategy for the Local Plan for Slough and the Centre of Slough Interim Planning Framework 2019. Limited negative weight is applied to the planning balance.
- 10.0 **Supply of housing**
- 10.1 The extant Core Strategy covers the 20-year plan period between 2006 and 2026. Core Policy 3 sets out that a minimum of 6,250 new dwellings will be provided in Slough over the plan period, which equates to an average of 313 dwellings per annum. Core Policy 3 states that proposals for new development should not result in the net loss of any existing housing.
- 10.2 Slough Borough Council is in the process of preparing a new Local Plan for Slough which covers the 20-year plan period between 2016 and 2036. The Council’s Housing Delivery Action Plan (July 2019) confirms that the objectively assessed housing need for the plan period is 893 dwellings per annum (dated April 2019). The emerging targets are for the delivery of near 20,000 new homes over the plan period in order to ensure this strategic target is achieved and exceeded to allow for additional population increases over the lifetime of the Local Plan.
- 10.3 Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework, the Local Planning Authority cannot demonstrate a Five-



Year Land Supply. The proposal for 28 residential units would make a contribution to the supply of housing, and given that that the tilted balance is engaged, this contribution would in principle attracts positive weight in the planning balance although tempered given the quality of the development, over-provision of smaller flats and lack of affordable housing.

10.4 *Housing mix:*

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

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4-bed</b>
<b>Market</b>	5	19	57	20

10.6 The proposal would include 6 x studio flats; 9 x 1 bed flats; 13 x 2 bed units which do not reflect the proportions in the Local Housing Needs Assessment. As such the proposal would not fully comply with the housing mix requirements of Core Policy 4, and the requirements of the National Planning Policy framework. This tempers the weight allocated to the benefit of providing housing.

10.7 The submission makes no provision for affordable housing and Core Policy 4 requires between 30% and 40% on-site provision. The scheme’s lack of affordable housing weighs heavily against the scheme which substantially tempers the benefits further.

10.8 Having regard to the above, the proposal would result in a moderate benefit toward the supply of housing. Accordingly moderate positive weight is applied in the planning balance.

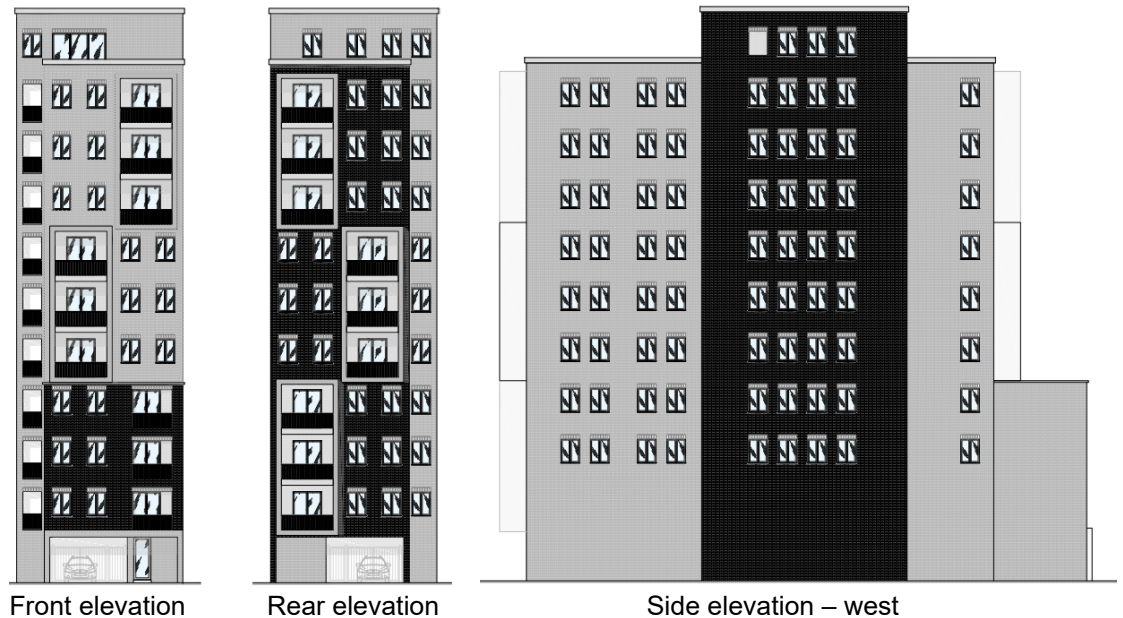
11.0 **Impact on the character and appearance of the area**

11.1 Policy EN1 of the Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy require development to be of a high standard of design which respects, is compatible with and/or improves and the character and appearance of the surrounding area. Chapter 12 of the National Planning Policy Framework states “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”.

11.2 Paragraph 139 of the National Planning Policy Framework requires development that is not well designed to be refused, especially where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to development which reflects local design policies and government guidance on design; and / or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 11.3 The National Design Guide 2021 acknowledges that well-designed places do not need to copy their surroundings in every way. However, the National Design Guide advises that well designed new development is based on a clear understanding of the architecture prevalent in the area, including the local vernacular to inform the form and scale of new development.
- 11.4 The National Design Guide states that well-designed tall buildings play a positive urban design role in the built form. They act as landmarks, emphasising important places and making a positive contribution to views and the skyline. Proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views, and sight lines; composition - how they meet the ground and the sky.
- 11.5 The application provides no information about the built form and character of the local area and how the proposed development relates to its context. The design, scale and height of the proposed development is neither informed by nor respects its setting and therefore substantial harm is identified in relation to the planning balance.
- Layout and design:*
- 11.6
- 11.7 The site forms a narrow plot of land sandwiched between an existing car park and the former BHS store building to the rear of a High Street property with an access off Herschel Street. It measures nearly 50m deep by approximately 9m at its widest point. The application proposes a multi-storey building with a footprint that would extend across most of the site. The front of the building would be set-back from Herschel Street by approximately 8m, and to the rear the building would sit approximately 10m behind a Locally Listed property on the High Street.
- 11.8 The ground floor would comprise an undercroft providing vehicular access to the rear of the site, 5 car parking spaces, a pedestrian entrance, single stair/lift core and refuse and cycle stores. The main entrance into the building would be set back within the undercroft approximately 18m from Herschel Street and behind 2 parking spaces.
- 11.9 The proposed building would therefore neither provide an attractive nor active frontage onto Herschel Street and raises concerns in respect to pedestrian safety and security. In addition, insufficient provision is made for servicing both the proposed building and the existing property at 198 High Street to the rear which would have implications for highway safety, local amenity, and the viability of the High Street commercial unit.
- 11.10 The residential accommodation on the upper floors would be stacked around the core centred on the east side of the proposed building. The proposed flats would be dual aspect with outlook to the west and either north or south. They would be served by a balcony, except the top floor flat which would have access to a roof terrace.

