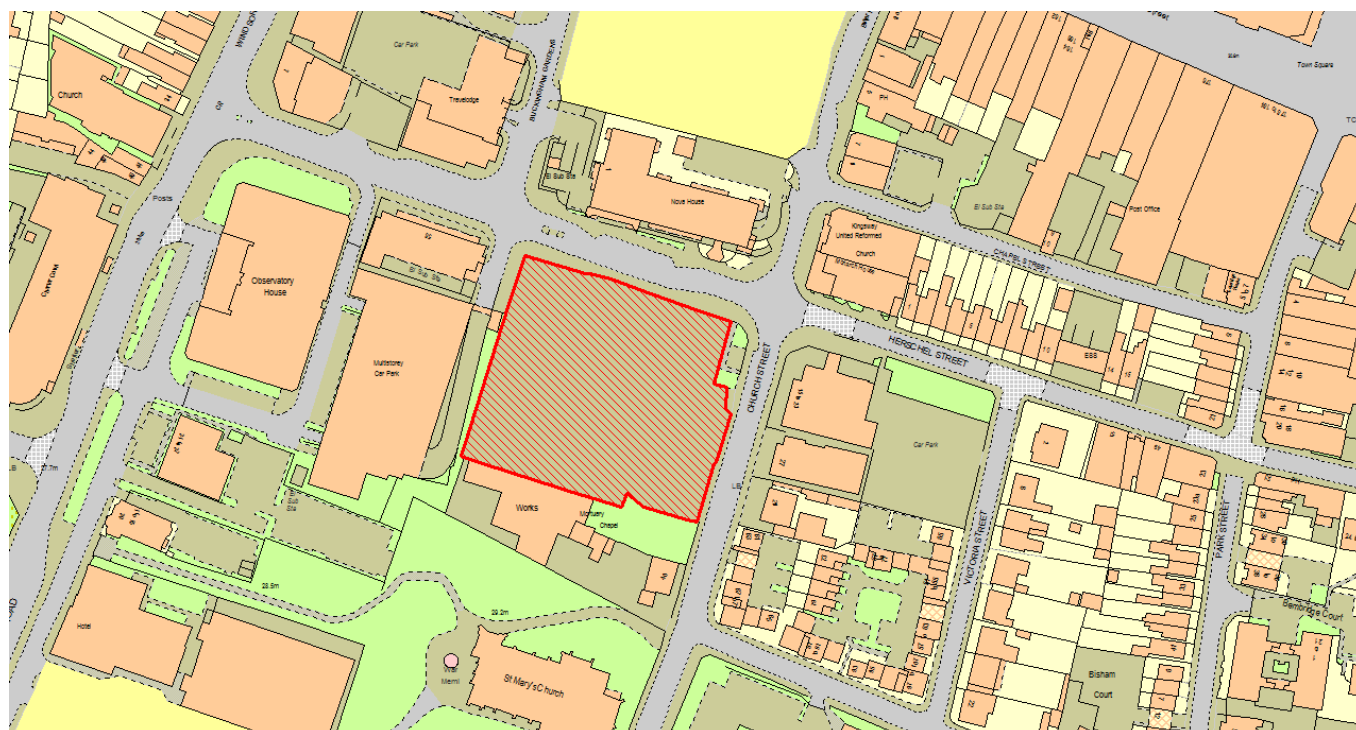


Registration Date:	25-Apr-2017	Application No:	P/01508/042
Officer:	Daniel Gigg	Ward:	Central
Applicant:	Mr. R McManus, Click Hershel Ltd (Co Agent)	Application Type:	Major
		13 Week Date:	25 July 2017
Agent:	Mr. Rory McManus, Turley Charlotte Building, 17 Gresse Street, London, W1T 1QL		
Location:	Aspire 2 Site, Corner of Church Street and Herschel Street, Slough, SL1 1PG		
Proposal:	Construction of a part eight and part nine storey building (Class C3 Use) to accommodate 238 flats together with 43 car parking spaces with landscaping and ancillary works.		

Recommendation: Delegate to the Planning Manager for approval subject to completion of a satisfactory S106 Agreement and conditions.



P/01508/042 SUPPLEMENTARY REPORT

1.0 SUMMARY OF RECOMMENDATION

- 1.1 Delegate to Planning Manager for 1) approval subject to: completion of a satisfactory Section 106 planning obligation securing on-site, affordable housing, financial contributions set out in this supplementary report, a review mechanism for affordable housing and infrastructure, compliance with the Travel Plan, preclusion on parking permits, a landscape management and maintenance plan including management company; and, conditions listed below and any finalising of them. Or, 2) refusal should a satisfactory S106 Agreement not be completed by 1st August 2018.

PART A: BACKGROUND

2.0 Planning Committee Resolution

- 2.1 At the 17th November 2017 Planning Committee a decision on the application was deferred for the following reason:

‘To enable the developer time to provide more information and to work with Planning Officers for better compliance relating to mass, scale and height and light’.

- 2.2 The previous Planning Committee report and the Amendment Report are re-produced at the end of this Supplementary Report for ease of reference.

3.0 Revised Proposal

- 3.1
- Alterations to Block B (the apartment block at the corner of Hershel Street / Church Street) by: a reduction in length of the building at floors 4 and 5, varying between 1.8m to 2.9m across its full width thereby removing the stepped elevation of the original scheme, along with the use of the lighter colour brick to provide a visual break; at the rear most part of the building on the east side, a reduction in the width by around 2.1m over a length of 10m over floors 4, 5, 6 and 7; and, the middle section of floors 6 and 7 reduced by 0.5m.
 - Changes to the indicative tree planting through a change from trees to hedges on the west side of the Block A and a different mix of trees on the north, east and south edges of the site from predominantly cherry trees to a mix of fastigiated oaks, rowan and cherry trees set between a Berberis hedge. In addition, silver birch trees and pleached trees are proposed to be planted in the ‘street’ which is the thoroughfare between Blocks A and B.

- Following a review of the viability, an increase in the number of affordable homes to be provided in Block A from 47 to 50, representing 21% of the total number of dwellings.
- The mix of the residential units has changed as follows: studio x 26 (previously 24); 1 bed x 72 (previously 73); 3 bed x 114 (previously 113); and, 3 bed x 26 (previously 28).

Clarifications on the Proposals

3.2

The previous report referred to there being 47 car parking spaces which is incorrect: there will be 43 car parking spaces.

PART B: PLANNING ASSESSMENT

4.0

Impact on the character and appearance of the area

4.1

As set out in the previous Committee report, it is considered that the site is located between the more suburban character on the south/east side and then the larger scale buildings to the north and west which were more befitting of a town centre location. It was therefore considered that the site lies in a transitional area.

4.2

The amended proposals would result in a more acceptable change in scale between the adjoining two storey property (the undertakers) to the south of the site and Block B because of the stepped arrangement of the building with the first four floors terminating at the step at around 11.5m (in height) and then the set-in of the upper floors. This, along with the tree planting on the southern boundary and along the 'street', will also help to give a better visual separation between, and lessen the linked effect of, Blocks A and B in views from Church Street which will help to reduce the overall scale and mass of the redevelopment scheme.

4.3

In addition, as described in section 3 above, there will be increased set-ins to the building on the east elevation at floors four, five, six and seven and these, combined with the stepped arrangement to the south elevation, would result in an acceptable relationship to the 2 and 3 storey properties that lie to the east of the site.

4.4

Furthermore the original scheme proposed to adopt the use of lighter brick for the top 3 floors. However, the revised plans now include the use of this brick for part of floors 4 and 5. The contrast will help reduce the perception of the height of the building and is welcomed.

- 4.5 The landscaping within the scheme is important to help integrate the development into Church Street which has a very verdant appearance and to help soften the scale and mass of the buildings. The indicative landscaping plans have been amended by reducing the number of cherry trees which would have been a relatively small species that would have appeared small in comparison to the overall size of the buildings.
- 4.6 The revisions have made provision more appropriate trees such as fastigiated oaks and rowan trees which would be able to grow to a reasonable size and would have a better proportion on maturity with the proposed buildings. It should be noted that the latest plans have removed trees from the west side of the site because the space would have been too limited for these to become established – hedges are now proposed in this location which is acceptable. It is considered that the trees along ‘the street’ should be able to survive any overshadowing and any rain casts.
- 4.7 The amended proposals are considered to be acceptable by the Tree Officer. It should also be noted that to ensure that the trees and other planting become established a condition is recommended to include submission of details relating to the planting such as soil quality, mulching, staking and watering. Furthermore, there will be a landscape management / maintenance plan which will ensure the long term establishment and continuity of the planting which is to be secured by the S106 Agreement.
- 4.8 Overall, it is considered that the amended proposals will result in a more acceptable scheme in this transitional area in respect of the height, scale and mass of the buildings. The proposed planting will help to soften the impact of the building and will help the development to complement the verdant character of Church Street and improve the appearance of Herschel Street which at its western end has limited planting. The proposals accord with Core Strategy Policy 8, Local Plan Policy EN1 and the NPPF.
- 4.9 Impact upon heritage assets
- The previous proposal was considered to result in harm to the setting the Grade II* listed, St. Mary’s Church in particular in views from Church Street and from within the church yard. The amended plans have been considered by BEAMS who are the Council’s heritage adviser.

