

PLANNING COMMITTEE

1st August 2018

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

1.0 ADDITIONAL CONSULTATION RESPONSES

- 1.1** The occupier of no. 20 Raymond Road has objected to the latest proposals citing the following reasons: (i) increased traffic generation; (ii) overlooking and loss of privacy; (iii) noise and disturbance of building work; (iv) damage of own property from delivery trucks; (v) a mature tree has been cut down; (vi) extension will not enhance Raymond House; (vii) potential change of a family house; (viii) lack of parking; (ix) increase in movement of people, cars and deliveries in the cul-de-sac and on Langley High Street.
- 1.2** Members' attention is drawn to the officers' report which already sets out a response to points (ii), (vi) and (viii) above. In respect of points (i) and (ix), it is considered that the scale of the change in circumstances at Raymond House arising from the proposed extension would not lead to a significant and detrimental impact on the level of local traffic and movement. In respect of points (iii) and (iv), it is considered that these matters are not planning issues and would need to be dealt with under other powers; and, as such, are not material to the determination of this current application. In respect of point (v), it is a matter under investigation with Planning Enforcement and, as such, is not material to the determination of this current application. In respect of point (vii), it is a matter that would require a further formal application and, as such, is not material to the determination of this current application.
- 1.3** The objector at no. 19 Pantile Row has confirmed and re-iterated her concerns, as reported at 5.2 of the Agenda, in respect of the latest amended scheme now being reported for determination.

1.4 POINT OF CLARIFICATION

The advent of the latest National Planning Policy Framework issued in July 2018 has not led to the need to change any part of the officers' report.

1.0 NATIONAL POLICY REQUIREMENTS

1.1 Since writing the committee report the revised National Planning Policy Framework 2018 has been published. The revised National Planning Policy Framework 2018 replaces the previous National Planning Policy Framework 2012 which was used together with other material planning considerations to assess this planning application.

1.2 Update to paragraph 7.1:- National Planning Policy Framework and National Planning Policy Guidance:

The relevant chapters of the NPPF 2012 set out in the committee report are now replaced with following relevant chapters of the revised National Planning Policy Framework 2018:

- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 6. Building a strong, competitive economy
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 11. Making effective use of land
- Chapter 12. Achieving well-designed places
- Chapter 14. Meeting the challenge of climate change, flooding and coastal change
- Chapter 16. Conserving and enhancing the historic environment

1.3 ADDITIONAL CONSULTATION RESPONSES

1.4 Summary of comments from Public Right of Way Officer:

That footpath 15 is diverted from its current definitive line onto a new 5m strip of land through the development site to join with the A4 service road effectively straightening the way and improving the amenity for the public.

The diverted path is then upgraded to a bridleway status by way of a S25 creation agreement under the Wildlife & Countryside Act 1981 which would legalise the cycling use allowing the route to be fully integrated and promoted as part of the borough's cycle network.

Through previous meetings and communication the developers have agreed to make the application to divert the path under S119 Highway Act 1980.

1.5 One new representation from a resident on Westgate Crescent has been received, this is summarised below:

- The impact of building work taking place, which may cause structural damage to the property.
- Parking difficulties with the possibility of extra pressure of vehicles parking and obstructing entry and exit from drive.

“During our conversation you confirmed that the property is far enough away from the site, not to be affected by vibrations caused due to building work. With regards to parking, as 51 parking spaces

are being allocated when there is an estimated workforce of 16 expected at Segro, this is not anticipated to cause any problems or impact to the resident.”

1.6 Further points have been raised from the resident at Avebury, these are below:

“Case officer’s report:

Item 11.2 states “A neighbour objection has been received with respect to the use of the rear service area, the agents have confirmed that this access is only required for maintenance of the site and an appropriate condition has been attached accordingly.”

I couldn’t see reference to this in Item 19 – Part D: List of Conditions and Informatives.

Item 19 – Part D: List of Conditions and Informatives – Refuse.

As discussed, there have been issues in the past with collection of commercial waste at Westgate Retail Park where Biffa were making collections at 04.45 which I consider to be an unreasonable hour bearing in mind the rear of the buildings where the bins were located were very close to residential properties. You mentioned that refuse collection will be at the front of the building but perhaps something could be included to prevent a similar situation occurring at this site in the future.