*Proposed elevations:*



11.11

In addition to the block and floor plans, the application includes only 3 elevations indicating how the north (rear), south (front) and west facing sides of the proposed building would appear. The east elevation is not provided. The application form states only that the proposed materials and finishes will be brick. The plans lack detail and present an unattractive building with no architectural merit. The external design of the building is contrived and appears to be based only on its layout and accommodation requirements, rather than its context.

11.12

The front of the building would present a part 4, part 10-storey elevation front onto Herschel Street revealing an opening at ground floor level forming part of the undercroft. This façade would feature habitable room window openings at all upper floor levels, broken by the 4<sup>th</sup> floor set-back, and recessed and projecting balconies. The 10-storey elevation to the rear facing the High Street to the north is similar but would not include a set-back. The elevation to the west against the adjoining car park would be predominately 10-storeys but it would also incorporate a projecting 11-storey element extending to the boundary and feature a series of habitable room windows across each floor above ground level. It should be noted however, that the elevation submitted does not, mistakenly show these windows at first floor level. As no east elevation is shown, it is assumed based on the floor plans that this will essentially present a large, flat, and blank brick wall facing the former BHS site.

11.13

The application presents no rationale for the design of the proposed development apart from highlighting the need for this type of accommodation in the town centre. Nor is any information provided in respect to how the proposed development would

sit and appear in relation to neighbouring sites and property and the wider townscape.

Notwithstanding this, fundamentally due to the nature and constraints of the site, the layout and design of the proposed development is poorly conceived and would not deliver an acceptable scheme. It would present an imposing and unsightly building that would dominate the streetscene and be highly visible from the surrounding area. The development would neither respect its existing nor emerging setting, the latter defined by recently permitted schemes locally and would have a detrimental impact on the visual and functional amenities of the town centre and the character and appearance of the surrounding area.

- 11.14 For all these concerns, the proposed layout and design of the development would conflict with the requirements Policy EN1 and of the Local Plan for Slough March 2004, Core Policy 8 of Core Strategy and the requirements of the National Planning Policy Framework 2023. This will be weighed negatively when assessing the impact on the character and appearance of the area in the concluding section below.
- 11.15 *Scale, Massing and Height:*
- 11.16 The application proposes a large building on a small plot of land in the town centre. As indicated above, the overall design of the building and its scale, mass, and height in particular, pay little regard to the constraints of the site, the condition of adjacent land and the character of the wider area. With the exception of a 4-storey element seeking to address its Herschel Street frontage, the building would present a part-10, and 11-storey structure covering most of its plot and dominate buildings in the immediate vicinity. These comprise of mainly 2, 3 and 4-storey commercial buildings neighbouring the site, and low-rise residential property to the south. Given its scale, bulk, height and rectangular form, the proposed building would significantly overdevelop the site, appear out of context, prejudice neighbouring development opportunities and consequently seriously harm character and appearance of the surrounding area.
- 11.17 Similar concerns apply in relation to how the proposed development would sit against the consented schemes recently approved at 190-192, High Street and 204-206 High Street and noted in the Relevant Site History above. These planning permissions are important material considerations in the determination of the current application.
- 11.18 Two planning consents have been granted for the site at 190-192 High Street. The first proposed in part, the redevelopment of the existing commercial building to provide a part 6, part 8-storey building extending to the rear of the site and adjacent the north-west corner of the application site. The second proposed in part, the conversion and a 3-storey extension to the existing commercial building extending to the rear of the site in the same manner.

*Approved developments at 190-192 High Street:*



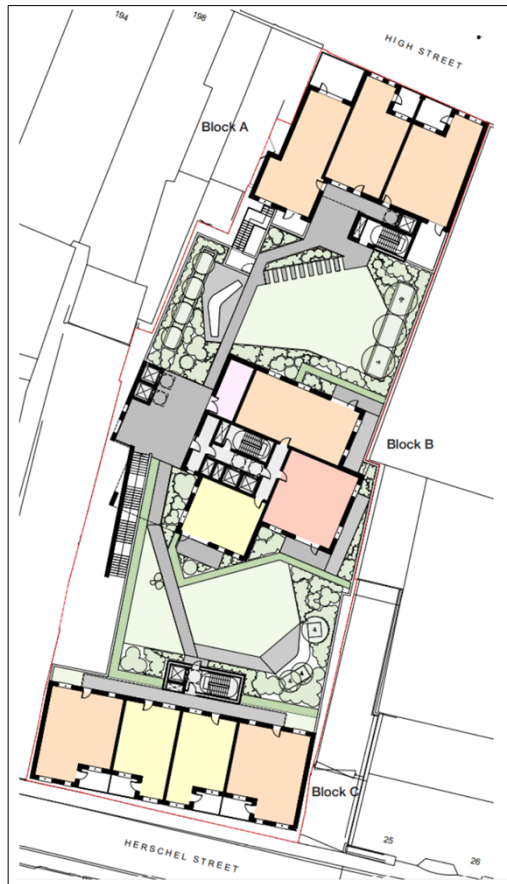
1<sup>st</sup> permission – view from Herschel St.



2<sup>nd</sup> permission – view from Herschel St.

- 11.19 Both permissions granted multi-storey residential buildings facing onto the car-park to the rear, close to the current application site. The current application proposes a taller structure which would extend at a right angle from the south-east corner of these approved buildings towards Herschel Street. Having regard to the position, scale, and appearance of the consented schemes at 190-192 High Street, it is considered that the proposed building by reason of its siting and design would significantly compromise their quality, amenity and setting, and harm the character and appearance of the surrounding area.
- 11.20 The site at 204-206 High Street (the former BHS property), has also been subject to two recent planning permissions. The first proposed in part, 78 residential dwellings within 3 buildings at podium level across the site at heights of 5, 11 and 4-storeys. The second proposed a series of amendments to this scheme including an increase the height of the tallest block from 11 to 13-storeys to accommodate an additional 8 homes and the use of the first floor of the 5-storey block 3 additional homes.
- 11.21 The 4-storey block would front onto Herschel Street, the 11/13-storey block would occupy the centre of the site and the 5-storey block would sit facing the High Street. Each block would provide their main outlook to the north and south and be separated at first floor level by a landscaped podium deck. The smaller blocks would present respective active ground floor frontages to Herschel Street and the High Street.
- 11.22 The proposed building, subject to the current application would be sited along the boundary with the neighbouring site at 204-206 and present a substantial 10 and 11-storey blank facing wall against the approved neighbouring blocks. Effectively the building would completely enclose the landscaped podium between the tallest and lowest blocks.

