

Registration Date:	13-Oct-2016	Application No:	P/01571/012
Officer:	Christian Morrone	Ward:	Upton
Applicant:	Flexton Developments	Application Type:	Major
		13 Week Date:	12 January 2017
Agent:	Mr. Ching Liu, GA & A Design Mountbatten Road, Fairacres, Dedworth Road, Windsor, SL4 4LE		
Location:	15-23, Church Street, Slough, Berkshire, SL1 2NL		
Proposal:	Construction of a detached six storey building comprising commercial ground floor unit, parking, and bin store at ground floor, and 36 residential flats to the upper floors (1 x 3 bed; 22 x 2 bed; 13 x studios).		

**Recommendation:** Delegate to Planning Manager to Approve or Refuse



## **P/01571/012**

### **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager: 1) for approval subject to: any required changes to the vehicular access, a satisfactory surface water drainage scheme, the satisfactory completion of a s106 agreement, finalising conditions, and any other minor changes, or 2) refuse the application if a satisfactory s106 Agreement is not completed by 1<sup>st</sup> December 2018, unless a longer period is agreed by the Planning Manager.
- 1.2 This application is to be determined at Planning Committee as it is an application for a major development comprising more than 10 dwellings.

### **PART A: BACKGROUND**

#### **2.0 Proposal**

2.1 This is a full planning application for:

- Construction of a detached six storey building comprising a retail unit and parking at ground floor, and 36 residential flats to the upper floors (1 x 3 bed; 22 x 2 bed; 13 x studios).
- Undercroft parking for 14 cars and 5 motorcycles.
- Circa 140 square metres of commercial space at ground floor.
- Secure cycle store comprising 25 no cycle spaces (10 no. communal and 15 no. individual secure cycle lockers).
- Bin store within building at ground floor.
- Area for future substation.

The application has been revised since its original submission to reduce bulk and mass on the fifth floor. This has also resulted in a reduction in number of flats from 41 flats to 36 flats. A reduction from two retail units to one retail unit and the parking layout has also been amended since the original submission.

#### **3.0 Application Site**

- 3.1 The existing site is a vacant plot formally occupied by a two storey building used as a restaurant at ground floor and a function hall at first floor. The site is located just outside the defined town centre boundary and is positioned on a corner plot at the corner of the Church Street and Herschel Street junction.
- 3.2 To the north, on the opposite side of Herschel Street, is a three storey office

building known as Monarch House which neighbours a two storey terrace of residential housing which lie to the east. Opposite the residential terrace and also adjoining the application site to the east is an existing surface level car park, with two storey housing beyond. To the south of the application site is the two storey Slough Advice Centre neighboured by the two storey voluntary resource centre and two and three storey buildings. To the west on the opposite side of Church Street and on corner plot with Church Street and Herschel Street is an existing surface level public car park (herein 'the Aspire Site'), where the Planning Committee recently approved a part eight and part nine storey building to accommodate 238 residential flats (ref. 01508/042).

- 3.3 The application site is located in a transitional location in relation to the character of the area, where to the north and west are larger scale typical town centre uses and to the south and east are smaller scale buildings and residential housing.

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

- 4.1 P/01571/011 Prior approval application for the demolition of existing Former Vikrams Palace.  
Prior Approval; Permission Granted/Inf; 25-Oct-2016

P/01571/010 Demolition of existing building and redevelopment of Vikram's occasions with a four storey mixed use development comprising internal shopping arcade (a1) and entrance lobby at ground floor, function room (sui generis) at first floor, restaurant (a3) at second floor, museum (d1) and radio station (b1) at third floor. Closure of existing vehicular access and relocation of associated servicing to church street frontage with pedestrian access from church street.

Withdrawn (Treated As); 17-Sep-2013

Case Officer Note: The above application was determined at Planning Committee on 14<sup>th</sup> October 2009 with Councillors voting in favour of the following recommendation:

'Delegated to the Head of Planning, Policy and Projects and the Borough Secretary and Solicitor for further negotiation and resolution of an outstanding matter relating to an alternative south east stair access arrangement, finalisation of conditions, S106 Agreement, final determination and to agree any subsequent minor amendments to conditions or legal agreements'.

- P/01571/009 Erection of ground and first floor extensions to existing building together with internal alterations and changes to the

external appearance of the existing building. Erection of two no. additional floors of accommodation to create a four storey mixed use development comprising :change of use of ground floor from function room with ancillary facilities to internal shopping mall, together with entrance lobby and reconfigured vehicular access and repositioned pedestrian access from church street. Use of first floor as restaurant and function room. Use of second floor as function room. Use of third floor as museum and offices.  
Refused; Informatives; 18-Mar-2008

P/01571/009 was refused on the following grounds:

- 1. The development by virtue of its increased scale, bulk, height and massing would appear visually overly dominant and overbearing within the street scene impacting particularly on the outlook for the occupants of the existing houses opposite the site at 1-10 Herschel Street and land to the east of the application site which is identified as proposal site 49 for housing in The Adopted Local Plan for Slough 2004. The east facing flank wall in particular by virtue of its scale, blandness and lack of architectural detailing would have an adverse visual impact on the neighbouring land identified as Proposal Site 49 and the general street scene. The development is thereby contrary to Planning Policy Statement 1 (Delivering Sustainable Development) which advises that 'Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted', Core Policy 8 of the Council's Core Strategy, which requires that 'all development respects its location and surroundings; is in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style; and respects the amenities of adjoining occupiers'.*
- 2. The applicant has failed to address matters of potential noise and disturbance from people and vehicles and potential issues of community safety arising from a significant increase in the number of persons who would be using the building for late night functions. As such a holding objection is raised in relation to Planning Policy Guidance Note 24 (Planning and Noise), which requires that 'development does not cause an unacceptable degree of disturbance', Core Policy 8 (Sustainability and the Environment) of the Slough Local Development Framework Core Strategy (Submission Document Nov 2007), which requires that 'development shall not give rise to unacceptable levels of pollution including noise' and Core Policy 12 (Community Safety) which requires that 'all new development should be laid out and designed to create safe and attractive environments' and that 'activities which have the potential to create anti-social behaviour will be managed in order to reduce the risk of such behaviour and the impact on the wider community'.*

3. *The applicant has failed to provide details of noise attenuation for the building nor details of the kitchen ductwork and proposed method of fume control and as such a holding objection is raised in relation to Core Policy 8 of the Council's Core Strategy of the Slough Local Development Framework Core Strategy (Submission Document Nov 2007), which requires that 'development shall not give rise to unacceptable levels of pollution including noise'.*
4. *Insufficient information has been submitted with this application to enable the highways and transportation implications of the proposals to be properly considered. As far as can be determined the proposals will lead to an intensification in use of the site and generate additional traffic movements onto the already congested network within the Borough to the detriment of highway safety and convenience. The development is contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, (Submission Document Nov 2007).*
5. *The proposed gates due to their location and design (outward opening) would not allow a service vehicle to park clear of the back of the footway without the gates being left open. As such the proposal would be detrimental to highway and pedestrian safety contrary to Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, (Submission Document Nov 2007).*

P/01571/008 Retention of existing building and erection of additional second and third floor accommodation and extensions to existing ground and first floor accommodation for use as ground floor restaurant and entrance lobby, retails use on first floor banqueting hall on second floor and third floor accommodation comprising cultural centre and museum and ancillary offices. Closure of existing vehicular access with retention of pedestrian access from Herschel street  
 Withdrawn by Applicant; 16-Nov-2007

## 5.0 **Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) two site notices were displayed outside the site on 11/11/17. The application was advertised as a major application in the 28/10/2107 edition of The Slough Express. Neighbour letters were sent out on 20/10/2017 to the following addresses:

3a, Herschel Street, Slough, SL1 1PB, 3b, Herschel Street, Slough, SL1 1PB, 29, Church Street, Chalvey, Slough, SL1 2NL, 1, Herschel Street, Slough, SL1 1PB, Apartment 33, Nova House, 1, Buckingham Gardens, Slough, Berkshire, SL1 1AY, Apartment 46, Nova House, 1, Buckingham

Gardens, Slough, Berkshire, SL1 1AY, Apartment 43, Nova House, 1, Buckingham Gardens, Slough, Berkshire, SL1 1AY, 8, Herschel Street, Slough, Berkshire, SL1 1PB, Ground Floor Flat, 3, Herschel Street, Slough, Berkshire, SL1 1PB, Apartment 19, Nova House, 1, Buckingham Gardens, Slough, Berkshire, SL1 1AY, First Floor Flat, 3, Herschel Street, Slough, Berkshire, SL1 1PB, Front Ground Floor & Part First Floor, 27, Church Street, Slough, Berkshire, SL1 2PJ, Site Office, Nova House, 1, Buckingham Gardens, Slough, Berkshire, SL1 1FE, Nova House, 1, Buckingham Gardens, Slough, Berkshire, SL1 1AY, Car Park, Victoria Street, Slough, Berkshire, 12A, Victoria Street, Slough, Berkshire, SL1 1PR, Part First Floor, 27, Church Street, Slough, Berkshire, SL1 2PK, Apartment 4, Nova House, 1 Buckingham Gardens, Slough, Berkshire, SL1 1AY, Second House, Monarch House, 1A, Herschel Street, Slough, Berkshire, SL1 1AY, Rear Ground Floor & Part First, 27, Church Street, Slough, Berkshire, SL1 1PL, First Floor Front, Monarch House, 1A Herschel Street, Slough, Berkshire, SL1 1PB, Apartment 65, Nova House, 1 Buckingham Gardens, Slough, Berkshire, SL1 1AY, Apartment 6, Nova House, 1 Buckingham Gardens, Slough, Berkshire, SL1 1AY, Car Park, Church Street, Slough, Berkshire, Apartment 61, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 58, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 18, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 17, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 1, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 64, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 20, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 66, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 57, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 53, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 59, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 8, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 7, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 3, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 2, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 42, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 28, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 27, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 45, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 51, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 11, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 30, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 67, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 52, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment 9, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment, 36, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment, 48, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment, 29, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment, 15, Nova House, 1 Buckingham Gardens, Slough, SL1 1AY, Apartment, 34, Nova House, 1 Buckingham