- 4.10 As the fourth and fifth floors of block B have been amended with the south elevation (which faces the grade II* St Mary's church) set back in line with the upper (sixth and seventh) floors, this will increase the amount of setting in of the upper floors on this southern elevation. The combination of the increased set in and the change in material / colour between the upper and lower floors that will provide a more sensitively designed elevation facing St Mary's Church and would better address its wider setting. As such the amended plans are considered to preserve the setting of the grade II* St Mary's Church.
- 4.11 In addition, the space created between blocks A and B (to frame views of the church from Herschel Street and previously recognised as a positive feature of the scheme) has been improved in landscaping terms which is welcomed.
- 4.12 The proposal is considered to accord with S66 of The Planning (Listed Buildings & Conservation Areas) Act 1990, the NPPF and Core Strategy Policy 9.

Affordable housing

- 4.13 Since the original Committee report was considered, the scheme has been the subject of an independent viability review. As a result of this, the amount of on-site affordable homes that the scheme can financially support has increased from 47 to 50 residential units of which 32 will be affordable rent and 18 will be in the intermediate category. This represents 21% of the total amount of homes which is below the Developer's Guide requirement of 40% but this is considered acceptable on the basis of the viability. However, given that the proposals are not policy compliant, it is recommended that a review mechanism on viability should be included in the S106 to 'clawback' any affordable housing contributions in a situation where there may be different financial conditions. The proposals accord with Core Strategy Policy 4 and the Developer's Guide.

Developer contributions

The contributions to be sought are set out below:

- 4.14 Education - £261,380 towards the Westgate School extension
- Air quality - £50,000 towards measures to support the Low Emissions Strategy, as set out in the original Committee Report (paragraphs 13.1 to 13.3)

- 4.15 It was previously recommended that a contribution should be sought towards Public Open Space (POS). However, given the viability issues that have been established with the scheme it is considered that the priority should be to maximise the affordable housing and then to mitigate the impacts of the development with the priority towards securing education and air quality contributions. In the balance given that there will be some good quality amenity space within the development that will be provided (in the form of balconies and 3 communal terraces), the lack of a POS contribution is considered acceptable. Notwithstanding this, as with the affordable housing a review mechanism could be used to secure a POS contribution in different financial conditions. The proposals accord with Policies OSC5 and OSC15 of the Local Plan, Core Strategy Policy 8 and the NPPF.

Living conditions Sunlight and Daylight

- 4.16 In terms of the future living conditions of occupiers of the dwellings while nearly 50% of the spaces in Block A will not receive adequate sunlight within the dwellings themselves, this can be counter balanced by the fact that there will be good levels of daylight that will reach the dwellings and this will be achieved for 85% of all rooms. Furthermore where there is a deficiency in sunlight being available, a number of dwellings would also have access to and use of balconies. For Block B nearly 87% of all rooms will receive good levels of daylight and no significant issues relating to sunlight were raised for this block. In addition it should also be noted that future occupiers will have access to the roof top terraces where they will be able to benefit from both daylight and sunlight when using this outside space.
- 4.17 Overall it is considered that future occupiers will have very good living conditions for an urban environment. Therefore this addresses the points raised regarding sunlight and daylight for future occupiers. It is recognised that future occupiers would need to install blinds to help minimise excessive heat gain and loss. That may arise once the residential units are occupied.
- 4.18 In terms of nearby residential properties, Nova House to the north would still continue to receive good levels of daylight. A planning application for an apartment building is currently being considered at no.s 15-23 Church Road. Only limited weight can be afforded to this development at this stage as it is still under consideration. However, there would be an adequate separation between the two buildings which would ensure that acceptable living conditions could be achieved in both developments in terms of light, outlook and overlooking. The original Committee Report assesses other impacts on neighbouring buildings which were concluded to continue to have a good standard of amenity. This remains the case in the reduced sized development.

4.19 The proposals accord with Core Strategy Policy 8 and the NPPF.

4.20 **Other matters**

The following sets some omissions from the original Committee Report and Amendments Sheet.

4.21 Archaeology

The site has archaeological potential and therefore based on advice from Berkshire Archaeology a condition is recommended. The proposal accords with Core Strategy Policy 9 and the NPPF.

4.22 Noise

A noise impact assessment was carried out which shows that with the use of appropriate glazing and ventilation there would not be any unacceptable noise impacts on the future amenity of residents. A condition is recommended securing mitigation. The proposal accords with Core Strategy Policy 8 and the NPPF.

4.23

Planning conclusion

There are a number of benefits to the scheme namely the redevelopment of a vacant town centre site in a sustainable location and the valuable contribution to the supply of much-needed housing. As part of the housing supply there would be a good mix of units and there would also be the provision of 21% (50 units) of affordable homes which is welcome. The development will also create good living conditions for future occupiers in a safe and secure environment. The building will also be able to incorporate sustainability measures in respect of energy reduction and surface water. Overall, taking into account the assessment in this supplementary committee report and the original committee report and amendment report, it is considered that the proposal would be sustainable development.

PART C: RECOMMENDATION

5.0 Recommendation

- 5.1 Delegate to Planning Manager for 1) approval subject to: completion of a satisfactory Section 106 planning obligation securing on-site, affordable housing, financial contributions set out in this supplementary report, a review mechanism for affordable housing and infrastructure, compliance with the Travel Plan, preclusion on parking permits, a landscape management and maintenance plan including management company; and, conditions listed below and finalising any of them. Or, 2) refusal should a satisfactory S106 Agreement not be completed by 1st August 2018.

PART D: CONDITIONS

6.0 Conditions

1. Time Limit

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

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

2. Approved plans

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

- (a) Location Plan 1:1250, received 23/04/17;
- (b) Drawing No. A100 Rev FB, received 09/03/2018
- (c) Drawing No. A101 Rev FB, received 09/03/2018;
- (d) Drawing No. A102 Rev FB, received 09/03/2018;
- (e) Drawing No. A103 Rev FB, received 09/03/2018;
- (f) Drawing No. A104 Rev FB, received 09/03/2018;
- (g) Drawing No. A105 Rev FB, received 09/03/2018
- (h) Drawing No. A106 Rev FB, received 09/03/2018;
- (i) Drawing No. A107 Rev FB, received 09/03/2018;
- (j) Drawing No. A108 Rev FB, received 09/03/2018;
- (k) Drawing No. A109 Rev FB, received 09/03/2018;
- (l) Drawing No. A110 Rev FB, received 09/03/2018
- (m) Drawing No. A201 Rev FB, received 09/03/2018;
- (n) Drawing No. A202 Rev FB, received 09/03/2018;
- (o) Drawing No. A204 Rev FB, received 09/03/2018;
- (p) Drawing No. A205 Rev FB, received 09/03/2018;
- (q) Drawing No. A206 Rev FB, received 09/03/2018.

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. Details and Samples of materials

Details and samples of external materials to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

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

4. Architectural details

No development shall commence until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of windows (including surroundings and reveals), down pipes, gutters, edging details to flat roofs, 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.

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

5. Bin storage

Prior to first occupation of the development, a management strategy ('the strategy') to be used by the management company for the transfer of waste/recycling bins to collection points and the collection of bins shall be submitted to and approved in writing by the Local Planning Authority. The waste/recycling storage facilities shall be provided in accordance with the approved drawings and shall be retained at all times in the future for this purpose, and the strategy shall be complied with for the duration of the development.

REASON In the interests of visual amenity of the site and in the interests of highway safety and convenience in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

6. Cycle parking

The development shall not be occupied until the details of the cycle parking arrangements within the cycle stores has been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these approved details prior to the occupation of the development and shall be retained thereafter at all times in the future for this purpose.

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

7. Lighting Scheme

Construction of the development above damp proof course level shall not commence until details of a lighting scheme (to include the location, nature and levels of illumination) has been submitted to and approved in writing by the Local Planning Authority and the scheme shall be implemented prior to first occupation of the development and maintained in accordance with the details approved.

REASON To ensure that a satisfactory lighting scheme is implemented as part of the development in the interests of residential and visual amenity and in the interest of crime prevention to comply with the provisions of Policy EN1 of The Adopted Local Plan for Slough 2004 and policy 12 of the adopted Core Strategy 2006-2026.