*Approved developments at 204-206 High Street:*



First floor plan



Upper floor plan



Aerial view of development looking east

11.23



Aerial view of development looking west

11.24 As with the other adjoining site discussed above, having regard to the position, scale, and appearance of the consented schemes at 204-206 High Street, it is considered that the proposed building by reason of its siting and design would significantly compromise their quality, amenity, and setting, and again harm the character and appearance of the surrounding area.

11.25 Whilst these recent consented schemes, and that in respect to 204-206 particularly set a precedent for taller buildings in this part of the town centre, they relate to larger sites, accommodating old buildings with a frontage onto the High Street. In the case of 204-206 High Street, the site is also identified as a specific development

opportunity in emerging local policy, namely the Centre of Slough Interim Planning Framework 2019. This envisages that well designed taller buildings within the planned locations will enhance the legibility of the Town Centre and define its character and identity.

- 11.26 The applications associated with these sites also considered how their respective proposals would affect potential neighbouring development opportunities. This approach assists in preventing pockets of land becoming sterilised and encourages more comprehensive and complementary change in the town centre. In addition, the applications included relevant studies assessing a range of impacts covering design, townscape, transport, and residential amenity.
- 11.27 The current application therefore differs from recent approvals in the surrounding area in several important ways which prevent it being considered acceptable. As detailed in previous sections, it does not consider neighbouring development opportunities, nor does it include the necessary information to be able to properly assess the proposals and their local impact. Notwithstanding this, it should be noted to further emphasise the concerns with the current scheme, that when assessing the planning application for the BHS site, it was still concluded the High Street building would have a negative impact on the setting High Street by reason of its scale, height, and massing in relation to the neighbouring properties and therefore weighed negatively in the planning balance. The application concerning 204-206 High Street was approved on balance. A similar approach is being undertaken with this current application whereby appropriate negative weight, because of the scale and height of the proposed building will be applied to the planning balance.
- 11.28 Based on the considerations outlined, the proposed scale, massing and height of the proposed development would conflict with the requirements Policy EN1, EN2 and H13 of the Local Plan for Slough March 2004, Core Policy 8 of the Core Strategy the guidance contained within the National Design Guide and the requirements of the National Planning Policy Framework 2023. This will be weighed negatively when assessing the impact on the character and appearance of the area in the concluding section below.
- 11.29 *Conclusion:*
- 11.30 By reason of its layout, design, massing and height, the proposed building would be inappropriate, unduly dominant, and out of scale with neighbouring property. It would not address key boundaries including Herschel Street, prejudice adjoining development opportunities and seriously compromise the legibility and identity of the Town Centre and its skyline. The proposal is fundamentally ill-conceived and poorly designed and represents an overdevelopment to the detriment of the character and appearance of the surrounding area. Consequently, it would fail to comply with Policy EN1 of the Local Plan for Slough March 2004, Core Policy 8 of The Core Strategy the guidance contained within the National Design Guide, and the requirements of the National Planning Policy Framework 2023. Given the extent of the conflicts with Local development plan policies, government guidance, and the degree of harm that would



be caused in relation to the site and surrounding area, substantial negative weight will be applied to the planning balance.

12.0 **Impact on Heritage Assets**

12.1 The site is located close to the following heritage assets:

- Locally Listed building at Nos. 194-198 and 200-202 High Street just to the north of the site and the Herschel Arms Public House.
- Grade II Listed Rose and Crown Public House located at the end of the High Street to the east, several hundred metres away.
- Grade II Listed Church of Our Lady Immaculate and St. Ethelbert and Presbytery situated several hundred metres to the north-west of the site at the other end of the High Street.

12.2 In addition to the above, given height of the proposal, the building would be visible from a number of other heritage assets within and outside of the borough, including the Grade I listed Windsor Castle.

12.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seeks special regard to the desirability of preserving a listed building or its setting.

12.4 Chapter 16 of the NPPF seeks to conserve and enhance the historic environment; and paragraph 205 requires local planning authorities to afford great weight to the asset's conservation, irrespective of whether the potential harm is substantial harm, total loss or less than substantial harm.

12.5 Paragraph 200 of the NPPF requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

12.6 No information has been submitted to describe the significance of the heritage assets affected which is required by the NPPF.

12.7 Local Core Policy 9 (Natural and Built Environment), development will not be permitted unless it enhances and protects the historic environment. In relation to Locally Listed Buildings specifically, Policy EN17 states that special consideration will be given, in the exercise of the development control function, to the retention, enhancement and appropriate refurbishment of locally listed buildings together with their setting.

12.8 Due to the distance between the site and the Grade II Listed Rose and Crown Public House and the fact there is tall development surrounding the 2-storey public house already, it is not considered that the proposal would harm its setting or significance. Again, given the distance and the position of the Curve and intervening development it is unlikely there would be any visual relationship between the site and the Grade II Listed St Ethelbert's Church and Presbytery and no adverse impact upon their

setting. The proposal would be visible from a number of other heritage assets within and outside of the borough, including the Grade I listed Windsor Castle. Given the lack of information provided with the application it is not possible to quantify whether there would be any level of harm as defined by the NPPF.

- 12.9 In respect to the Locally Listed Buildings, these make a positive contribution towards the street scene and whilst these properties will not be directly impacted, the setting of these non-designated heritage assets should be considered within the application submission. It is not clear however from the plans if the proposed development would be a visible element within the High Street 'street scene' but it would be from other local roads, particularly Herschel Street and Park Road. The plans also lack detail and do not present a building with any design merit, as highlighted previously. It is considered that proposed residential block would be an incongruous element within its immediate locality due to its scale and height and would adversely affect the setting of the Locally Listed buildings close-by.
- 12.10 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people and this is reiterated in local Slough Policy EN1.
- 12.11 Having regard to the above considerations and in particular the scale and height of the proposed building and the absence of a heritage statement, the proposal has failed to demonstrate that it would preserve the setting of the identified heritage assets within the vicinity of the site and wider area. The proposal would therefore not comply with Core Policy 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework. Negative weight is applied to the planning balance.
- 13.0 **Impact on amenity of neighbouring occupiers**
- 13.1 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. The National Design Guide 2021 advises that well-designed buildings relate positively to the private spaces around them. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policy EN1.
- 13.2 Having regard to the nature of the site, surrounding property and adjacent development opportunities, the proposed development would have a harmful impact on the amenity of existing and future occupiers. As highlighted previously, the proposals would redevelop an existing car park to the rear of a High Street commercial unit and no provision is made to replace the existing off-street or facilitate the continued servicing of the unit. The removal of car parking would displace cars to other locations on the surrounding road network and affect the free flow of traffic and highway safety, as would the lack of servicing arrangements. The latter would also make the commercial unit at 198 less attractive for future users and uses that may require more servicing (e.g. restaurant or food store).