Gardens, Slough, SL1 1AY, Apartment, 54, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AT, Apartment, 5, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 50, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 24, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 10, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 16, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 13, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 49, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 35, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 23, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 68, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 60, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 14, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 12, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 55, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 41, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 40, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 39, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 32, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 22, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 56, Nova House, 1 Buckingham  
Gardens, Slough, L1 1AY, Apartment 47, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 25, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 21, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment, 63, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 37, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 26, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 44, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 38, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Apartment 31, Nova House, 1 Buckingham  
Gardens, Slough, SL1 1AY, Vikrams Occasions Palace, 15-23, Church  
Street, Slough, SL1 1PL, 27, Church Street, Chalvey, Slough, SL1 2NL, 6,  
Herschel Street, Slough, SL1 1PB, 9, Herschel Street, Slough, SL1 1PB, 8a,  
Victoria Street, Slough, SL1 1PR, 2, Herschel Street, Slough, SL1 1PB, 5,  
Herschel Street, Slough, SL1 1PB, 10, Victoria Street, Slough, SL1 1PR, 7,  
Herschel Street, Slough, SL1 1PB, MONARCH HOUSE.1A.HERSCHEL  
ST., 2, Victoria Street, Slough, SL1 1PR, 10, Herschel Street, Slough, SL1  
1PB, 65, Victoria Street, Slough, SL1 1TJ, 4, Herschel Street, Slough, SL1  
1PB, 12, VICTORIA STREET

5.2 One letter of representation has been received from an occupier of a neighbouring property objecting to the proposal with comments relating to the following:

- Disruption for local residents
- Loss of daylight
- Loss of sunlight
- Overlooking and loss of privacy

[Officer note: assessed in 'impact on amenity of neighbouring occupiers']

- Increase in traffic
- Would result in illegal parking
- Highway safety

[Officer note: assessed in 'highways and parking']

- Loss of the view of the Chapel (St, Mary's Church)

[Officer note: assessed in 'neighbour representations']

5.3 The above concerns are addressed further in this report within the relevant sections of the 'planning assessment' section.

## 6.0 **Consultations**

### 6.1 Local Highway Authority:

The application is recommended for refusal on highway and transport grounds for the following reasons:

- The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted is likely to lead to additional on street car parking or to the obstruction of the access to the detriment of highway safety and convenience.
- The proposed access is at a point where pedestrian visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general.
- The layout as submitted is unacceptable and as such would result in an unsatisfactory form of development as pedestrians would be forced to walk in the carriageway as vehicles waited to enter the site.
- The applicant has not included adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway or how loading / unloading may work on the adjoining public highway. The development if permitted would therefore be likely to lead to the stationing of vehicles on the highway and to vehicles reversing onto or off of the highway to the detriment of public and highway safety.

[Case Officer Note: Revised plans have since been submitted and the highways issues are discussed further in the report under the 'impact on highways and parking' section within the planning assessment].

### 6.2 Thames Water:

No objection subject to no pilling and the provision of petrol interceptors

6.3 Neighbourhood Protection / Environmental Services:

No comments received. Should any comments be provided they will be reported on the amendment sheet

6.4 Contaminated Land Officer:

Historical mapping and our database indicates that the proposed development is located within 250m of five Potentially Contaminated Sites, five Disused Tank Registry entries, an Active Petroleum Licensed Site, and a former Mineral Extraction site, that since has been infilled with unknown materials. As such, considering the proposed development, the above survey alone is not enough to confirm whether there will be no unacceptable risk to the human health receptor associated with this development. Thus, it is recommended that additional investigation/monitoring is carried out at the site before development can begin.

Based on the above, I recommend the usual full conditions are placed on the Decision Notice

6.5 Lead Local Flood Authority:

We have reviewed the following information in relation to the planning application.

- RWA Consulting completed Pro-forma.
- Flood Map for planning for site.
- Appendix A SuDS hierarchy.
- Appendix B Micro Drainage Scheme

We have the following comments:

1. Provide evidence of existing surface water discharge from the site.
2. Please provide the Micro Drainage Calculations.
3. Add the sewer to the drainage drawing, including levels.
4. Add the flow control to the drainage drawing.
5. Add levels of the flow control and attenuation tank levels to the drainage drawing.
6. Add building FFL levels to the drainage drawing.
7. Please confirm if an assessment has been made to determine if infiltration is feasible
8. Provide exceedance routing drawings.
9. Provide maintenance document for the system.

The developer has submitted additional information to address the above and the Lead Local Flood Authority are yet to respond. Should any further comments on the additional information be provided they will be reported on the amendment sheet

## 6.6 Heritage Consultant:

Herschel Street is characterised by some fairly large scale buildings whereas the east side of Church Street contains properties of a more modest scale.

A Heritage Statement has been produced in support of the application due to the proximity of the site to St Mary's Church. The site is approximately 80 metres to the north-north-east of St Mary's Church, a grade II\* listed building (this grade of listing meaning a particularly important building of more than special interest, only 5.8% of listed buildings are grade II\*). The Gothic Revival church of 1876-78 with additions of 1911 to 1913 has an elaborate design in the Decorated style, the later alterations were by John Oldrid Scott, son of the leading Victorian architect Sir George Gilbert Scott. The tall stone spire is a landmark in the town, although to a lesser extent due to the scale of 20th / 21st century development that now prevails locally. The church is surrounded by a churchyard with boundary wall and gateways and gate piers - grade II listed. To the west of the church is a war memorial which is grade II listed in its own right.

The best views of St Mary's Church are achieved from the south, looking north across the grassed churchyard from Albert Street - giving the church a green and verdant setting; other views from the southern end of Church Street and views of the spire from Osborne Street are also some of the best preserved. Due to the scale of development along Herschel Street views of the church are limited but its spire can be glimpsed from certain points.