8. Boundary treatment

Construction of the buildings above damp proof course level shall not commence on site until details of the proposed boundary treatment including position, external appearance, height and materials 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 accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

9. Landscaping Scheme

Construction of the buildings above damp proof course level shall not commence on site until a detailed landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, and details of hardsurfaces which shall include compliance with the surface water drainage mitigation as approved under condition 10 of this planning permission.

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

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

10. Surface Water Drainage

The surface water control measures shall be carried out in accordance with the Flood Risk Assessment and Preliminary Drainage Strategy including the appendices by Ardent (Report Ref. No. Y390-01B, Project No. Y390, Dated October 2017) and retained thereafter. The drainage system shall be managed and maintained for the lifetime of the development in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policy 8 of the adopted Core Strategy 2006 - 2026.

11. Levels

No development shall commence until plans showing details of: existing and finished ground levels; finished floor levels; and, the position and height of retaining walls has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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.

12. Noise attenuation and ventilation

No dwelling shall be occupied until its attenuation and ventilation mitigation measures as set out in paragraphs 14.1 to 14.14 of the Noise Impact Assessment (Report Ref. No. Y390-02, Project No. Y390, Dated May 2017) have been installed in accordance with the approved details. The approved mitigation measures shall be retained thereafter.

REASON In the interest of the living conditions of residents in particular reducing noise pollution and ventilation of rooms when windows are closed, to comply with policy 8 of the Core Strategy 2006 - 2026 adopted 2008.

13. Archaeology

No development shall take place within the application area until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON The site lies within an area of archaeological potential, specifically within an area of prehistoric and Roman potential. A programme of archaeological work is required to mitigate the impacts of the development and to record any surviving remains so as to advance the

understanding of significance of any remains in accordance with Core Policy 9 of the adopted Core Strategy 2006 - 2026.

14. Designing out crime

No development shall commence until details of the measures to be incorporated into the development to demonstrate how 'Secured by Design Gold Award' accreditation will be achieved have 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 SBD accreditation has been submitted. The approved security measures shall be retained thereafter.

REASON In order to minimise opportunities for crime and anti-social behaviour in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026

15. New access

No development shall commence until details of the new means of access have been submitted to and approved in writing by the Local Planning Authority and the access shall be formed, laid out and constructed in accordance with the details approved prior to occupation of the development. The access shall be retained thereafter.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions prejudicial of general safety along the neighbouring highway in accordance with Policy T3 of The Adopted Local Plan for Slough 2004.

16. Vision splays

The development shall not be occupied until vehicle visibility splays of 2.4m by 28m to the left and 2.4m by 48m to the right and pedestrian visibility splays of 2.4m x 2.4m have been provided on both sides of the accesses and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel of the carriageway.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general pedestrian safety along the neighbouring highway in accordance with Policy 10 of the adopted Core Strategy 2006-2026.

17. Internal access roads

Prior to first occupation of the development, the internal access roads footpath and vehicular parking and turning provision shall be provided in accordance with approved plans and retained thereafter.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of The Adopted Local Plan for

Slough 2004.

18. Car Park Management Scheme

No dwelling shall be occupied until a car park management scheme has been implemented in accordance with details that shall have first been submitted to and been approved by in writing by the local planning authority. Scheme to include how electric charging point parking spaces are managed, how parking spaces are allocated or used including provision for visitors. Thereafter the parking shall be retained for this use only in association with the development.

REASON In the interest of the free flow of traffic and road safety on the nearby public highway.

19. Electric Vehicle Charging Points

No dwelling shall be occupied until 5 no. 7 kW Mode 3 electric vehicle charging points have been provided with electric cabling that is connected to the developments power supply and is suitable for supplying power to 7 kW Mode 3 chargers (that can be installed and connected to the cable at a later date). Thereafter the electric vehicle charging point shall be retained and maintained as operational for the duration of the development.

REASON In the interest of public health and air quality in particular encouraging use of low carbon emission cars in accordance with policy 8 of the Core Strategy 2006 - 2026 adopted 2008 .

20. Sustainable Development

Construction of any building shall not commence until a low or zero carbon energy scheme has been submitted to and been approved in writing by the local planning authority.

The scheme shall show how the design and construction of dwellings will achieve

carbon emissions (all dwellings combined) that will be 10% lower than all of the dwellings combined total Target Emission Rate as calculated in accordance with the Building Regulations 2013 Part L and associated Approved Documents.

The scheme shall include (a) an energy statement listing the Target Emission Rate and dwelling emission rate for each Dwelling and calculations to show the combined figures for both; (b) descriptions of building fabric enhancements, building services enhancements or low or zero carbon energy generating equipment proposed to achieve the 10% carbon emissions requirement. Energy generation on site shall not be from biomass.

The scheme shall be implemented as approved and no dwelling shall be occupied until its associated low or zero carbon energy scheme measures have been installed and are operational.

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy

2008.

21. Construction Management Scheme

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading (to a minimum Euro 6/VI Standard), off-loading, parking and turning within the site and wheel cleaning facilities during the construction period and machinery to comply with the emission standards in Table 10 in the Low Emission Strategy guidance. 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 highway users and in the interests of air quality in accordance with policies 7 and 8 of the Core Strategy 2008.

22. Phase 2 Intrusive Investigation Method Statement

The Phase 1 Desk Study submitted with the application identifies the potential for contamination. Development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

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

23. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy

Development works shall not commence until a quantitative risk assessment has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed

remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

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

24. 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.

25. Piling

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

26. Foul drainage

Construction works shall not commence until a drainage strategy detailing any on and/or off site foul drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

INFORMATIVE(S):

1. Section 106 Legal Agreement

The applicant is reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.

2. Highway Matters

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

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

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

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

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

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

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

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

The applicant must obtain a license from Slough Borough Council for maintaining the highway verge (once dedicated) fronting the application site under Section 142 of the Highways Act 1980.

The applicant is advised that advisory signs denoting the presence of the public footpath or bridleway crossing the site are required. Please contact the Rights of Way Officer at Slough Borough Council in this respect.

3. Hours of Construction.

During the construction phase of the development hereby permitted the developer is asked to ensure contractors are engaged without reliance upon working unusual hours on site nor reliance upon unusual practices that are likely to cause a nuisance to nearby residents or road users. In general no work should be carried out on the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays. Car parking for construction workers and space for deliveries should be within the

4. Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

With regard to water supply it is the responsibility of the developer to ensure that there would be sufficient capacity for the future residents of the development. Prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

**BELOW – ORIGINAL REPORT PRESENTED TO 1st NOVEMBER 2017
PLANNING COMMITTEE**

P/01508/042

- 1.1 Under the current constitution this application is being brought to Committee for decision because it is a major development.
- 1.2 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended that the application be refused planning permission.
- 1.3 This is on the following grounds: that the proposal would have a harmful impact on the townscape due to the siting, scale and mass of the development with limited opportunities for meaningful planting; there would be 'less than substantial harm' to the nearby Grade II* listed Church with insufficient public benefits to outweigh the harm; and, the development would not create a safe and accessible environment. In addition, holding reasons for refusal are recommended in respect of the development failing to provide for a policy compliant level of affordable housing and insufficient financial contributions towards local infrastructure.

PART A: BACKGROUND

- 2.0 **Proposal**
- 2.1 Full planning permission is sought for a residential development comprising of 238 apartments to replace the temporary car park that exists on the site.
- 2.2 The apartments would be spread across the site in two separate blocks. On the West side of the site would be the smaller block (Block A) which would be 17m wide, 58m long and to a height of 23m/8 storeys (excluding the core over-run). Block B would be located on the East side of the site at the corner of Hershel Street and Church Street which would be 35m wide, 56m long and to a height of 26m/9 storeys.
- 2.3 Vehicular access would be from Church Street to an undercroft car park of 47 spaces. Either side of this vehicular access would be two entrance lobbies to access the apartments in Block B. The other two lobbies would be located further south along the Church Street frontage. There would also be another access from Hershel Street that runs from North to South and bisects the site. This access would be for pedestrians and cyclists and beyond the first 23m it would then form a shared surface because this 'street' in the site would be required for manoeuvring into and out of the undercroft car park. There would be lobbies at ground floor level off this new 'street' that would give access to both blocks of apartments.
- 2.4 Block A would comprise of 87 apartments over all 8 floors. Block B would comprise of 151 apartments over all 9 floors. 173 of these apartments would be 'open market housing' and the remaining 65 apartments would be 'affordable housing'. Across all tenures of housing will be a mix of 1, 2 and 3 bed apartments. The affordable housing will be located within Block A at its Southern end and would have its own lobby serving this part of the development.
- 2.5 Amenity space for the apartments will comprise of balconies, roof top gardens and a shared amenity space located at first floor level in Block B which most residents of the

development would access from the shared surface 'street' via a set of stairs. The shared amenity space and the roof top gardens are proposed to be landscaped. Landscaping is also proposed at street level around the edges of the site between the boundaries and the blocks.