- 13.3 As also noted earlier, given its poor design, scale, and height, the proposed building would be highly visible, and detrimental to the appearance of the streetscene and the visual amenities of commercial and residential occupiers in the surrounding area.
- 13.4 The neighbouring sites at 190-192 High Street and 204-206 High Street have been granted planning permissions for major redevelopments, which are currently being implemented. The proposed development would be located very close to the approved residential buildings on these adjoining sites and despite this, the application provides no information in relation to how they may be affected. Having regard to the design, height, and scale of the proposed building however, it is considered that it would cause serious harm to the residential and visual amenities of future occupants. The proposed building would appear overbearing, restrict outlook for neighbouring flats, cause overshadowing, loss of privacy, compromise levels of sunlight/daylight and create possible wind nuisance.
- 13.5 It should also be noted that given the scale of the proposed building and its undercroft, concerns are raised about safety and security in relation to potential anti-social and criminal behaviour and the impact of wind turbulence. Again, the application provides no information in respect to how these issues could be addressed.

13.6 *Conclusion:*

Having regard its layout, design, scale and height, and lack of supporting information accompanying the application, the proposed development would have a significant adverse impact on the amenity of existing and future neighbouring occupiers. The proposed development has failed to demonstrate compliance with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2023. Considerable negative weight is applied in the planning balance in respect to this matter.

14.0 **Comprehensive development**

- 14.1 Local Plan Policy H9 requires a comprehensive approach to be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised.
- 14.2 Core Policy 1 of the Core Strategy requires proposals for high density housing in the town centre to be comprehensively planned in order to deliver maximum social, environmental and economic benefits to the wider community.
- 14.3 Paragraph 123 of the National Planning Policy Framework requires planning decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

- 14.4 The application site forms a small and narrow car parking area sitting next a larger car-park to its west. This adjacent car-park and adjoining property is capable of accommodating a redevelopment opportunity. The proposed development however involves the construction of a large 11-storey building along the boundary with this neighbouring site. Its west-facing elevation would present a substantial and bland flank wall incorporating numerous habitable room windows overlooking the car-park. Such a configuration would prejudice the ability of bringing forward effective options for the redevelopment of the adjoining car-park site to enable a comprehensively planned approach and the efficient use of and in the town centre.
- 14.5 For these reasons, the proposal would fail to comply with Local Plan Policy H9, Core Policy 1 of the Core Strategy, and the requirements National Planning Policy Framework 2023. Some negative weight should be applied to the planning balance.
- 15.0 **Living conditions for future occupiers of the development**
- 15.1 Paragraph 135(f) of the National Planning Policy Framework requires developments to create places with a high standard of amenity for existing and future users.
- 15.2 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."
- 15.3 Local Plan Policy H14 seeks an appropriate level of external amenity space while having regard to:
- a) the type and size of dwelling and type of household likely to occupy the dwelling;
  - b) quality of proposed amenity space in terms of area, depth, orientation, privacy, attractiveness, usefulness and accessibility;
  - c) character of surrounding area in terms of size and type of amenity space for existing dwellings;
  - d) proximity to existing public open space and play facilities; and
  - e) provision and size of balconies.
- 15.4 *Natural light and outlook:*
- 15.5 All the proposed flats would be dual aspect with outlook to the west and north or south. Whilst their layouts would appear to allow for sufficient sunlight and daylight, there are instances where this is questionable. As the application does not include a sunlight/daylight assessment, it is not possible therefore to confirm whether the all the proposed dwellings would receive adequate natural light in accordance with BRE Guidelines.
- 15.6 *Internal space standards:*
- 15.7 The application states that the flats would meet the National Space Standards, and the plans appear to reflect this, however they do not indicate any storage space nor ceiling heights. Furthermore, no provision is made for wheelchair accessible

accommodation nor satisfactory cycle and refuse storage facilities. It should also be noted that only one staircase is proposed, contrary to the Building Safety Act.

15.8 *External amenity space:*

15.9 All the proposed flats have access to some on-site amenity space, in the form of a balcony or a roof terrace for the top-floor dwelling. The balconies vary in size and a number would be largely enclosed with limited outlook and impacted by the neighbouring development at 190-192 High Street, upon completion. Whilst it is acknowledged the site is within the town centre and close to Lascelles Park (approx. 0.5-mile walk) which may negate the need for communal amenity space, it does not negate nor mitigate the need to provide appropriate private amenity space and as such it is not considered that proposed external amenity space would fully comply with Local Plan Policy H14

15.10 Given the limited amount of on-site external amenity space, the proposal would likely put pressure on local parks such as Herschel Park, Lascelles Park, and Upton Park which would require mitigation due to the increased usage. In line with the Developers Guide SPD a financial contribution of £300 per dwelling should be sought through a Section 106 Agreement.

15.11 *Wind speed:*

15.12 The proposed building would be 11-storeys in height and may sit next to another large building at 190-192 High Street, should this be completed. Consequently, ground floor and the upper floor levels can be exposed to higher wind loads. This can affect pedestrian comfort levels and safety, the useability of balconies/roof terraces and can restrict the ability to open windows for ventilation. As no wind assessment has been submitted, it is not considered that the application has addressed these concerns.

15.13 *External noise:*

15.14 Given the town centre location, external noise can arise from neighbouring commercial uses, street activity, and external plant serving adjoining buildings. Noise levels can influence the building fabric and ventilation strategies including whether windows can be opened. As no noise assessment has been submitted, it is not possible to that the proposed development would satisfactorily address potential noise issues.

15.15 *Conclusion:*

15.16 The application fails to provide sufficient information to demonstrate that the proposed development would secure high-quality residential accommodation. It would therefore not comply with Core Policy 4 of the Core Strategy, Local Plan Policies EN1 and H14, and the requirements of the National Planning Policy Framework 2023 and attracts substantial negative weight in the planning balance.