Concerns were raised in 2017 regarding the scale of development on the opposite side of Church Street / corner of Herschel Street at the 'Aspire 2' site however this site has a more immediate relationship with the church due to its position directly to the north of St Mary's church and the proximity, height and overall scale of development was greater.

15 - 23 Church Street is approximately 80 metres north-north-east of St Mary's Church and occupies a fairly compact plot. The proposed development is six storeys in height which is not out of character with building heights along Herschel Street.

Verified views have been submitted as part of the Heritage Statement which provides an assessment of the proposal in relation to the setting of St Mary's Church. These demonstrate that the new development will not be easily read in context with the church from significant viewpoints.

From examining the submitted plans and the Heritage Statement I would advise that the proposed development at 15 - 23 Church Street will change the character of the area by introducing a higher density development to the

north end of Church Street but does not impact upon the setting of St Mary's Church and therefore there is no harm to the significance of this grade II\* listed church or the associated grade II boundary wall.

6.7 Crime Prevention Design Advisor:

No comments received. Should any comments be provided they will be reported on the amendment sheet.

6.8 Development Viability Consultant :

The proposed on-site provision of 6 affordable (for social rent) units and financial contributions towards off-site affordable housing and education are acceptable.

6.9 Affordable Housing Officer:

No objection to the proposed on-site provision of 6 units (for social rent).

**PART B: PLANNING APPRAISAL**

7.0 **Policy Background**

7.1 National Planning Policy Framework and National Planning Policy

Guidance:

Core Policies: Achieving Sustainable Development

Chapter 4: Promoting sustainable transport

Chapter 6: Delivering a wide choice of high quality homes

Chapter 7: Requiring good design

Chapter 8: Promoting healthy communities

Chapter 10: Meeting the challenge of climate change, flooding and coastal change

Chapter 11: Conserving and enhancing the natural environment

Chapter 12: Conserving and enhancing the historic environment

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

Core Policy 1 – Spatial Strategy

Core Policy 4 – Type of Housing

Core Policy 6 – Retail, Leisure, and Community Facilities

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

Core Policy 10 – Infrastructure

Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004

EN1 – Standard of Design

EN3 – Landscaping Requirements

EN5 – Design and Crime Prevention  
H14 – Amenity Space  
T2 – Parking Restraint  
T8 – Cycle Network and Facilities  
OSC15 – Provision of Facilities in new Residential Developments

Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document
- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map
- Flat Conversions Guidelines

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
- Impact on the character and appearance of the area
- Impact upon heritage assets

- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Impact on vitality and viability of the town centre
- Crime prevention
- Highways and parking
- Air quality
- Sustainable design and construction
- Surface water drainage
- Affordable housing and Infrastructure
- Neighbour representations

## 8.0 **Principle of development**

- 8.1 The existing site is a vacant brownfield plot of land that was formally occupied by a two storey building used as a restaurant at ground floor (Use Class A3) and a function hall (Use Class D2) at first floor level which is regarded as a community use. Both national and local planning policies recognise the importance of community facilities as they provide opportunities for people to meet and are therefore an important part of the mix of uses found in communities. According to the applicant's agent the community use on this site ceased approximately 4.5 years ago because it was unviable and went into receivership. 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. Given these circumstances, there would not be an objection to the loss of the community use of land under Core Strategy Policy 6 and Local Plan Policy OSC17.
- 8.2 However, Core Strategy Policy 6 would require a financial contribution towards new or enhanced community facilities/services locally. In this case a financial contribution would not be sought as the viability of the scheme has been reviewed and it has been found that the policy compliant amount of affordable housing and infrastructure payments can not be achieved. In balancing the priorities, Planning Officers recommend that maximising affordable housing and the education contribution are preferred, particularly given the comments above at paragraph 8.1.
- 8.3 The site is located next to the defined town centre boundary in a highly sustainable location and positioned within a transitional area between larger scale town centre uses and smaller scale building and residential housing. The proposal does not include any family housing as defined by the Core Strategy, however as required by Core Policy 4, there would be no loss of family housing. Furthermore, the proposal would relate well to the scale and density of the buildings in the surrounding area. As such, a flatted development on this site would comply with the types of housing required by Core Policy 4.
- 8.4 Having regard to the National Planning Policy Framework and the Local

Development Plan, there are no objections to the principle of residential flatted development on this site.

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 proposal would provide 1 x 3 bed; 22 x 2 bed; 13 x studios units. This provides mix of homes appropriate for the location that would help achieve sustainable, inclusive and mixed communities.

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

10.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and EN2

10.2 Previous applications on this site include two separate applications for four storey mixed use schemes, one of which was refused by the planning committee in 2008 (P/01571/009) for a number of reasons including increased scale, bulk, height and massing (see paragraph 4.1). This was followed by a new application in 2009 for a revised four storey mixed use scheme where Councillors voted in favour of the proposal (P/01571/010). This application however, was not finalised as the Section 106 application was never completed and the application was then withdrawn in in 2013.

10.3 The application site is located on the eastern corner of Church Street and Herschel Street which is a transitional position in relation to the character of the area where there are larger scale typical town centre uses to the north and west and smaller scale and residential buildings further south and to the east. On the western corner of Church Street and Herschel Street is the 'Aspire site', where Councillors recently approved a part eight and part nine storey building to accommodate 238 residential flats.