3.0 **Application Site**

- 3.1 The application site lies to the South of the High Street, located at the corner of Hershel Street and Church Street. The site is roughly square in shape and totals just under 0.5 hectares in size.
- 3.2 The site is currently being used as a temporary car park for around 100 cars. The vehicular access to the car park is off Church Street. There are no buildings on the site but there is a portakabin. The boundaries are enclosed by a part brick wall on the south side and a part solid/part chain link fence of around 2.5m height around the other boundaries.
- 3.3 Prior to the use of the temporary car park the site previously comprised of the following:
- Three office buildings (Berkshire House, 14-18 Church Street and Markham House;
 - A terrace of 4 industrial units known as 'Hershel Industrial Centre';
 - A disused public hall/club; and,
 - A surface level car park for around 40 cars within a central courtyard.
- 3.4 The wider area is a mix of uses. To the south of the site is a Funeral Directors which comprises of single and two storey buildings, and beyond this is St. Mary's Church. To the east of the site is a mix of commercial and residential uses of predominantly two and three storey buildings including the Victorian terraces on Hershel Street. To the North is residential development comprising of the Nova Building which is 8 storeys and the Premier Inn hotel of 9 storeys (plus undercroft car park), and beyond this the more commercial uses of the town centre. To the West is a 4 storey public car park and offices of 5 storeys, and beyond this are the mixed commercial uses on the Windsor Road.

4.0 **Site History**

- 4.1 The site has an extensive planning history. The site was first granted temporary permission for a car park in 2011 under permission P/01508/033 for a retrospective car park. A further application was approved for the retention of 96 car parking spaces in October 2013 (P/01508/037) which has been renewed several times. Prior to this, under reference P/01508/030, planning permission was granted on 2nd May 2007 for an office development in two blocks – one of part four/part six storeys, and one six storey building. This permission was varied under P/01508/031 to alter the approved windows in the West elevation, and an extension of time to allow for the development to be built was also granted in 2011 under application P/01508/032.

5.0 **Neighbour Notification**

61, Church Street, Slough, SL1 1TH, 63, Church Street, Slough, SL1 1TH, Citizens

Advice Bureau, 27, Church Street, Slough, SL1 1PL, E Sargeant & Son, 34-40, Church Street, Slough, SL1 1PJ, R C C Consultants Ltd, Nova Building, Herschel Street, Slough, SL1 1XS, 65, Church Street, Slough, SL1 1TH, Slough Council For Voluntary Service, 27, Church Street, Slough, SL1 1PL, 73, Church Street, Slough, SL1 1TH, 75, Church Street, Slough, SL1 1TH, 77, Church Street, Slough, SL1 1TH, 67, Church Street, Slough, SL1 1TH, 69, Church Street, Slough, SL1 1TH, 71, Church Street, Slough, SL1 1TH, Slough Labour Party, 29, Church Street, Slough, SL1 1PL, Vikrams Occasions Palace, 15-23, Church Street, Slough, SL1 1PL, Kingsway United Reformed Church, Church Street, Slough, SL1 1SZ, St. Marys Church, Church Street, Slough, SL1 1PJ, Shelter Southern Counties Housing Aid Centre, 27, Church Street, Slough, SL1 1PL, Herschel House, 58, Herschel Street, Slough, SL1 1PG, Travel Lodge, Herschel Street, Slough, SL1 1PG

2 objections were received summarised as:

- Overlooking to the Funeral Directors at 40 Church Street resulting in a breach of privacy of the business. There is manoeuvring of deceased and general staff operations which would be clearly viewed from the flats and the communal areas of the development.
- Residents of the development would be disturbed by the 24 hour operations (plant equipment, roller shutters, vehicles, coffin workers, etc) at the Funeral Directors.
- The design of the proposed building far exceeds the height and bulk of the previous office block which was 3 storeys high. The proposed development will be 9 storeys high. This would be uncomplimentary to the Funeral Directors and surrounding buildings.
- Noise associated with the building works would pose a disturbance for grieving families and friends coming to the Funeral Directors.
- The proposal would be detrimental to the business of the Funeral Directors as well as to the residents of the development.
- Overlooking from the close proximity of the proposed building to the flank wall of Herschel House.
- It is most likely that the office to residential conversion will commence in 2018 following the relocation of the tenants, Oury Clark Accountants. Adjacent development should not prejudice the future use of 58 Herschel Street either as offices or apartments.
- The Council operates a 'rule of thumb' advice of a minimum 21m between habitable windows. The separation distance between the windows of the proposed building and the east wall of 58 Herschel Street will be approximately 16.8m. The east wall of Herschel House includes windows at fourth level within no restriction on additional windows being created in flank walls. The building face adjacent to Herschel House should be set further away.
- The proposed building is 8/9 storeys so will be considerably higher than Herschel House. Herschel House will be dwarfed and overlooked by the proposed adjacent development. If the Council accept the size of the building the 21m separation distance must be achieved.

Officer comment: These objections are addressed in the main body of the report.

6.1 Thames Water

No objection subject to a condition requiring details of the connection to the foul drainage system.

6.2 Lead Local Flood Authority

Request further information. See the main body of the report where this is assessed.

6.3 Highways

Request some further information and clarification. See the main body of the report where this is assessed.

6.4 Heritage Advisor

Objection. See the main body of the report where this is assessed.

6.5 Historic England

No comment. The LPA should use its own Conservation Advisers.

6.6 Crime Prevention Design Advisor

Objection. See the main body of the report where this is assessed.

6.7 Environmental Protection Officer

No objection. See the main body of the report where the impact on air quality is assessed.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Planning Policy Framework

Core Policies - Achieving sustainable development

Chapter 6: Delivering a wide choice of high quality homes

Chapter 7: Requiring good design

Chapter 8: Promoting healthy communities

Chapter 12: Conserving and enhancing the historic environment

Slough Local Development Framework Core Strategy 2006-2026 Development Plan

Document policies:

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 4 (Type of Housing)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 9 (Natural and Built Environment)

- Core Policy 10 (Infrastructure)
- Core Policy 12 (Community Safety)

Local Plan for Slough March 2004 policies:

- EN1 – Standard of Design
- EN3 – Landscaping
- EN5 – Design and Crime Prevention
- OSC5 – Public Open Space Requirements
- T2 - Parking Restraint

Composite Local Plan – Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist

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 Local Planning Authority has published a self assessment of the Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

It was agreed at Planning Committee in October 2012 that it was not necessary to carry out a full scale review of Slough's Development Plan at present, and that instead the parts of the current adopted Development Plan or Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

7.2

The planning considerations for this proposal are:

- Principle of development
- Housing mix
- The impact on the character and appearance of the area
- The impact on heritage assets
- The impact on amenity of neighbouring occupiers and future occupiers of the development
- The impact on air quality
- A safe and accessible environment
- The impact on highway safety and convenience

- Surface water drainage
- Infrastructure requirements
- Other considerations

8.0 **Principle of development**

- 8.1 Although the site is being used as a temporary car park, the majority of the site was previously used for employment uses. The site is not located within one of the defined 'Existing Business Areas' and as such given the very sustainable town centre location where residential development would be a highly compatible use, there would be no objection to the redevelopment of the site for apartments. Other local spatial policies, namely Core Strategy Policies 1 and 4, also support residential development in this town centre location.
- 8.2 In addition, further support to the principle of the development is found in national planning policy which aims to significantly boost the supply of housing and requires applications for housing development to be considered in the context of the presumption on favour of sustainable development.
- 8.3 The site previously contained a community hall known as the 'Leopard Centre'. It was demolished some years ago. However, prior to the temporary planning permission for the car park, the land upon which the community facility would have been sited remains part of the lawful use of the site.
- 8.4 Both national and local planning policies recognise the importance of such facilities as they provide opportunities for people to meet and are therefore an important part of the mix of uses found in communities. However, given the fact that the facility has not been on the site for a number of years, it is highly likely that its former users would now be using alternative community venues and the fact that it was demolished would tend to indicate that the facility was surplus to requirements. Given these circumstances, there would not be an objection to the loss of the use of land under Core Strategy Policy 6 and Local Plan Policy OSC17.
- 8.5 However, Core Strategy Policy 6 would require a financial contribution towards new or enhanced community facilities/services locally. In this case a financial contribution is unlikely to be required, as the applicant has advised that they cannot provide the policy compliant amount of affordable housing and infrastructure payments – the viability of the scheme is currently being independently reviewed for the Council. An update on the viability will be presented to Councillors at the Committee but in terms of the balance of priorities it is likely that the priority would be to maximise the affordable housing and other infrastructure monies towards education and Public Open Space.

9.0 **Mix of housing**

- 9.1 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 largely reflected in local planning policy in Core Strategy Policy 4. The proposals would provide a mix of apartments but predominantly one and two bedroom homes, as would normally be expected in a town centre location. The scheme will also include 28

no. three bed units which could accommodate families and as such is welcome in the town centre as part of delivering mixed communities.