Dunton Associates’ submission of Site B 225 Bath Road Typical Generator Testing Regime with approximate time periods.

This document includes details for:

1. Off load testing
2. Load bank testing
3. On load testing

I find this document confusing.

Off load testing – if there are 16 generators which will each be tested once per month for one hour, does that not equate to a total of 12 hours for each generator operation for the offload testing element per year, not 10 hours (there being 12 months in a year)? If this is the case, then the total testing hours should be adjusted.

Having said that, under the ‘Load bank testing’ and ‘On load testing’ headings, it states “This test will negate the need for the monthly off load test”. So, exactly what tests are going to be conducted, when and for how long?

Air Quality Assessment

This refers to Dunton Associates’ generator testing regime. If there are inaccuracies within it (the above point refers), this might affect the overall assessment (including the cumulative assessment if a Data Centre was to be built on Site C).

Phase I and II Geo-Environmental Assessment

Item 7.3 of this assessment states “Based on the proposed residential end use, the following documents have been consulted when assessing the gas regime at the site:

- NHBC/RSK Group PLC (2007)
- British Standards Institute (BSI, 2015)

As this is not a planning application for residential use and this item relates to a ground gas risk assessment, I think that clarification should be sought that the authors of this report have consulted the correct documents when assessing the gas regime at this site.

The proposed development plan included in this report is no longer a reflection of the plan which is now proposed.”

1.7 POINTS OF CLARIFICATION

1.8 With regard to the representations received, below are points of clarification:

1.9 Condition 11 which refers to loading and unloading of delivery vehicles will be amended with the following wording:

All delivery vehicles and servicing vehicles, except for refuse/recycling collections which is dealt with by condition 10 above, shall only take place to the south of the site (labelled circulation space/emergency access). Vehicles for delivery purposes to the south of the site (labelled circulation space/emergency access) may arrive, depart, be loaded and unloaded between the hours of 08:00 to 19:00 Mondays to Saturdays (excluding Bank Holidays and Sundays)). No deliveries to the south of the site will be permitted outside of these hours, with the exception of emergencies.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Policy T2 of The Local Plan for Slough 2004.

1.10 The refuse condition 10 has been updated to ensure that refuse collection occurs at the front of the site:

Prior to the first occupation of the development hereby approved, details of waste/recycling storage to be placed at the front of the site (on the north side of the building) shall be submitted to and approved in writing by the Local Planning Authority. The waste/recycling bins collection points and the collection of bins shall only take place at the front of the site (on the north side of the building) and within no other part of the site. The refuse/recycling storage facilities shall be carried out in accordance with the approved details and made available for refuse/recycling use prior to the development hereby approved first being brought into use, and thereafter not used for any other purpose other than for refuse/recycling.

REASON To ensure that adequate onsite servicing can take place and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

1.11 With regards to the Dunton Associates’ submission for Typical Generator Testing Regime, the agents have clarified the testing regime as per below:

- 1 hour off- load tests – once per month for 10 months. As there are 16 generators, this means 16 hours of testing per month (each of 16 generators over 10 months which would equate to 160 hours, this could mean approximately 1 weeks worth of testing).
- 3 hour load-bank test – once per year per generator (this negates the need for the 1 hour off-load test above). Each generator will be tested for 3 hours, which will equate to 48 hours. The testing will be undertaken over 16 working days.
- 6 hour on load test – once per year per generator (this also negates the need for the 1 hour off-load test above). This means that there will be 6 hours of testing per each generator and as there are 16 generators, this would be equate to 96 hours (4 days).

1.12 Air Quality Assessment

The reference to 13 generators relates to the Site C Air Quality Report which is contained in Appendix G of the Air Quality Assessment. The reference to 13 generators in the Air Quality Report does not relate to Site B. For clarity – on Site B (this application), there will be 16 generators.

1.13 Phase I and II Geo-Environmental Assessment

The agents have confirmed that the reference to a residential end use in the paragraph referred to in the 2017 report, was a typo and that the ground gas assessment included within the 2017 report was undertaken in general accordance with the guidance set out in BS8485:2015 with respect to proposed commercial end use.

The recent report supersedes the 2017 report with a more robust dataset, does not refer to residential end use, and only refers to the guidance set out in BS8485:2015. The conclusions remain the same.