16.0 **Crime Prevention**

16.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour. This is also supported by Core Policy 12 Community Safety.

16.2 The proposed development would not present an active frontage onto Herschel Street at ground floor level. The development includes an undercroft area which would accommodate a gated vehicular access to the rear of the site, parking, a pedestrian entrance, refuse and cycle stores. This arrangement would appear unwelcoming, detract from the streetscene, have limited natural surveillance, and encourage opportunities for anti-social and criminal behaviour.

16.3 On this basis, the application raises serious concerns in relation to crime prevention and it is therefore not considered to comply with Policy EN5 of the adopted Local Plan. Considerable negative weight is applied on this matter in the planning balance.

17.0 **Highways and Parking**

17.1 The National Planning Policy Framework 2023 requires development to give priority first to pedestrian and cycle movements. Development should be designed to create safe and suitable access and layouts which minimise conflicts between traffic and pedestrians. The Framework also requires any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, to be cost effectively mitigated to an acceptable degree.

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

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

17.4 Local Plan Policy T2 requires access to be made available for deliveries and emergency vehicles.

17.5 *Parking:*

17.6 The proposed development would involve the removal of the existing parking area on-site. Any displaced parking however could be accommodated in public car parking facilities in the area, including Herschel Street Multi-Storey Car Park, Buckingham

Gardens Car Park or Hatfield Road MSCP. These car parks are located 300m – 400m walk (5 minutes from the application site).

17.7 *Servicing and deliveries:*

17.8 In developing the existing car park, the proposed development would remove the loading/unloading area for the existing property to the rear at 198 Slough High Street. This would result in delivery vehicles associated with both the existing and proposed uses stationed on the public highway, blocking the free-flow of traffic to the detriment of highway safety.

17.9 The application does not provide space for loading, unloading, and turning of service vehicles clear of the public highway. This is required to avoid service vehicles waiting on the highway and vehicles reversing onto or off the highway to the detriment of public and highway safety. The proposed development would therefore result in delivery vehicles waiting on Herschel Street whilst they make deliveries to the proposed dwellings and restrict the free flow of traffic.

17.10 The proposed bin store is located 30 metres from the public highway. This significantly exceeds SBC's maximum 10 metre drag distance for EuroBins, as specified in the Slough Developers Guide. The application does not make clear how bins will be presented for collection at the kerbside. SBC collection operatives would not enter private property in order to collect/remove bins.

17.11 *Cycle parking:*

17.12 The proposed cycle store would not be of a sufficient size to store 28 bicycles, as claimed by the Design and Access Statement. The store would only be 2.49m wide. This does not provide suitable space for both cycle racks (1.8m long) and manoeuvring of bicycles in/out of the racks. The development therefore fails to provide cycle parking in accordance with adopted Slough Borough Council standards.

17.13 *Conclusion:*

17.14 The application does not consider how existing parking on-site will be displaced, and does not provide replacement provision for the servicing the existing High Street commercial property. It also fails to accommodate appropriate arrangements in for servicing/deliveries, and cycle and refuse storage in relation to the proposed building. The application therefore fails to comply with Core Policy 7 of the Core Strategy, Local Plan Policy T2, and the requirements of the National Planning Policy Framework 2023. Considerable negative weight is applied to the planning balance in relation to this matter.

**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. 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 fall within an Air Quality Management Area (AQMA). An Air Quality Assessment has not been submitted but it is not considered necessary as the proposed development would result in a reduction in vehicle trips due to reduced parking, and the site is located on a minor road, where exposure to poor air quality is unlikely to occur.
- 18.4 The proposed development would therefore comply with Core Policy 8 of the Core Strategy, The Slough Low Emissions Strategy, and the requirements of the National Planning Policy Framework 2023. Neutral weigh is applied in the planning balance.

## **19.0 Surface water drainage**

- 19.1 Paragraph 167 of the National Planning Policy Framework requires local planning authorities when determining any planning applications to ensure that flood risk is not increased elsewhere. Paragraph 169 of the National Planning Policy Framework requires Major developments to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate. Advice from the lead local flood authority should be taken into account. Core Policy 8 of the Core Strategy and the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016 requires development to manage surface water arising from the site in a sustainable manner.
- 19.2 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development, (Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015).
- 19.3 The Lead Local Flood Authority has advised that there is insufficient information available to comment on the acceptability of surface water drainage arrangements in relation to the proposed development and therefore the application cannot be supported in this regard.
- 19.4 On this basis, the site and adjoining land would be at risk of surface water flooding. The proposal would therefore fail to comply with Core Policy 8 of the Core Strategy,



the standards set out within the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016, the Government's Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015, and the requirements of the National Planning Policy Framework. Substantial negative weight should be applied to the planning balance.

## **20.0 Sustainable Design and Construction**

- 20.1 Core Policy 8 combined with the Developers Guide Part 2 and 4 requires developments of 50 or more dwellings to achieve better than Building Regulations (Part L1a 2013) in terms of carbon emissions. Specifically design to achieve 15% lower than the Target Emission Rate (TER) of Building Regs in terms of carbon emissions.
- 20.2 In addition, energy generation from low or zero carbon sources on site or nearby to generate the equivalent approximately 10% of the development's carbon emissions. This defined by the carbon emissions figure of 15% lower than TER as described above. This energy generation requirement can be applied flexibly for brownfield sites under 1 hectare if it is not practical to achieve 10%.
- 20.3 No details have been submitted to demonstrate how the above requirements would be achieved. As the proposal includes details of layout/design, the location of low carbon / renewable plant and associated strategy to demonstrate how the carbon emission target would be met should be included. Without this information at this stage, compliance with the carbon emission target may not be achievable if sufficient space on site has not been planned to appropriately accommodate the required equipment to meet the required carbon emission target. Such information could therefore not be secured by condition.
- 20.4 Based on the above, the proposal has failed to demonstrate compliance with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023. Considerable negative weight should be applied to the planning balance.

## **21.0 Fire Safety**

- 21.1 As the proposal comprises more than two dwellings and exceeds seven-storeys in height, fire safety is a material planning consideration.
- 21.2 Following consultation with the Health and Safety Executive via Planning Gateway One, comments were received noting the absence of an appropriate Fire Statement,
- 21.3 Based on the above, the application has failed to demonstrate the proposal has been designed with fire safety in mind and would fail to comply with the fire safety requirements of Planning Gateway One. Substantial negative weight is applied to the planning balance.