10.4 The proposal at a total of six storeys exceeds the overall height of the previous applications on this site. (P/01571/009 and P/01571/010). However, given Councillors recently approved a part eight and part nine storey building on the 'Aspire site', the characteristics of the immediate area will be changing to a degree that application site could now take additional height.

10.5 The applicant has been working with the Local Planning Authority to secure a design that would relate well with the varying scale of the buildings in the surrounding area. Revised plans have been received which have reduced the bulk and mass on the fifth floor, particularly to the eastern end of the

building where it lies in close proximity to the smaller scale residential buildings.

- 10.6 The application now proposes five storeys on the west elevation which fronts Church Street and a six storey tower feature on the corner of Church Street and Herschel Street. Here there are larger scale buildings including Monarch House to the north (three storey), Nova House to the northwest (seven storey), and the 'Aspire site' to the west. The proposed scale and massing would be in propitiation with and relate well to these surrounding buildings. Immediately to the south are the two storeys Slough Advice Centre neighboured by the two storey voluntary resource centre and two storey housing beyond. Although the proposed building would be significantly higher than these neighbouring buildings, this relationship would occur in a semi urban location and be well separated from the smaller scale residential housing further south. This degree of scale in such a location would not be unexpected and therefore would not have an unacceptable visual impact in this instance.
- 10.7 To the east on the Herschel Street elevation, the proposal would step down from the six storey corner tower element to five storeys, followed by a further step down to to four storeys. Although there are two storey residential houses toward the east, these are positioned on the northern side of Herschel Street and are not positioned directly opposite the application site. The proposed massing in this area would have an acceptable visual impact on setting of these two storey residential houses.
- 10.8 Opposite the residential terrace housing is an existing surface level car park which adjoins the application site east to which the proposed building would abut. The proposal has been reduced in this area to part four and part five storeys. Although this is not an ideal visual relationship, it does reflect the transitional character of the site and immediate area. The resulting visual impact from the proposed scale and massing in this location would therefore not be unacceptable in this instance.
- 10.9 In terms of form and style, the proposal includes a six storey tower element on the corner of Church Street and Herschel Street. This provides the maximum height of the building and at the sixth storey extends southwards across centrally across the flat roof of the fifth floor. The tower element would be proportionate in relation to the main structure, be sited appropriately on the northwest corner of the site, and is therefore considered to provide a positive design feature.
- 10.10 Overall the proposal would fit in well with the mixed shapes and styles of the surrounding buildings. However some concerns are raised regarding the choice of blockwork at ground floor and the absence of any meaningful architectural detailing to the eastern end of the ground floor elevation and the four and five storey eastern side elevation. The applicant has agreed to address these issues and is currently working on revised plans. The

materials on the upper floors comprise a yellow multi stock brick with semi protruding courses to add visual interest, together with light brown fibre cement cladding, and aluminium frames to windows. These materials are considered acceptable in quality; however, samples will be required to ensure the colours are appropriate, which can be secured by condition.

- 10.11 Based on the above, and subject to appropriate revisions to the ground floor and eastern side elevation, the proposal would have an acceptable impact on the character and visual amenity of the area and therefore comply with Policies EN1 and EN2 of the Local Plan for Slough March 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the NPPF 2012

11.0 **Impact upon heritage assets**

- 11.1 The Heritage Statement submitted on behalf of the applicant identifies that the nearest heritage assets are a 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.
- 11.3 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.
- 11.4 The Heritage Statement concludes that from there would be no significant changes in views of the Church of St Mary and that the change within the setting of the church will be negligible and would therefore would give rise to no harm to the significance of the listed building.
- 11.5 The Council's Heritage Adviser has assessed the submitted plans and Heritage Statement against the setting of St Mary's Church and agrees the proposal would result in no harm to the significance of this grade II\* listed church or the associated grade II boundary wall.
- 11.6 Based on the above, Planning Officer's therefore considered the proposal would preserve the setting of the surrounding heritage assets.

12.0 **Impact on amenity of neighbouring occupiers**

- 12.1 The National Planning Policy Framework encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Polies EN1 and EN2.
- 12.2 The site is adjoined by the two storey Slough Advice Centre to the south and to the east, the surface level car park. While there would be an impact on the side facing windows of the Slough Advice Centre with regard to overlooking, overbearing, outlook and daylight, it is not considered that the impact would be as so harmful to result in unacceptable impact on its day to day use. Also, Given the Slough Advice Centre is a community use it would not be expected to have the same level of amenity as a residential use.
- 12.3 The proposal would not unacceptably impact on the day to day use of the adjoining private car park. Planning Officers are aware that this car park site may at some point in the future come forward for residential development, and revisions to the original design have removed habitable windows in order to avoid this development prejudicing the wider redevelopment of the area. Balcones at the rear of the site (facing south) would result in some views into the surface level car park, however the eastern facing balconies would be separated by a distance great enough to prevent total sterilisation of the neighbouring car park. Conditions should be included to secure screening to the eastern side of the south facing balconies to prevent shorter distance overlooking.
- 12.4 A neighbour representation has objected to the proposal with concerns over the potential loss of daylight & sunlight, loss of privacy, and disruption for local residents within Herschel Street, Victoria Street, and Church Street. The existing residential houses closest to the application site are the two storey residential houses toward the east on the northern side of Herschel Street. These are not positioned directly opposite the application site and would have an oblique relationship that would be well separated by Herschel Street. This off-set positioning together with the separation distance would not result in an unacceptable loss of daylight or sunlight, or result in an unacceptable overbearing impact or loss of outlook for the occupier's of two storey residential houses on the northern side of Herschel Street. The remaining properties close to the site and for the Aspire scheme, there would be enough separation distance to prevent an unacceptable impact in terms of loss of privacy, loss of daylight and sunlight, and overbearing impact.
- 12.5 With regard to disturbance, Planning Officers consider that the previous use as a restaurant and a function hall would have resulted in more noise and disturbance issues than the proposed 36 flats, associated parking (14 car