1.14 In terms of the impact of building work taking place, which may cause structural damage to a residential property, a Construction Environmental Management Plan has been submitted and it should be noted that these matters fall within Building Control remit.

1.15 with regard to parking difficulties with the possibility of extra pressure of vehicles parking and obstructing driveways, there will be sufficient parking provision onsite. This is reinforced through the Highways Officer's consultation response which states that car parking is acceptable for the proposed use.

1.16 Furthermore, since writing the report, there have been further details provided in terms of materials, cycle parking and boundary treatment, as such some of the conditions have been amended and there is an update to the draft list of conditions set out below. The Council's Highways Officer is in discussions with the agent to secure weather proof cycle stand and therefore the cycle condition will be amended accordingly.

1.17 An external lighting plan has been submitted, this is currently being assessed by the Council's Environmental Health Team. Notwithstanding this, the matter could be dealt with via condition to protect neighbouring amenity.

PART C: RECOMMENDATION

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: no substantive new planning comments being received on the close of the consultation period, no objection being raised on surface water grounds, the satisfactory completion of a s106 agreement, finalising of the conditions in this Amendment Sheet, and any other minor changes 2) refuse the application if a satisfactory s106 Agreement is not completed by 1st December 2018, unless a longer period is agreed by the Planning Manager.

PART C: DRAFT LIST OF 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 Plan

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

- (a) Site Location Plan, Drawing No. 4590-PL-001, Dated 13/02/18, Recd On 21/05/2018
- (b) Site Plan, Drawing No. 4590-PL-002 Rev A, Dated 15/06/18, Recd On 18/07/2018
- (c) Boundary Treatment Plan, Drawing No. 4590-PL-004 Rev A, Dated 25/07/2018, Recd on 27/07/2018
- (d) Locations of CCTV Columns, Drawing No. 4590-PL-007 Rev P2, Dated 22/06/2018, Recd on 18/07/2018
- (e) Ground Floor Plan, Drawing No. 4590-PL-010, Dated 01/12/17, Recd On 21/05/2018
- (f) First Floor Plan, Drawing No. 4590-PL-011, Dated 01/12/17, Recd On 21/05/2018
- (g) Elevation, Drawing No. 4590-PL-020, Dated 01/12/2017, Recd On 21/05/2018
- (h) Elevation, Drawing No.4590-PL-021, Dated 19/03/18, Recd On 07/06/18
- (i) Substation Elevation, Drawing No. 4590-022, Dated 27/06/2018, Recd On 18/07/2018
- (j) Drawing No.4285-PL-032, Dated 14/06/18, Recd On 18/07/2018
- (k) Drawing No. 4590-PL-043, Dated17/04/18, Recd On 21/05/2018
- (l) Layout showing proposed soft landscape general arrangements, Drawing No. 1431-01 Sht.1 Rev D, Dated 24/06/2018, Recd on 18/07/2018
- (m) Layout showing proposed soft landscape general arrangements, Drawing No. 1431-02 Sht. 1 Rev E, Dated 24/06/2018, Recd on 18/07/2018
- (n) Layout showing proposed soft landscape general arrangements, 1431-02 Sht.2 Rev E, Dated 24/06/2018, Recd On 18/07/2018

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 Local Plan for Slough, 2004.

3. Details of external materials

The external materials to be used on the surfaces hereby approved shall carried out in accordance with:

- Materials and Colours, Drawing No. 4590-PL-024, Dated 25/07/2018, Recd on 27/07/2018

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 Adopted Local Development Framework Core Strategy 2006-2026, Development Plan Document, December 2008 and Policy EN1 of the Adopted Local Plan for Slough, 2004.

4. Details of surfaces

The external materials to be used on the surfaces hereby approved shall carried out in accordance with:

- Site Plan External Works, Drawing No. 4590-PL-008, Dated 25/07/2018, Recd on 27/07/2018;
- Covering Letter (Ref: 4590GL/SBC/01) issued by LHA, Dated 27/07/2018, Recd on 27/07/2018

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 Adopted Local Development Framework Core Strategy 2006-2026, Development Plan Document, December 2008 and Policy EN1 of the Adopted Local Plan for Slough, 2004.

5. Maximum floor space

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (as amended) (or any order revoking and re-enacting that Order and the Town and Planning Act 1990) the total gross internal floor space of the building hereby permitted shall not exceed 17,446.6sqm (comprising of offices ground to first floor and data hall ground and mezzanine) and no extension or alteration either external or internal, including the provision of an increase in floor space of the mezzanine floor shall be carried out without the prior permission of the Local Planning Authority.