## **22.0 Impact on biodiversity and ecology**

- 22.1 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.
- 22.2 Paragraph 180 of the National Planning Policy Framework advises that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains in 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.
- 22.3 *On-site biodiversity and ecology:*
- 22.4 The site is an occupied development on brownfield land and given its condition no concerns are raised in respect to the loss of biodiversity / ecology. The site is exempt from statutory Biodiversity net gain requirements. However, no information has been submitted in relation to securing net gains in biodiversity as per the NPPF.
- 22.5 As the application does not propose net gains in biodiversity, the proposal would conflict with Core Policy 9 of the Core Strategy and Paragraph 174 of the National Planning Policy Framework.
- 22.6 *Off-site biodiversity and ecology:*
- 22.7 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.
- 22.8 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.
- 22.9 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.
- 22.10 Natural England has objected to the proposal on the basis that no significant effect on this SAC can be ruled out. No information has been submitted to demonstrate otherwise.
- 22.11 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.

22.12 No information has been submitted to demonstrate no likely significant effect on this SAC would occur as a result of the development. A Shadow Habitats Regulations Assessment would normally be requested pursuant to Paragraph 62(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) which would inform the competent local authority in coming to a view on the impacts on the SAC. However, without such information, and when considering the evidence set out in The Footprint Ecology Report together with the objection from Natural England, the Local Planning Authority cannot rule out a likely significant effect or carry out an Appropriate Assessment of the potential mitigation identified to address any adverse effects.

22.13 Based on the above, the proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework, The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended). Some negative weight is applied in the planning balance.

### **23.0 Affordable Housing and Infrastructure**

23.1 Core Policy 4 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

23.2 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.

23.3 *Education:*

As the proposal is for over 15 units, in accordance with Core Policy 10 and Part 2 of the Developer's Guide, the Education Authority has confirmed that Slough is still expanding all sectors, so contributions are required. A one-bedroom flat requires a contribution of £903 and a two-bedroom flat would require a contribution of £4,828. Based on the number of units and mix indicated on the submitted plans The total contribution amounts to the following:

13 no. 2 bed x £4,828 = £62,764

15 no. 1 Bed x £903 = £13,545

Total: = £76,309

The application makes no reference to securing this contribution.

23.4 *Recreation and Open Space:*

As the site is less than 2 hectares Local Plan Policy OSC5 confirms the level of financial contributions towards public open space and recreation will be sought at a level appropriate to the type of development and the availability of public open space in the vicinity of the development.

Given the limited amount of on-site external amenity space, the proposal would likely put pressure on local parks such as Herschel Park, Lascelles Park, and Upton Park which would require mitigation due to the increased usage. In line with the Developers Guide SPD a financial contribution of £300 per dwelling should be sought through a Section 106 Agreement.

23.5 *Transport:*

A car club contribution may be required however it is not possible to confirm this until further information in relation the acceptability of the amount of parking on the site is confirmed.

23.6 *Affordable Housing:*

Core Policy 4 of the Core Strategy requires all proposals of 15 or more dwellings (gross), to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

The application does not propose any affordable housing contrary therefore to Core Policy 4 of the Core Strategy, Part 2 of the Slough Developer Guide, and the requirements of the National Planning Policy Framework 2023. The lack of on-site affordable housing provision would temper the benefits of the proposal and would reduce positive weight afforded to the provision of housing in the planning balance.

**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.
- 24.6 Throughout this report, regard has been given 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.
- 24.7 Whilst for instance, the proposed development would provide new residential units which are accessible by lift, it makes no provision for wheelchair accessible accommodation. The proposed development also fails to secure any affordable dwellings. In addition, given the lack of information presented in the application, it isn't possible to confirm that all the new homes will meet National Space Standards nor receive sufficient levels of sunlight/daylight. Furthermore, the proposed development does not secure any children's play space, make adequate provision for servicing, cycle and refuse storage and does not address concerns in relation to managing potential noise nuisance, highway safety and fire risk. These issues may impact individuals with protected characteristics more than others and therefore it is critical that proper regard is had to the nature of the development proposals.
- 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 e.g. people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors.
- 24.9 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.
- 24.10 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 Equality Act 2010.

**Presumption in favour of sustainable development:**

25.0 *Compliance with the local development plan:*

25.1 The report identifies that the proposal complies with ‘the type of housing’ part of Core Policy 1 of the Core Strategy and the ‘air quality’ part of the Core Policy 8 of the Core Strategy. However the proposal fails to comply with all of the remaining and relevant up to date and important saved policies in the Local Plan and Core Strategy. On balance, the proposal would fail to comply with the development plan as whole.

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

25.2 The application has been evaluated against the Development Plan, the NPPF and other relevant material planning considerations. The Authority has assessed the application against the planning principles of the NPPF and whether the proposals deliver “sustainable development.” The Local Planning Authority cannot demonstrate a Five-Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2023 and refined in case law should be applied.

25.4 The proposal for 28 residential units would make a contribution to the supply of housing, and given that that the tilted balance is engaged, this contribution could in principle attract significant positive weight in the planning balance. As the proposed mix of housing does not include any affordable housing or any three-bedroom units which is where the need is most, the weight allocated to the benefit of providing housing is significantly tempered. In addition, no affordable housing is proposed when it is financially viable which is contrary to Local policies and the NPPF. As such, when considering the proposed benefits, moderate positive weight would be tilted in favour of the supply of housing.

25.5 However, the report identifies there are numerous conflicts with the saved policies in the Local Plan, Core Strategy, and the National Planning Policy Framework, namely:

- The proposal would have a substantial adverse impact on the character and appearance of the surrounding area and the setting of local heritage assets and would fail to comply with Policy EN1 and EN17 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Core Strategy the guidance contained within the National Design Guide, and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The application makes no provision for replacement off-street servicing for the existing commercial use to the rear of the site which would have a detrimental impact on the commercial viability of the High Street. The proposal would not comply Core Policy 1 of the Core Strategy, Local Plan Policy S1 and is also

contrary to the National Planning Policy Framework 2023. **Considerable negative weight is applied to the planning balance.**