9.2 Core Strategy Policy 4 requires between 30 and 40% of homes to be affordable housing on sites proposing more than 15 dwellings. The Planning Statement submitted with the planning application states that “The viability study concludes that...the proposed project can deliver 27.3% affordable housing provision comprises of 65 units (43 – social rented and 22 Intermediate).” However, the actual viability report submitted by the applicant at the end of September 2017 refers to 47 units being proposed for affordable homes out of a total of 238 apartments; it states that “The 47 affordable units are all located in Block A South, with the affordable rented units on the ground to fourth floors and the intermediate units (a mix of shared ownership and starter homes) on the fifth to seventh floors”. The viability report is currently being independently reviewed for the Council.

9.3 There have not been any changes to the total number of dwellings proposed or the size of the development during the determination of the planning application which would have affected the level of affordable housing being proposed. However, the table below shows the affordable housing requirements taken from Developer’s Guide (September, 2017) against the proposed levels of affordable housing based on a development size of ‘70 or more homes’.

Type of Requirement	Developer’s Guide Requirement	Proposed development
Normal Requirement	40%	20%
Exemption (For brownfield sites where development viability is an issue)	35%	20%

9.4 Both of the ‘Requirements’ are set out above because the position with the viability is not yet know. The table below shows the tenure that is required against the proposed development:

Type of Site	Developer’s Guide – Affordable Rent	Proposed Development	Developer’s Guide – Intermediate	Proposed Development
Brownfield	25%	12%	15%	8%
Brownfield (Viability issue)	22%	12%	13%	8%

9.5 The proposed development falls significantly below the requirements of the Core Strategy Policy and the Developer’s Guide. Any update on the viability will be reported to Councillors at the Committee

10.0 Impact on the character and appearance of the area

10.1 The site lies at the corner of Church Street and Herschel Street. On the east side of Church Street and beyond the Church Street/Herschel Street junction for a significant length of Herschel Street there are a mix of 2 and 3 storey buildings set mostly in relatively small plots. These are a mix of both residential and commercial uses and this area can be described as having a predominantly domestic character. There is some landscaping along Herschel Street but the more significant planting is found

along the southern part of Church Street (beyond Osbourne Road) where there are some significant mature trees around the perimeter of Upton Court Hospital and within grounds of the Grade II* listed St. Mary's Church. This area can be described as having an almost suburban character because of the predominantly domestic scale of the buildings and the verdant appearance that contribute towards this.

- 10.2 On the north and west sides of the application site the buildings are much larger with wider frontages. The scale and mass of the buildings on this part of Herschel Street are on large plots and they are substantial buildings. Immediately to the west of the site is the 4 storey Herschel Street car park and beyond this is the 5 storey (20m high) Herschel House office building. Immediately opposite the site is Nova House which is a 7 storey (25.5m high) building. The tallest building in the immediate vicinity of the site is the 8 storey (plus undercroft car park) hotel building. These are predominantly commercial buildings with the exception being Nova House which is a block of flats. Immediately to the south of the site set within large verdant grounds is St. Mary's Church; it is a typical historic Church building with a significant spire.
- 10.3 Townscape is made up of buildings, structures and spaces. It is the combination of these elements, their character and how they relate to each other that give the townscape an identity. In this case the identity of the townscape is the transition and relationship between the more suburban character on the east side of the application site and then the larger scale buildings more befitting of a town centre location, with the application site between these two varying character areas.
- 10.4 Block B would be 35m wide by around 56m in length for a height of 26m over 8/9 floors. This would be a substantial building in terms of its scale and mass taking up a significant part of the plot. The building would not have any significant relief with the minimal set back of the upper floors. These minimal set backs will not be appreciated because there is a very strong vertical appearance to the building by stacking the windows in a line over these floors and from the continuation of the brickwork which frame these windows. The brickwork would have a strong vertical emphasis as the horizontal breaks would not be so distinctive and in some areas of the horizontal faces would be a contrasting metal cladding material which would be a subdued feature. The brickwork to the upper three floors would be contrasting to the floors below, however, because of the strong vertical emphasis described above, this contrast will do little to reduce the scale and mass.
- 10.5 It is the overall scale and mass of the building emphasised by the strong vertical appearance and its siting very close to the 2/3 storey buildings that lie to the south and east of the site that will result in an abrupt change in the townscape between the more suburban character and the larger scale buildings found to the north and west of the application site more closely associated with a town centre townscape.
- 10.6 Block A would be on the west side of the site and would sit closer to the larger scale buildings of the town centre. It would be of a similar height to Block B and sited in a similar way close to its north, south and side boundaries. It is less wide than Block A at around 17m but the same length. Block A would be sited within just 10m of Block B which is not a particularly significant gap for buildings of this height. As Block B would be sited very close to Block A it would create the perception of there being one large mass of built form. This further adds to the concerns about the abrupt in the

townscape.

- 10.7 In terms of the architectural treatment of the building, overall it would be appropriate in this location although the view along the internal 'street' – which the applicant in the Design and Access Statement points out is an important feature in the design to give the views towards the Church – will be disappointing. This is because of the open appearance of the undercroft car park; landscaping will help to mitigate the utilitarian look to this element of the building but it will have a cavernous appearance particularly during night-time when artificial lights would be turned on giving clear views into space and which would become more prominent in views from Herschel Street than the spire of the listed Church. While finely balanced with the presence of landscaping and further details of the internal façade treatment to the car park, no objection would be raised in respect of this part of the architectural treatment of the building.
- 10.8 The palette of materials that would be used would be simple. The use of the brick slip cladding is welcome; up to the sixth floor would be a stock, yellow brick and the remaining floors would be a contrasting brick colour which is yet to be agreed but images supplied by the applicant show it to be a white/grey colour. In addition to this between the brick elements of the building will be grey metal cladding panels. In addition balconies would have grey, metal screens.
- 10.9 There is space provided for landscaping between the edge of the site and the two blocks. This would provide some space for hedges and shrubs to be planted but would leave little room for meaningful tree planting. Given the connections this site has with Church Street and the presence of mature trees in the backdrop of this site, more meaningful planting would have been more appropriate in the context of this townscape. This further adds to the concerns over the scale of the building will the lack of appropriate planting to help break up the mass and scale of the building.
- 10.10 Core Strategy Policy 8 and Local Plan Policy EN1 require developments to be of a high standard of design. These policies are consistent with the NPPF which also requires development to be of a high quality design. The proposed development for the reasons set out above would be harmful to the character and appearance of the area and as such conflicts with the requirements of both local and national planning policy.
- 11.0 **Impact upon heritage assets**
- 11.1 The Heritage Statement submitted on behalf of the applicant identifies that the nearest heritage assets are listed building group of the 'Church of St Mary' which comprises: the Grade II* Church; the walls, gate piers and gates of the Church of St Mary (Grade II); and, the Slough Town War Memorial (Grade II).
- 11.2 Section 66 of the Planning (Listed Buildings & Conservation Areas) act 1990 requires decision makers, in determining planning applications which affect a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. The NPPF requires in considering the impact of a proposed development on the significance of a designated heritage asset that great weight be given to the asset's conservation. The more important the asset, the greater weight should be. National

planning policy also states that significance can be harmed or lost through development within its setting. Further, the policy states that any harm or loss should require clear and convincing justification.

- 11.3 In terms of the NPPF, the applicant has provided through the Heritage Statement a description of the significance of the heritage assets affected and the contribution made by their setting. This statement recognises that the churchyard and its boundaries contribute to the significance of the building. However, it goes on to conclude that the 19th Century townscape within the vicinity of the site has been altered by 20th Century development which has reduced the setting of the heritage assets that they neither harm nor enhance the special interests of the listed buildings. The application site itself has also been altered over the centuries and is now an empty site; while greater views of the Church have been created the Statement concludes that this is not a recent and atypical situation.
- 11.4 The Heritage Statement concludes that from within the churchyard the impact would be consistent with the existing and emerging character of the townscape. The impact outside of the Churchyard on its setting is also not considered to be significant. The gap between the two buildings are considered to help provide a visual connection to the Church. In overall terms, the Heritage Statement produced for the applicant advises that the development will preserve the special interest of the heritage assets.
- 11.5 The Council's Heritage Adviser comments that at present there are good views of the upper part of the Church and Spire from Hershel Street and while the development will result in the loss of these views it is noted that these have only come about since the previous buildings were demolished on the site. However, the courtyard between the two buildings will provide views of Church, which is a slight improvement on the previous (office) scheme the Church will still be somewhat overwhelmed by the new development in the foreground. The Adviser goes on to comment that the setting of the Church will be visible from the churchyard and Church Street. The proposal is not considered to enhance the setting of the Church and will result in 'less than substantial harm' to the heritage asset.
- 11.6 Paragraph 132 of the NPPF states that great weight should be given to the conservation of heritage assets, as they are irreplaceable and any harm should require clear and convincing justification. Paragraph 134 of the NPPF requires that where the harm identified to a designated heritage asset would be 'less than substantial harm', that harm should be weighed against the public benefits of the proposal.
- 11.7 The Planning Practice Guidance states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in paragraph 7 of the NPPF. It further advises that public benefits should flow from the proposed development and should be of a nature or scale to benefit the public at large and should not just be a private benefit. The public benefits put forward by the applicant are set out below, with a corresponding Officer response:

Public Benefit	Officer response
Deliver a residential development of high quality architecture, resulting in	Both the NPPF and policies of the Core Strategy and the Local Plan

the efficient use of an unused brownfield site in the town centre.	require high quality developments that make the most efficient use of the land. It is therefore a requirement of policy to deliver such development. However, as set out in this report harm has been identified to both the townscape and the Grade II* listed Church, it is not considered that this is a public benefit. No weight should be afforded to this.
A major contribution of 238 new homes to housing delivery in the Borough, including high quality family housing in an area of housing need.	<p>A total of 238 new homes would make a contribution to housing delivery in the Borough but could not be described as being a 'major contribution'. Moderate weight should be afforded to this.</p> <p>High quality family homes would be provided and again this is a requirement of national and local planning policy. Moderate weight should be afforded to this.</p>
238 town centre homes would increase the foot fall to the High Street and aid the regeneration.	It is agreed that this would be a public benefit given the desire to regenerate the town centre. However, this has not been quantified by the applicant. Moderate weight should be afforded to this.
Delivery of new buildings which will enhance the street scene and positively contribute to the local townscape and sense of place.	Both the NPPF and policies of the Core Strategy and the Local Plan require high quality developments that make the most efficient use of the land. It is therefore a requirement of policy to deliver such development. However, as set out in this report harm has been identified to both the townscape and the Grade II* listed Church, it is not considered that this is a public benefit. No weight should be afforded to this.
£873,250 new homes bonus payment to Slough Borough Council.	While 'local financial considerations' can be a material consideration, in this case the new homes bonus monies is not afforded any weight because it is not required to make the development acceptable. Further, the Planning Practice Guidance advises "It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body."

Additional Council Tax revenue to Slough Borough Council.	While 'local financial considerations' can be a material consideration, in this case Council Tax revenue is not afforded any weight because it is not required to make the development acceptable. Further, the Planning Practice Guidance advises "It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body."
Significant job creation during the demolition and construction phase of approximately 153 jobs (FTE per annum over two years).	The additional temporary jobs would be welcome but they will be of a limited number provided only over two years. Limited weight is afforded to this.
Promotion of sustainable transportation through significantly improved provision of 238 cycle parking spaces.	This equates to 1 cycle space per apartment. Cycle provision is welcome but given that it is a requirement to provide cycle parking only limited weight is afforded to this.
Reduced traffic movements on Church Street due to the residential scheme replacing the surface car park.	Reduced traffic movements cannot be considered to be a public benefit when the car park has temporary planning permission.
12 more cycle bays for the Slough Cycle Hub positioned locally.	The submitted plans do not show where this facility would be provided and made public accessible. Furthermore, there are no details of how the developer will work with the provider to deliver the hub.
Provision of a high standard of design and construction that will be able to provide a high standard of accommodation in terms of residential amenity.	Both the NPPF and policies of the Core Strategy and the Local Plan require high quality developments that also deliver a high standard of accommodation. It is therefore a requirement of policy to deliver such development. However, as set out in this report harm has been identified to both the townscape and the Grade II* listed Church, it is not considered that this is a public benefit. No weight should be afforded to this.

11.8 When taken together in the round there is not a clear and convincing justification in terms of public benefits which would outweigh the harm that the proposal would cause. Less than substantial harm does not equate to a less than substantial objection; the NPPF states that great weight should be given to the conservation of heritage assets, and notes that such assets are irreplaceable. As such considerable importance and weight is given to preserving the setting of the Grade II* listed Church. This development fails to achieve this.

12.0 **The impact on the amenity of neighbouring occupiers and future occupiers of the development**

Future occupiers

- 12.1 All apartments would have windows to the main living accommodation being the sitting rooms, kitchens and bedrooms. Bathrooms would not have a window but this is not uncommon given the non-habitable nature of such rooms. In addition, there are some deep living rooms/kitchens which for residents would mean that they could be at their furthest point around 9m from a window. However, these rooms would still have a window either facing into the development or outside of the site. Overall, on balance, it is considered that the outlook for future occupiers of the apartments would be acceptable.
- 12.2 In terms of sunlight and daylight, the applicant has provided a technical report based on British Research Establishment guidance, which has assessed the level of light that can reach the inside of the apartments. The report concludes that the overall amenity of the proposed rooms is considered good and commensurate with an urban location. However, it recognises that there are some rooms which would not comply with the guidelines but that the non-compliance can be attributed to the inflexibility of the BRE guidance for an urban context. The technical report is currently being assessed on behalf of the Council and an update will be provided to the committee.
- 12.3 In terms of overlooking, it is not uncommon to have the types of relationships for facing windows and balconies as shown in the plans. In addition, there will be some overlooking from buildings surrounding the development but it is considered that these are acceptable in town centre locations and as such there would not be an unacceptable loss of privacy.
- 12.4 The future occupiers of the development would have access to some form of outdoor amenity space within the development whether it be from a balcony, the roof terraces on each of the buildings or the space at first floor podium level in Block B. However, it is considered that those apartments with balconies facing inwards in Block B particularly those at the lower level and for those residents using the podium level as an amenity space would experience limited levels of daylight and varying degrees of overshadowing during the day because siting and scale of the development.
- 12.5 While it is unfortunate that some of the future occupiers would be affected by restricted daylight and sunlight levels to the outdoor amenity spaces, it is recognised that future occupiers could still benefit from the use of the shared roof top terraces elevated above other nearby buildings would experience high levels of light. Furthermore in terms of seeking publically accessible outdoor spaces, the future occupiers of the development would be able to walk or cycle to the nearby Hershel public open space where they could use for informal recreational activities and/or Upton Court Park where they could carry out both informal and formal recreational activities.
- 12.6 The site lies within a town centre where there is more activity throughout the day than would be expected in more suburban locations. While there may be some nearby uses that may lead to noise and disturbance it is not considered that the impact would be acceptable for future occupiers of the apartments. The future living conditions would be acceptable and notwithstanding this the residents of the development would be likely to be aware of the environmental factors associated with town centre.
- 12.7

Existing, neighbouring occupiers

In terms of the Funeral Directors which lies to the South of the site, given that this is a

business use it would not be expected to have the same level of amenity as a residential use. While there would be overlooking to the business and the outlook from the business would change, it is not considered that the impact would be a harmful one. Neither is it considered that the development would be harmful to the business or affect grieving families.

- 12.8 To the West of the site is Herschel House. This is currently an office building and it has recently received planning permission to be extended. In terms of this existing business use, as with the Funeral Directors the office would not be expected to have the same level of amenity as a residential use. The east facing elevation of the building comprises a glazed stairwell and a glazed top floor of office accommodation. While there would be overlooking and would change the outlook from the upper floor of the office, it would not result in an unacceptable impact. The upper floor has a dual aspect to the sides and rear and as such any changes in natural light would not result in an unacceptable impact.
- 12.9 A prior approval application to change the offices at Herschel House to residential development. This development has not been carried out but the objection letter on behalf of the owners of this building point out that the change of use will take place in 2018. This is a material consideration. However, even with a residential use of this building the plans show that the east facing side of the building will remain in the same arrangement as the office. The apartment on the upper floor will be dual aspect and as such it is considered that it will have an acceptable outlook and will still benefit from a good level of light. The separation distance between this apartment and the new development will be around 16m. The Council does not use any 'rules of thumb' for separation distances within town centres. The 16m separation distance would not be an unusual relationship within such locations and therefore there would not be any significant loss of privacy.
- 12.10 In light of the above, it is considered that the development complies with Core Strategy Policy 8 and paragraph 17 (Core Planning Principle 4) of the NPPF.
- 13.0 **Air Quality**
- 13.1 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. However, as there would be parking for the development traffic would be highly likely to pass through the nearby AQMAs. In order to mitigate the impact to air pollution, the Environmental Protection Officer has recommended that the scheme includes: electric vehicle charging points; emission-compliant construction vehicles and machinery; a Travel Plan; and a financial contribution of £50,000 towards the Slough Low Emission Strategy.
- 13.2 Of the total contribution, £25,000 would be for the on-street rapid charging infrastructure network in the town centre, with the remaining balance being for the Alpha Street electric vehicle car club. In light of the elevated levels of pollution in the locality it is considered that the contribution is fully justified based on the tests for planning obligations; had the application been recommended for approval then this contribution would have been secured through a S106 Agreement.
- 13.3 The proposals are considered to accord with Core Strategy Policy 8 and paragraph