parking and 5 motorcycle parking spaces), and ground floor retail unit. As such, the proposal is considered an improvement in this regard. Conditions should be included to secure a serving strategy for the retail unit to minimise disruption.

12.6 Subject to conditions, no objections are raised in terms of the impacts on neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan.

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

13.1 The NPPF states that planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings

13.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."

13.3 The proposed flats would have acceptably sized internal spaces that would comply with the Council's guidelines, and would be served by windows that provide a suitable degree of daylight, aspect, and outlook. Private external amenity space would be obtained through a mix of balconies, private terrace areas, and communal terrace areas as set out below:

- 19no. flats to share communal terrace at first floor and fifth floor
- 11no. flats with private balconies
- 6no. flats with private terrace area

These external areas provide an acceptable amenity space for flatted development in this location.

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

14.0 **Impact on vitality and viability of the town centre**

14.1 The National Planning Policy Framework and the local development plan's Core Strategy and Local Plan require new retail units to be located within the defined town centre and/or defined shopping areas. Retail units proposed outside of these areas should only be considered if suitable sites are not available within the defined town centre or shopping areas.

14.2 No sequential test has been included within the application. Planning

officers are aware there may be a number of vacant premises within the town centre that could be suited for the proposed retail unit, and therefore the proposal would unlikely satisfy the sequential test. However, as this is a small unit which is located within very close proximity of the town centre it would not have a significant impact on the vitality and viability of the town centre. Furthermore, the proposed retail unit provides a good solution to include a ground floor active frontage on the proposed building. Therefore on balance, planning officers consider that in this instance a small scale retail unit would be acceptable in this location.

#### 15.0 **Crime Prevention**

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

15.2 The proposed flats would be accessed by a secure doorway positioned centrally on the Herschel Street elevation and the proposed windows would provide good level of surveillance to the street. The carpark is proposed within the undercroft that would be securely gated within the vehicular access from Church Street. At the time of writing no comments have been provided by the Crime Prevention Officer. However, the applicant is proposing to ensure the proposal meets the principles of Secured by Design Planning Officers are aware of the high crime rate in the Borough, and therefore, it is considered appropriate and proportionate to condition any approval for the development to be capable of achieving Secured by Design accreditation.

#### 16.0 **Highways and Parking**

16.1 The National Planning Policy Framework states that planning should seek to development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 32 of the National Planning Policy Framework states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

16.2 The Local Highway Authority originally recommended refusal on grounds relating car parking provision, the visibly splays for the vehicular access, a conflict between pedestrians and the vehicle crossover, and no provision for larger service vehicles. A neighbour representation has also objected to the proposal with concerns over an increase in traffic, illegal parking and

highway safety. The Agent has been in discussions with Planning Officers and the Local Highway Authority (LHA) to overcome these issues and revised plans have been submitted to address the issues as follows:

16.3 *Car parking provision:*

A retail unit and five flats have been removed from the proposals; the parking layout has been revised to allow for vehicle larger vehicle manoeuvring which also results in 14no. car parking spaces (same as originally proposed) and 5no. motorcycle parking spaces.

16.4 The LHA still consider the proposal would not include enough parking as it would fail to comply with the requirements of the development plan and result in on-street parking. Planning Officers do not agree that the parking provision falls short of the development plan as the site is not located within a 'predominately residential area' and the quantum of parking for such an area should not be applied to this site. The application is positioned close to the town centre (approximately 12 metres from its defined boundary) and within an area of mixed of uses. The local development plan does not include a quantum for such an area however Paragraph 39 of the National Planning Policy Framework does state that Local Planning Authorities should take into account the accessibility of the development; the type, mix and use of development; and the availability of public transport when applying a parking standard.

16.5 The application site is located approximately 0.4 miles from Slough mainline train station and Slough Bus Station. In terms of local facilities the site is positioned approximately 0.1 miles from the Town Centre High Street and 0.4 miles from the Tesco superstore on Bath Road. These are all easily accessible from the site by good pedestrian routes. Regard should also be given to type and mix of housing which are flatted units whereby car ownership levels would likely be lower compared to typical family housing.

16.6 When taking into account the accessible nature transport links and facilities available to the site together with the type and mix of housing proposed, the number of parking spaces proposed would be appropriate and therefore would not lead to sever harm on the surrounding highway network.

16.7 *Visibly splays, conflict between pedestrians and vehicles, and provision for larger service vehicles:*

Revised plans have been submitted which now propose a wider vehicular access with a vehicle barrier within set back from the footway within the undercroft. This provides a temporary stopping area for service vehicles and an appropriate swing for turning. The visibility splays have been enabled through chamfered elevations at each side of the vehicular access. These changes were carried out in response to guidance by the LHA, who are yet to confirm if they are acceptable.