- The proposal would prejudice the redevelopment of adjoining sites, preventing the comprehensive planning of the area and the effective use of land and fail to comply with Policy H9 of the Local Plan Slough March 2004, Core Policy 1 of the Core Strategy and the requirements of the National Planning Policy Framework 2023. **Some negative weight is applied to the planning balance.**
- The proposal would result in poor quality living conditions for future occupiers of the development and fail to comply with, Local Plan Policy H14, and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The proposal would harm the residential and visual amenities of future occupiers of developments approved on adjacent sites and fail to comply with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The development has not been designed to reduce the potential for criminal activity and anti-social behaviour. The proposal fails to comply with Local Plan Policy EN5, Core Policy 12 of the Core Strategy and the requirements of the National Planning Policy Framework 2023. **Considerable negative weight is applied to the planning balance.**
- Insufficient information has been provided to demonstrate how the proposed layout and access would have acceptable impacts on the highway network. The proposal would likely lead a severe adverse impact on the highway network. The proposal fails to comply with Core Policy 7 of the Core Strategy and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The planning application fails to sufficiently demonstrate how surface water would be effectively drained from the site in accordance with nationally and locally published standards. Therefore, the site and adjoining land may suffer adverse impact by being at risk of surface water flooding. The proposal fails to comply with Core Policy 8 of the Core Strategy and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The application has failed to demonstrate the proposal has been designed with fire safety in mind and would fail to comply with the requirements of planning gateway one. This would have a substantial adverse impact on fire safety. **Substantial negative weight is applied to the planning balance.**

- No information has been provided to demonstrate how the required carbon emission target would be met. The proposal has therefore failed to demonstrate compliance with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023. This would have an adverse impact on climate change. **Considerable negative weight is applied to the planning balance.**
- The proposal would likely have an adverse impact on the Burnham Beeches Special Area of Conservation and would not provide net gains in biodiversity. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework 2023 and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended). **Some negative weight is applied to the planning balance.**
- The application does not secure any affordable housing and infrastructure contributions. **Substantial negative weight is applied to the planning balance.**

The contribution of 28 flats (6 x studio flats; 9 x 1 bed flats; 13 x 2 bed), with no on-site affordable housing, as well as the economic benefits for the construction phase, would result in considerable positive weight being tilted in favour of the supply of housing. However, the level of harm resulting from adverse impacts of the development as highlighted above would significantly and demonstrably outweigh this benefit when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2023 taken as a whole and tilted in favour of the supply of housing. As such, the proposal is not considered to be sustainable development and is therefore recommended for refusal.

## **26.0 PART C: RECOMMENDATION**

26.1 Having considered the relevant policies set out above, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for refusal for the following reasons:

1. The application does not propose any affordable housing or infrastructure contributions contrary to Core Policies 4 & 10 of the Core Strategy, Part 2 of the Slough Developer Guide, and the requirements of the National Planning Policy Framework 2023.
2. By reason of its layout, design, scale, and height, the proposed building would represent an overdevelopment of the site, appear obtrusive, and harm the character and appearance of the surrounding area including the setting of heritage assets contrary to Policy EN1 and EN17 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, emerging



Local Plan Policy. and the requirements of the National Planning Policy Framework 2023.

3. By reason of its layout, design, scale and height, and failure to assess sunlight/daylight, noise and wind related impacts, the proposed development would harm the residential and visual amenities of future occupiers of the proposed development and fail to comply with, Local Plan Policy H14, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023
4. By reason of its layout, design, scale, and height, and failure to assess sunlight/daylight, noise and wind related impacts, the proposed development would harm the residential and visual amenities of future occupiers of developments approved on adjacent sites and fail to comply with Core Policy 8 of the Core Strategy, Local Plan Policy EN1, and the requirements of the National Planning Policy Framework 2023
5. The proposal would prejudice the redevelopment of adjoining sites, preventing the comprehensive planning of the area and the effective use of land and fail to comply with Policy H9 of the Local Plan Slough March 2004, Core Policy 1 of the Core Strategy, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
6. The application does not include a drainage strategy to demonstrate how surface water would be effectively drained from the site in accordance with national and local published standards. The proposal would therefore fail to comply with Core Policy 8 of the Core Strategy, the standards set out within the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016, the Government's Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015, and the requirements of the National Planning Policy Framework 2023.
7. No energy strategy has been provided to demonstrate whether the development is capable of delivering the minimum required carbon emission target would be met set out in the Developer Guide. The submitted plans do not propose or make allowance to accommodate renewable energy measures in order to meet the required carbon emission target. Due the insufficient information submitted with the application, the proposal therefore has therefore failed to demonstrate compliance with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023 and the Developer Guide Part 2.
8. The application makes no provision for replacement off-street servicing for the existing commercial use to the rear of the site which would have a detrimental impact of highway safety and the commercial viability of the High Street. The proposal would not comply Core Policies 1 and 7 of the Core Strategy, Local Plan Policies S1 and T2, and is also contrary to the National Planning Policy Framework 2023.
9. The application does not include adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway.

The development if permitted would lead to the stationing of vehicles on Herschel Street and/or vehicles reversing onto or off the highway to the detriment of public and highway safety. Double yellow lines and yellow kerb blips are present on the kerbs which restrict/ban the loading and unloading of vehicles. The proposal is contrary to Slough Local Plan Policy T2 Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to the National Planning Policy Framework 2023.

10. The development does not provide adequate cycle parking in accordance with adopted Slough Borough Council standards and therefore does not comply with the Council's Integrated Transport Strategy and is contrary to Slough Local Plan Policy T8, Slough Core Strategy Core Policy 7 and is also contrary to the National Planning Policy Framework 2023.
11. In the absence of an appropriate Fire Statement, the applicant has failed to demonstrate how the development can be laid out to incorporate adequate fire safety provisions. The proposal has therefore failed to demonstrate the proposal has been designed with fire safety in mind and would fail to comply with the requirements of Planning Gateway One.
12. The site is located within the 5.6 km development impact zone for the Burnham Beeches Special Area of Conservation as proposed within the evidence base carried out in the Footprint Ecology Report dated 2019. No information has been submitted to demonstrate that no likely significant effect would occur as a result of the development or to assist the competent authority in carrying out the appropriate assessment. In addition, the application does not propose net gains in biodiversity. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework, and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended).
13. of the National Planning Policy Framework, and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended).

**Process:**

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

In the exercise of its judgement in determining the appropriate balance of considerations, the Local Planning Authority has acted positively and proactively in determining this application proposal, taking into account all material considerations. Material considerations include planning policies and any representations that may have been received preceding the determination to grant planning permission in

accordance with the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2023 and refined in case law. The Local Planning Authority is satisfied that its processes and practices are compatible with the Human Rights Act and the decisions of the European Court of Human Rights.