14.0 **Safe and accessible environment**

- 14.1 Paragraph 69 of the NPPF requires planning decisions to promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. These objectives are consistent with Core Strategy Policies 8 and 12, and Local Plan Policy EN5.
- 14.2 A residential development of this size with 238 apartments would increase the level of activity in this part of the town centre; with more people coming to and from the development throughout the day along with the natural surveillance from the apartments onto the surrounding streets, this would naturally increase the feeling of safety within this area. However, there would be areas of the development where criminal activity and acts of anti-social behaviour could take place.
- 14.3 There are three main areas where there would be more limited surveillance and which, in turn, would become unwelcoming and intimidating for users of the town centre and residents of the development. Firstly, the overhang to the vehicular entrance to Block B and secondly the unrestricted access route (to the bin stores) on the west side of Block A. Lastly, there would be a pedestrian entrance between Blocks A and B; the boundary gates would be set back which would provide a space where people could gather.
- 14.4 There would be excessive permeability particularly at the south east corner of the site. In addition with the boundary gates to Herschel Street for which no detail has been provided as to how these would operate and maintained in a secure way for the lifetime of the development. Further, the undercoft car park would have unrestricted access by people. The layout is such that there would be the potential for multiple escape routes.
- 14.5 In terms of other concerns, the residents' letter boxes would be provided in a room but it is not known how the area will be controlled. Uncontrolled access into the post room would affect the safety and security of the residential development. Furthermore, while the cores will serve an appropriate number of apartments which is welcome, there would be a lack of natural surveillance within the development. In addition, the north east corner of Block B would be immediately on the boundary against a disused area of ground that is outside of the application site; there would be no defensible space between the building and the boundary and therefore this building could be subject to anti-social behaviour and future occupiers living inside the ground floor apartments could experience intimidation from any groups of people that might congregate in this area.
- 14.6 The Thames Valley Police Crime Prevention Design Adviser has objected to the development. The elements of poor design that have been identified would over time lead to a development which would not be a safe and accessible environment where people would experience crime and anti-social behaviour both within and outside of the development. These aspects would outweigh the increased natural surveillance and activity identified in paragraph 14.2. Once crime and anti-social behaviour take hold, the fear of crime would soon result in diminished surveillance and activity as people take less ownership of their space and will avoid certain areas both within and outside of the development.

15.0 **The impact on highway safety and convenience**

- 15.1 *Capacity of the road network*
In a worse case there would be 28 vehicle trips in both the morning and evening peaks. This will have an imperceptible impact on local background traffic.
- 15.2 *Parking*
Based on car ownership levels, the demand is likely to be 95 parking spaces. Within the development would be 48 on-site car parking spaces which equates to 0.2 spaces per dwelling. The suggested car parking management strategy is to give spaces to disabled drivers and larger families as the priority. This level of parking is considered acceptable in this highly sustainable location.
- 15.3 The remaining 47 spaces the applicant considers could be accommodated within nearby public car parks with Herschel Car Park, for example, have capacity to accommodate this demand. To minimise the impact on on-street parking, the applicant is willing to enter into a S106 Agreement precluding future occupiers from obtaining parking permits.
- 15.4 There is currently on-street parking on Church Street. The Highway Authority considers that the proposed access into the development could affect this parking and has requested that the applicant provide a plan showing the arrangements. The applicant has not provided this plan and therefore will be reported as an update to the Committee.
- 15.5 A total of 238 covered parking spaces will be provided within the development which is supported. The provision of cycle parking will help future occupiers to travel using this alternative mode of travel to the private car.
- 15.6 *Layout*

The Highway Authority has requested that the gates at the vehicular access should be set back at least 6m to allow vehicles to pull off the highway. However, there will be around 5m which would allow for a car to be positioned off the highway. Visibility splays of 2.4m by 43m should be able to be achieved at this access but the Highway Authority requests that a plan be submitted demonstrating this. The applicant has provided a plan showing that visibility to the north of 2.4m by 28m to the left and 2.4m by 48m to the right. While visibility will be substandard to the left vehicle speeds will be low travelling southwards from the junction of Herschel Street/Church Street and therefore this is considered acceptable. In addition, the existing temporary car parking which has an access in a similar position would also have substandard visibility to the left and operates daily in this way.
- 15.7 Concerns have been raised by the Highway authority regarding the location of the bin stores which would be too far for refuse collectors. It is considered that had the application been recommended for approval it would have been possible to secure some amendments by condition to the perimeter landscaped areas to provide bin collection points for refuse collection by the Council. In addition, the use of a S106 Agreement would have been recommended had the application been recommended for approval requiring a management company to move the bins to the collection

point. It is therefore not considered that this would result in an unacceptable impact with the right collection points and management arrangements being secured.

- 15.8 The proposals are considered to accord with Core Strategy Policies 7 and 8 and Local Plan Policy T2.

16.0 **Surface water drainage**

- 16.1 A Ministerial Statement from December 2014 confirms the Government's commitment to protecting people from flood risk. This Statement was as a result of an independent review into the causes of the 2007 flood which concluded that sustainable drainage systems (SuDS) were an effective way to reduce the risk of 'flash flooding'. Such flooding occurs when rainwater rapidly flows into the public sewerage and drainage system which then causes overloading and back-up of water to the surface. Both Core Strategy Policy 8 and paragraph 103 of the NPPF requires developments to not increase flood risk.

- 16.2 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development.

- 16.3 In response to comments raised by the Lead Local Flood Authority (LLFA) that the applicant had not provided any information to address the requirements referred to in paragraph 16.2 above, the applicant submitted a Flood Risk Assessment (FRA). The FRA states that the scheme can attenuate the runoff from relevant storm events through appropriate mitigation such as lined permeable paving. The LLFA has been consulted and comments will be report to the Committee.

17.0 **Sustainable design and construction**

- 17.1 The Council's current Core Strategy Policy 8 combined with the Developers Guide Part 2 and 4 requires both renewable energy generation on site and BREEAM/Code for Sustainable Homes. The Developers Guide is due to be updated to take account of recent changes and changing practice. In the interim to take account of the withdrawal of Code for Sustainable Homes residential development should be designed and constructed to be better than Building Regulations (Part L1a 2013) in terms of carbon emissions; specifically designed to achieve 15% lower than the Target Emission Rate (TER) of Building Regulations in terms of carbon emissions.

- 17.2 The applicant will provide an air tight building to meet with Building Regulations. However, the submitted 'Energy Review and Heating System Choices' report does not identify a specific option for low carbon technology / renewable energy to be used within the development. The sustainability measures should be an integral part of the design of the building rather than be a bolt-on to the development. While it is unfortunate that the applicant has not provided a specific option to achieve the reduction in the TER, it is considered on balance that there should be options that could be incorporated into the development and as such had the application been recommended for approval full details would have been secured through condition.

18.0 **Infrastructure requirements**

18.1 There will be an update to the Committee in respect of the infrastructure contributions.

19.0 **Planning Conclusion**

19.1 There are a number of benefits to the scheme namely the redevelopment of a vacant site in a sustainable location and the contribution to the supply of much-needed housing. As part of the housing supply there would also be 20% (47 units) of affordable homes which is welcome albeit below the requirements of policy; the final number will be determined through the independent findings in respect of viability. Additional people in the town centre will help to support the regeneration of the town centre.

19.2 While there are some areas of the development which are substandard in respect of amenity spaces and internal daylight levels to some of the apartments it is considered that, on balance, the living conditions for future occupiers for the most part will be good but Councillors will be updated at Committee on the findings of the review of the daylight/sunlight report. In addition, it is likely that the development could incorporate sustainable design and construction measures including minimising surface water flood risk. Furthermore the proposals will not have a harmful impact upon the amenity of neighbouring occupiers, air quality or upon highway safety and convenience.

19.3 A number of the benefits set out above are afforded different levels of weight that should be afforded to their significance in the 'planning balance'; most of them are afforded either moderate or limited weight.

19.4 However, the proposed development will harm the setting of the Grade II* listed Church and in accordance with the NPPF great weight is given the asset's conservation. In addition, by reason of the siting, scale and mass of the buildings particularly Block B the proposal would have a harmful impact on the townscape and will not provide meaningful planting that would help the integration of the development into the area. In addition, there are elements of the design which are poor which would give rise to crime and anti-social behaviour. Given the importance of securing high quality design and safe and accessible places in Slough, this is afforded significant weight. Therefore, the harm identified outweighs the benefits of the scheme.