16.8 In summary Planning Officers consider an the parking spaces proposed for the scheme is appropriate for the area, the safety issues can be address either by condition or if required by the LHA by revised plans before planning permission is granted. The neighbour objections regarding highway safety are addressed.

16.9 Based on the above, Planning Officers consider the proposed parking provision is acceptable and subject to the Local Highway Authority's satisfaction of the vehicular access, the proposals are considered to accord with Core Strategy Policies 7 and 8, Local Plan Policy T2, and the requirements of the National Planning Policy Framework.

## **17.0 Sustainable Design and Construction**

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

17.2 No details have been included within the application documents; however, these details can be secured by condition.

## **18.0 Air Quality**

18.1 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 AQMA. Due to the relatively low level of parking spaces proposed (14 car and 5 motorcycle) and due to the viability review limiting the monies available, a financial contribution should not be sought. Appropriate mitigation could be sought through the provision of electric vehicle charging points on-site which can be secured by condition in order to help reduce the number of cars on site that could contribute towards air pollution. 4no. charging outlets will be sought within the parking provision in order to provide some mitigation in relation to air quality.

## **19.0 Affordable Housing and Infrastructure**

19.1 Core Policy 1 of the Slough Local Development Framework Core Strategy

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

- 19.2 Core Policy 10 states that where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.
- 19.3 Owing to the number of units proposed, this application would attract on-site affordable housing provision and financial contributions towards education. Based on the number of units proposed, the development plan requirement would be 10.9 affordable units (on-site) and a financial contribution of £122,783 towards education. No contribution towards public open space would be sought as the proposal is for less than 70 units and each unit have access to either private balconies, private terraces, or communal terrace areas. Furthermore the site is located close public open space close to existing public open space at Herschel Park, Lascelles Park, and Upton Court Park.
- 19.4 A viability assessment has been submitted which concludes that in the above policy requirements would render the scheme unviable. Following ongoing negotiations thorough the viability review, it has been agreed to provide 6no. site social rent units (2 x 2 bed; 2 x 1 bed; 2 x studios); an off-site affordable contribution at £14,415; and an education contribution of £70,926.
- 19.5 The submitted viability report has been independently assessed by a specialist and is found to be sound, and subject to securing the above provisions through a Section 106, no objections are raised regarding affordable housing and infrastructure.

20.0 **Surface water drainage**

- 20.1 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
- 20.2 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.

20.3 In response to comments raised by the Lead Local Flood Authority (LLFA), the agent has submitted further information which has been sent to the LLFA for comment. An update will be provided to the Planning Committee through the Amendment Report.

21.0 **PART C: RECOMMENDATION**

21.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager: 1) for approval subject to: there being no new substantive planning comments being received following the close of the neighbour notification period, satisfactory revisions to the ground floor and eastern side elevation, any required changes to the vehicular access, a satisfactory surface water drainage scheme, the satisfactory completion of a s106 agreement, finalising conditions, and any other minor changes 2) refuse the application if a satisfactory s106 Agreement is not completed by 1<sup>st</sup> December 2018, unless a longer period is agreed by the Planning Manager.

22.0 **Neighbour representations**

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

With regard to the objections relating to the loss of the view of the Chapel, this is not a material planning consideration and can not be assessed in the weighting of the application.

23.0 **PART D: LIST CONDITIONS AND INFORMATIVES (TBC)**

1. Commence within three years

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

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

2. Drawing Numbers

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

a) Drawing No. TBC; Dated TBC; Rec'd TBC

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

### 3. Phase 1 Desk Study and Preliminary Risks Assessment

Development works shall not commence until a Phase 1 Desk Study has been submitted to and approved in writing by the Local Planning Authority. The Phase 1 Desk Study shall be carried out by a competent person in accordance with Government, Environment Agency and Department for Environment, Food and Rural Affairs (DEFRA) guidance and approved Codes of practices, including but not limited to, the Environment Agency model procedure for the Management of Land Contamination CLR11 and Contaminated Land Exposure Assessment (CLEA) framework, and CIRIA Contaminated Land Risk Assessment Guide to Good Practice C552. The Phase 1 Desk Study shall incorporate a desk study (including a site walkover) to identify all potential sources of contamination at the site, potential receptors and potential pollutant linkages (PPLs) to inform the site preliminary Conceptual Site Model (CSM) and Preliminary Risk Assessment (PRA).

REASON: To ensure that the site is adequately risk assessed for the proposed development and in accordance with Policy 8 of the Core Strategy 2008.

### 4. Phase 2 Intrusive Investigation Method Statement

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

REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to

inform any remediation strategy proposal and in accordance with Policy 8 of the Core Strategy 2008.

5. 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.

6. 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.

7. 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.

8. Noise attenuation and ventilation mitigation

No dwelling shall be occupied until noise attenuation and ventilation mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation measures and shall be retained thereafter.

REASON In the interest of the living conditions of future residents, to comply with policy 8 of the Core Strategy 2006 - 2026 adopted 2008.

9. Samples of Materials and architectural detail

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004, and the requirements of NPPF 2012

10. 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.

#### 11. 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.

#### 12. 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.

#### 13. Sustainable Development

Construction of the building above damp proof course level shall not commence on site 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 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 a better than Building Regulation 2013 Part L 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 and the approved measures shall be retained thereafter

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008.