REASON To retain control over the intensification of the use of the site, particularly having regard to the provision of onsite parking.

6. Limit on ancillary office space

Ancillary office space shall not cover more than 2,211sqm total gross internal floor space and only used in-conjunction with the use of the Data Centre hereby approved without the prior consent of the Local Planning Authority.

REASON To control the amount of office development on the site in the interests of sustainability and to accord with Core Policy 5 of the Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 and Policy EMP9 of the Adopted Local Plan for Slough, 2004.

7. Removal of Permitted Development

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

REASON In the interests of ensuring that there is no loss of the defined Existing Business Areas to non-employment generating uses and to protect the amenities of the neighbouring residents from noise and disturbance. To also prevent the intensification of the site of highways in terms of parking numbers, car parking layout and vehicle movements associated with the use. This is in accordance with Core Policies 5, 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

8. Renewable and low carbon energy

At least a 10% reduction in regulated energy carbon emissions from the new build area of the development shall be secured from renewable and low carbon technologies, in accordance with submitted Energy Strategy, prepared by Watkins Payne, dated September 2014. The approved details shall be implemented in accordance with the Energy Strategy and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON In order to comply with the requirements of Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

9. BREEAM 'Very Good' Rating

Evidence confirming that the development achieves a BREEAM New Construction rating of no less than 'Very Good' shall be submitted to and approved in writing by the Local Planning Authority. The evidence

required shall be provided in the form of a post construction assessment, conducted by an accredited Assessor and supported by relevant BRE accreditation certificate, shall be submitted within 6 months following the first occupation of the development.

REASON In order to comply with the requirements of Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

10. Refuse

Prior to the first occupation of the development hereby approved, details of waste/recycling storage to be placed at the front of the site (on the north side of the building) shall be submitted to and approved in writing by the Local Planning Authority. The waste/recycling bins collection points and the collection of bins shall only take place at the front of the site (on the north side of the building) and within no other part of the site. The refuse/recycling storage facilities shall be carried out in accordance with the approved details and made available for refuse/recycling use prior to the development hereby approved first being brought into use, and thereafter not used for any other purpose other than for refuse/recycling.

REASON To ensure that adequate onsite servicing can take place and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

11. Delivery Vehicles

All delivery vehicles and servicing vehicles, except for refuse/recycling collections which is dealt with by condition 10 above, shall only take place to the south of the site (labelled circulation space/emergency access). Vehicles for delivery purposes to the south of the site (labelled circulation space/emergency access) may arrive, depart, be loaded and unloaded between the hours of 08:00 to 19:00 Mondays to Saturdays (excluding Bank Holidays and Sundays)). No deliveries to the south of the site will be permitted outside of these hours, with the exception of emergencies.

REASON To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway in accordance with Policy T2 of The Local Plan for Slough 2004.

12. Cycle parking

The cycle parking shall be provided in accordance with Drawing No. 4590-PL-002 Rev A, Dated 15/06/18, Received 18/07/2018 and 1 covered stand prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

13. Pedestrian Visibility Splays

No part of the development shall be occupied until the pedestrian visibility splays of 2.4 x 2.4 metres (measured from the back of footway) have been provided on both sides of the new vehicular access points and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access, in accordance with Core Policy 7 of

the Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

14. External storage

No goods, materials or plant shall be deposited or stored outside the building except for temporary periods during loading/unloading of delivery and servicing vehicles.

REASON To safeguard the visual amenities of the area and residential amenities of neighbouring occupiers, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004 and Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

15. Drainage

The surface water control measures shall be carried out in accordance with the Flood Risk Assessment by John Tooke and Partners (Report Ref. No. ED046, Dated 08/05/2018) 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 unless otherwise agreed in writing with 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.

16. Boundary Treatment

Prior to first occupation of the development hereby approved, the boundary treatment shall be implemented in accordance with the following and retained thereafter:

- Boundary Treatment Plan, Drawing No. 4590-PL-004 Rev A, Dated 25/07/2018, Recd on 27/07/2018

REASON In the interests of the visual amenity of the area and accordance with Policies EN1 and EN3 of the Adopted Local Plan for Slough, 2004.