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

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Planning Committee

**DATE:** 27<sup>th</sup> March 2024

**SUBJECT:** Development Management Performance

**CHIEF OFFICER:** Daniel Ray

**CONTACT OFFICER:** Daniel Ray

**WARD(s):** All

**APPENDICES:** None.

**1 Summary and recommendations**

- 1.1 The purpose of the report is to inform Members of the Local Planning Authorities performance in relation to national performance statistics, known as PS Returns, as well as Appeal performance. The report is brought to members to provide an understanding of the volume of work in the service and the performance of the Council in meeting the national targets.

**Recommendation(s)**

- 1.2 The Committee is to note the performance figures.

**2 Report**

Planning Applications

- 2.1 The Government require planning performance returns to measure the performance of Local Planning Authorities against national requirements. The performance reports are submitted to Government on a quarterly basis with the latest quarter for 23/24 starting 1<sup>st</sup> October and ending 31<sup>st</sup> December 2023. Planning Committee will receive quarterly updates, however the PS returns are also reported under the Councils KPI's to
- 2.2 In summary the Council's performance for the latest quarter can be reported as follows:
- Majors: 6 decisions made, 5 approvals, 1 refusal of which 5 were decided within the required times and one decision was made exceeding 13 weeks with no Extension of Time in place.
  - Minors: 32 decisions made, 27 approvals, 5 refusals of which 23 were made within required times and 9 were determined exceeding 8 weeks with no Extension of Time in place.

- Others (including householders): 130 decisions were made, 113 were approvals and 27 refused. 119 applications were determined in time and 23 exceeded the 8 week period with no Extension of time.

2.3 The Councils overall performance was 80% of its decisions being made within 8/13 weeks or as per the agreed timeframes.

2.4 For wider context, looking at a 12 month calendar period from the 27<sup>th</sup> February 2023 to 26<sup>th</sup> February 2024, the Council registered 1262 applications and determined 1282 applications. In terms of validation of planning applications, in 2023, 92% of applications initially received were checked for valid information within two working days with 66% being passed straight to an officer to begin determination. The majority of the remaining applications requiring further information to be made valid.

2.5 Finally, in relation to the Council performance against national targets the latest reporting figures the LPA determined 100% of its major applications within prescribed times against a national target of 65%. Similarly, minors and others were determined at a rate of 84.2% within prescribed times against a national target of 75%.

#### Appeals.

2.6 For appeals, figures are published on an annual basis, the latest figures released by the Planning Inspectorate (PINS) for the period 22/23 are as follows:

- Section 78 Appeals (all non-enforcement and Householder Appeals) 17 appeals made of which 24% went against the Council. This is against a national average of 29%.
- For Householders, 11 appeals were made of which 18% went against the Council. This is against a national average of 35%.
- For Enforcement appeals 10 were made, 10% went against the Council. This is against a national average of 27%.

2.7 The LPA's enforcement success rate for 22/23 was therefore excellent compared to the national average.

2.8 This is a vast improvement from 21/22 where 56% of s78 appeals went against the Council, 25% of Householders and 38% Enforcement found against the Council.

### **3 Implications of the recommendation**

#### Financial implications

There are no financial implications for this report.

#### Legal implications

There are no legal implications for this report.

#### Risk management implications

Minimal – the Council is currently exceeding nationally required

*Environmental implications*

There are no environmental implications for this report.

*Equality implications*

There are no equality implications for this report.

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**SLOUGH BOROUGH COUNCIL****REPORT TO:** Planning Committee**DATE:** 27<sup>th</sup> March 2024**SUBJECT:** Outstanding Section 106, following resolution to grant at Planning Committee**CHIEF OFFICER:** Daniel Ray**CONTACT OFFICER:** Daniel Ray**WARD(s):** All**APPENDICES:** None.**1 Summary and recommendations**

- 1.1 The purpose of the report is to inform Members of the current status of Section 106 (S106) Agreements following the resolution to grant Planning Consent at Planning Committee.

**Recommendation(s)**

- 1.2 The Committee is to note the contents.

**2 Report**

- 2.1 The following table sets out the status of applications requiring a S106 to be entered into following a resolution to grant planning permission at Planning Committee since 1<sup>st</sup> May 2023.

<b>Application no.</b>	<b>Address</b>	<b>Resolution to grant date</b>	<b>Resolution to grant extended Y/N</b>	<b>Comment</b>
P/19443/009	30-32 Wexham Road, Slough, SL1 1UA	26 <sup>th</sup> July 2023	N	The resolution to grant expired on the 26 <sup>th</sup> January 2024. The application will return to planning committee when clarity has been received

				from the applicant.
P/20153/000	46-56 High Street, Slough, SL1 1EL	6 <sup>th</sup> September 2023	N	Extension to resolution to be requested upon agreement of final wording.
P/09811/002	Jupiter House, Horton Road, Poyle, Slough, SL3 0BB	6 <sup>th</sup> September 2023	N	Decision issued within timeframe of Resolution to Grant on 22/11/2023
P/09190/038	Upton Hospital, Albert Street, Slough, SL1 2BJ	28 <sup>th</sup> February 2024	N/A	Resolution to grant 28 <sup>th</sup> February 2024, s106 to be completed.
P/01615/007	Former Merrymakers Public House and Former Bungalows, Slough, SL3 7QA	28 <sup>th</sup> February 2024	N/A	Resolution to grant 28 <sup>th</sup> February 2024, s106 to be completed

2.2 A limited number of applications to grant planning permission subject to s106 prior to the current Planning Committee have yet to be completed, all applications have either had their resolutions to grant extended in accordance with the resolutions or are held in abeyance until clarity on progress/resolution is established between all parties. Appropriate extensions to the resolution to grant shall be executed as appropriate, or the applications shall be refused in accordance with the resolutions or returned to planning committee as expedient.

### **3 Implications of the Recommendation**

#### Financial implications

There are no financial implications for this report. If the developments do not come forward, the mitigation secured through the S106 cannot be secured.

#### Legal implications

There are no legal implications for this report, applications are either approved or refused in accordance with recommendations or return to Planning Committee as appropriate.

#### Risk management implications

There are no specific risk management implications.

*Environmental implications*

There are no environmental implications for this report.

*Equality implications*

There are no equality implications for this report.

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**MEMBERS' ATTENDANCE RECORD 2023/24**  
**PLANNING COMMITTEE**

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

P = Present for whole meeting  
 Ap = Apologies given

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

\* Councillor Manku resigned from the committee and was replaced by Councillor Stedmond on 31<sup>st</sup> August 2023.

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