#### 14. Designing out crime

Construction of the building above damp proof course level shall not commence on site until details of the measures to be incorporated into the development to demonstrate how 'Secured by Design Gold Award' accreditation will be achieved has been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall not be occupied or used until written confirmation of Secured by Design accreditation has been submitted to the Local Planning Authority. The approved security measures shall be retained thereafter.

REASON In order to minimise opportunities for crime and anti-social behavior 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. External Site Lighting

No part of the development hereby permitted shall be occupied until a

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

REASON In the interests of safeguarding the amenities of neighbouring properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

#### 16. Boundary Treatment

No part of the development hereby permitted shall be occupied 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. Once approved, a suitable means of boundary treatment shall be implemented on site in accordance with the approved details prior to the first occupation of the development and retained at all time on the future.

REASON In the interests of the visual amenity of the area and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN3 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

#### 17. Privacy screening

No part of the development hereby permitted shall be occupied until details the privacy screening to the roof terraces and the the eastern side of the south facing balconies. The approved details shall be fully installed prior to first occupation and retained in at all times in the future in good working order.

REASON To protect the privacy of the neighbouring property and to ensure no overlooking to the car park site to help ensure that these would not prejudice wider redevelopment in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012

#### 18. Vehicle Access Gate

No part of the development hereby permitted shall be occupied until details of the access gates including external appearance, height, materials, swing, and method of secure access have been submitted to

and approved by the Local Planning Authority. The approved details shall be installed prior to the first occupation of the development and retained at all time on the future.

No other vehicle access gates, roller shutters doors or other vehicle entry barriers or control systems shall be installed on the entrance or along any part of the access road within the site without first obtaining permission in writing from the Local Planning Authority

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and to assist in secure access, and in accordance with Core Policies 7 & 12 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the NPPF 2012.

#### 19. Electric vehicle charging

Prior to first occupation, details of 4no. electric vehicle charging bays with electric vehicle charging points and additional underground cabling to provide further charging points to be installed at a later date shall be submitted to and approved by the local planning authority.

No part of the development shall be occupied until the approved 4no. electric vehicle charging bays with 4no. electric vehicle charging points and additional underground cabling to provide further charging points to be installed at a later date have been fully installed and available for use. The 4no. electric vehicle charging points shall be maintained and retained in accordance with the approved details at all times in the future.

Reason: In the interest of ensuring the provision of sustainable modes of transport for occupiers and users of the development in accordance with Core Policies 7 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008, and the requirements of the NPPF 2012.

#### 20. Servicing strategy

Prior to first occupation of the retail unit hereby approved until a servicing strategy stating hours of deliveries and how the loading and maneuvering would be carried out without conflicting with the safety and function of the highway, footway, access to/from neighbouring sites, and to protect the residential amenity of the existing neighbouring resident and future residential occupiers of the development hereby approved.

Once approved, the serving of the retail unit shall be carried out in accordance with approved servicing strategy at all times in the future.

REASON To provide an appropriate use to protect local existing neighboring residents and future occupiers of the development from likely noise and disturbance and the safety and function of the highway in accordance with Core Policies 7 & 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

#### 21. Surface Water Drainage

The surface water control measures shall be carried out in accordance with the xTBCx 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

#### 22. Vehicular access

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

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T2 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

#### 23. Car Parking

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

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T2 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

#### 24. Refuse and Recycling

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

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012

#### 25. Cycle Parking

The individual secured cycle lockers and sheltered cycle racks on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

#### 26. Visibility Splays - XXTBCXX

#### 27. Use of flat roofs

Other than the flat roof areas shown as terrace areas on the approved plans the roof areas of on the development hereby approved shall not be used as a balcony, roof garden or other amenity area.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document

#### 28. No additional windows

No windows (other than those hereby approved) shall be formed in the eastern and southern flank wall elevation of the development without the prior written approval of the Local Planning Authority.

REASON To protect the privacy of the neighbouring property and to ensure no overlooking to the car park site to help ensure that these would not prejudice wider redevelopment in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004, and the requirements of the NPPF 2012.

## 29. Shop Front

The windows in the shop front elevations for the retail uses fronting shall be constructed in clear glass and there shall be no obstruction behind the glass that would prevent that restricts views into the ground floor unit.

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

## 30. Hours of Use

The ground floor retail unit/s shall not open to customers between 20:00 hours and 07:30 hours at any time.

REASON To protect local existing and future occupiers of the development from noise and disturbance in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

## 31. Removal of changes of use permitted development

Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), the development shall only be used for purposes falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (and in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that order) and for no other purpose.

REASON To provide an appropriate use to protect local existing neighboring residents and future occupiers of the development from likely noise and disturbance and the safety and function of the highway in accordance with Core Policies 7 & 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

### INFORMATIVES:

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

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

3. All works and ancillary operations during both demolition and construction phases which are audible at the site boundary shall be carried out only between the hours of 08:00hours and 18:00hours on Mondays to Fridays and between the hours of 08:00hours and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays.
4. Noisy works outside of these hours only to be carried with the prior written agreement of the Local Authority. Any emergency deviation from these conditions shall be notified to the Local Authority without delay.
5. During the demolition phase, suitable dust suppression measures must be taken in order to minimise the formation & spread of dust.
6. All waste to be removed from site and disposed of lawfully at a licensed waste disposal facility.
7. Highways:

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

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 license 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.