19.5 It is recommended the application be refused planning permission for the reasons set out below.

20.0 **PART D: REASONS FOR REFUSAL**

20.1 **Reason 1**

The proposed development by reason of the siting, height, scale and mass of the buildings would result in a harmful impact upon the character and appearance of the area. In addition, there would be limited opportunities for meaningful landscaping and as such the development would not assimilate well into its surroundings. Lastly, there are elements of the scheme that would result in potential criminal activity and acts of anti-social behaviour. The development would be poor design that would fail to comply with Policies EN1, EN3 and EN5 of the Slough Local Plan (March 2004) and Policies 8 and 12 of the Core Strategy (2008) and paragraphs 56, 58, 60, 61 and 64 of The

National Planning Policy Framework (2012).

Reason 2

The proposal by reasons of its siting, height, scale and mass would result in 'less than substantial harm' to the setting of the Grade II* listed St. Mary's Church. This harm would not be outweighed by the public benefits of the scheme. The development is contrary to Policy 9 of the Core Strategy and paragraph 134 of the NPPF.

Reason 3

It has not been demonstrated to the satisfaction of the Local Planning Authority that the development could provide the appropriate level of affordable housing and financial contributions towards infrastructure. The development is contrary to Policies 4 and 10 of the Core Strategy and the Developer's Guide.

INFORMATIVES:

In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. 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.

BELOW – UPDATE REPORT TO THE 17th NOVEMBER 2017 PLANNING COMMITTEE

Agenda Item 8

P/01508/042 Aspire 2 Site, Corner of Church Street and Herschel Street, Slough

Since the the main report was written amended plans have been submitted by applicant which alter the ground floor arrangement and the corresponding elevations. In addition, comments have been received from various consultees.

Taking the issues in turn:

Mix of housing

As a result of the amended ground floor plan, this has slightly altered the mix of residential units. However, the mix is still considered to be acceptable.

Impact on the character and appearance of the area

An updated landscaping plan has been submitted which shows no increase in the space around the edges of the building but identifies potential locations for trees. Rowan trees are shown around the west and south side of Block A. Cherry Plum Trees are shown on both the north and east side of the sites.

The Rowan trees would not be a sustainable form of planting because they are located too close to windows of some of the apartments. This would be likely to lead to residents requesting these be removed because of the overshadowing impacts, leaf

and debris fall. In addition, the Cherry Plum trees would be too small a species which would not be sufficient to provide the visual townscape link to the backdrop of the mature trees and to provide trees of an appropriate size to soften the impact of the scale and mass of the proposed buildings.

Impact upon heritage assets

In the original comments from the Heritage Adviser (BEAMS Ltd), they commented that the development would result in 'less than substantial harm' to the significance of the designated heritage asset and that the benefit to the town could be weighed against the less than substantial harm. However, the Heritage Adviser then completed the comments with the statement: "...the proposal is considered to preserve the special interest of the Grade II* listed St. Mary's Church. Recommend approval".

Where harm is identified, it cannot be the case that the proposal would also preserve the heritage asset. The Heritage Adviser therefore, on request, provided a clarification note which stated that the development by virtue of its scale, bulk / mass would cause some harm to the setting of St. Mary's Church, particularly in views north along Church Street and from within parts of the churchyard. The Adviser commented that the harm would not be substantial but quoted paragraph 134 of the NPPF which states 'Where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.

The Heritage Adviser stated that "Some harm to the setting of St Mary's Church has been recognised and it is appropriate for BEAMS to object to the proposals on this basis. However, it is for the Council, as decision maker, to weigh the less than substantial harm against the public benefits of the proposal (as per NPPF, paragraph 134)."

In light of this clarification, reason for refusal 2 still stands.

The impact on the amenity of neighbouring occupiers and future occupiers of the development

Paragraph 12.2 of the main report refers to the sunlight and daylight report that was submitted by the applicant in respect of the original scheme. The report has been reviewed by a consultant appointed by the LPA and they advise that before accepting the proposed building design that the LPA request the following information:

- Clarification as to whether the shading impact of the surrounding site was factored in the calculation of the daylight performance of Block A and Block B.
- Justification as to why many spaces are achieving >6% Average Daylight Factor – what effort has been made to minimise excessive heat gain and loss in these spaces.
- Justification as to why some of the Living, Dining and Kitchen spaces are achieving <1% Average Daylight Factor – what effort has been made to lessen the possible 'gloominess' of these areas.
- Justification as to why nearly 50% of spaces in block A are below Building

Research Establishment (BRE) criteria – what effort has been made to lessen the possible ‘gloomliness’ of these areas (such as good ADE scores).

It should also be noted that since the sunlight and daylight report was written amended plans in respect of the ground floor arrangement have been submitted. No updated report on sunlight and daylight has been submitted which take into account this change. In light of the advice from the consultant, it is recommended that a holding reason for refusal is included on the grounds that insufficient information has been submitted to demonstrate that the proposals would result in a good standard of amenity as required by the NPPF.

The consultant has also requested that information be submitted in respect of how the development will impact on the surrounding site. While the applicant has not made such an assessment based on BRE criteria, Officers have made an assessment on the amenity of neighbouring occupiers at paragraphs 12.7 to 12.10 of the main report and concluded that the development complies with both national and local planning policies.

Safe and accessible environment

Since the main report was written, amended plans have been submitted. The following changes have been made which were raised as concerns in the main report:

- The overhang to the vehicular entrance to Block B has been altered by moving the gates to be in line with the elevation of the building.
- The access route to the west of Block A has been replaced with soft landscaping. The bin stores have been re-sited to the east facing side of this Block.
- The gates between Blocks A and B have been sited further north.
- The excessive permeability to the south east part of Block B has been reduced with fewer entrances into this building.

The scheme has not been amended to give some defensible space at the north east corner of Block B (see paragraph 14.5 of the main report). The Thames Valley Police (TVP) Crime Prevention Design Adviser still has concerns that there is a lack of active frontage and defensible space for this part of Block B, however this consultee states “On balance I now feel the original objection from myself on behalf of TVP...can be withdrawn”. This is as a result of the amendments to the scheme and because conditions (had planning permission been granted) could be used to provide details as such access control systems.

It is unfortunate that the north east corner has not been amended, however, a new window has been inserted at ground floor level into the lobby area which will increase the amount of surveillance onto this wall of the building and the space in front of the building. It is therefore recommended that reason for refusal number 1 be amended to remove the part that states “Lastly there are elements of the scheme that would result in potential criminal activity and anti-social behaviour”.

The impact on highway safety and convenience

The applicant has provided a plan which shows that the vehicular access off Church Street will not affect the amount of on-street parking.

Surface water drainage

The Lead Local Flood Authority raise no objection to the proposals; in the various storm events surface water will enter two storage tanks beneath the car park via permeable paving. The water will then discharge from the tanks into the existing sewer beneath Church Street.

Affordable Housing and Infrastructure Requirements

Since the main report was written, the consultant appointed to review the viability of the development is still yet to conclude on whether the development could support a policy compliant level of affordable housing and infrastructure requirements. The reason for refusal has been updated as a word was omitted.

In terms of the infrastructure contributions that may be sought, the following has been requested in respect of education and public open space.

Education - £613,480 towards the Westgate School expansion.

Public Open Space - £178,500 towards various parks within the locality.

Contaminated land

Given historic uses of the site, the Senior Scientific Officer requested that there be a full assessment in respect of contamination. Had the application been recommended for approval, this would have been dealt with by condition.

Clarification

PART C: RECOMMENDATION - This heading was omitted from the report on page 72 above paragraph 9.5.

But as per this Amendment Report it is recommended that the application still be refused planning permission for the reasons set out below. (Reasons 1 and 3 have been amended and reason 4 is new)

Reason for Refusal 1 - Amended

The proposed development by reason of the siting, height, scale and mass of the buildings would result in a harmful impact upon the character and appearance of the area. In addition, there would be limited opportunities for meaningful landscaping and as such the development would not assimilate well into its surroundings. The development would be poor design that would fail to comply with Policies EN1 and EN3 of the Slough Local Plan (March 2004) and Policy 8 of the Core Strategy (2008)

and paragraphs 56, 58, 60, 61 and 64 of The National Planning Policy Framework (2012).

Reason for Refusal 2 – No change

The proposal by reasons of its siting, height, scale and mass would result in 'less than substantial harm' to the setting of the Grade II* listed St. Mary's Church. This harm would not be outweighed by the public benefits of the scheme. The development is contrary to Policy 9 of the Core Strategy and paragraph 134 of the NPPF.

Reason for Refusal 3 - Amended (additional word in underscore text)

It has not been demonstrated to the satisfaction of the Local Planning Authority that the development could not provide the appropriate level of affordable housing and financial contributions towards infrastructure. The development is contrary to Policies 4 and 10 of the Core Strategy and the Developer's Guide.

Reason for Refusal 4 - New

It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal would result in a good level of amenity for future occupiers of the development. The proposal is contrary to paragraph 17 (Core Principle bullet point 4) of the National Planning Policy Framework (2012).