17. Landscaping

The landscaping shall be carried out in accordance with:

(a) Drawing No's. 1431-01 Sht.1 Rev D, 1431-02 Sht. 1 Rev E, 1431-02 Sht.2 Rev E, Dated 24/06/2018, Recd On 18/07/2018

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 15 of this planning permission.

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, Core Policy 8 of The Slough Local Development Framework, Core

Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

18. External Lighting

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. The lighting shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal. The external lighting shall be provided in accordance with these details prior to the first occupation of the development and shall be retained at all times in the future for this purpose.

REASON So as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Adopted Local Development Framework Core Strategy 2006-2026, Development Plan Document, December 2008 and Policy EN1 of the Adopted Local Plan for Slough, 2004.

19. Construction Management Plan

The construction shall be carried out in accordance with the Construction Management Plan, Revision C, prepared by Kier, Dated 25/06/2018, Received on 19/07/2018.

The details as approved shall be fully implemented at all times for the duration of demolition and construction works.

REASON To protect the residential amenity and so as not to prejudice the free flow of traffic along the neighbouring highway and in the interests of highway safety in accordance with Core Policy 7 of the Adopted Local Development Framework, Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

20. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy (LPA)

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 Adopted Local Development Framework, Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

21. Remediation Validation (LPA)

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 Adopted Local Development Framework, Core Strategy 2006 – 2026 (Development Plan Document, December 2008).

22. Noise and Vibration

Details of the noise and vibration mitigation including the acoustic fencing (including the siting, materials, colour) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the proposed development and shall be maintained in perpetuity thereafter.

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

23. CCTV

Prior to first use of the site, the CCTV shall be implemented in accordance with the Cover Letter, Ref 28456/A3/JE/BT/sw, Dated 04/07/2018 and Drawing No. 4590-PL-007 Rev P2, Dated 21/06/18 and retained operational thereafter.

REASON To reflect the permitted CCTV locations in the Adopted Simplified Planning Zone, November 2004. To ensure the public's safety throughout all stages of the development in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

24. Thames Water

The development shall not be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or – an infrastructure phasing plan has been agreed with Thames Water. Where a infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

REASON The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

25. Berkshire Archaeology

No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works, which may comprise more than one phase of investigation, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved 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 development and to record any surviving remains so as to advance our understanding of their significance in accordance with Paragraph 141 of the NPPF and local plan policy.

26. Environment Agency

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous land uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.

27. Environment Agency

Prior to any part of the proposed development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

28. Environment Agency

Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

REASON To ensure that the proposed potential piling does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework

29. Environment Agency

No infiltration of surface water drainage into the ground at 225 Bath Road, Slough SL1 4AA is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilized contaminants in line with paragraph 109 of the National Planning Policy Framework.

30. Noise Impact Assessment & Generator Testing

The generators shall be tested in accordance with the Generator Testing Regim, perpared by J Dunton Associates have been installed in accordance with the approved details. The testing of the generator system shall only be carried out between the hours of 07:00 – 09:00 and 15:00 – 18:00 and at no times on a Saturday, Sunday or Bank Holidays unless otherwise agreed in writing with the Local Planning Authority. The approved mitigation measures shall be retained thereafter.

REASON To protect local residents and the school from nuisance caused by excessive noise and poor air quality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

31. Tree Protection

No development shall commence until the tree protection measures detailed in the submitted Arboricultural Impact Assessment, Rev A prepared by Viewpoint Associates LLP, Dated 01/05/18 have been implemented, in accordance with the recommendations set out in BS 5837:2012 – Trees in relation to design, demolition and construction. Recommendations. These measures shall be implemented prior to works beginning on site, and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory protection of trees to be retained in the interest of visual amenity and to meet the objectives of Policy EN3 of The Local Plan for Slough 2004, Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the National Planning Policy Framework.

32. No windows

Notwithstanding The Town & Country Planning Act 1990 (as amended) and The Town & Country Planning General Permitted (Development) Order 2015 (as amended), no window(s), other than hereby approved, shall be formed in any of the elevations.

REASON To minimise any loss of privacy to occupiers of residential properties, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

33. Electric Vehicle Charging Points

The development shall not be occupied until 6 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.

1.6 NATIONAL POLICY REQUIREMENTS

1.7 Since the drafting of the officer's committee report the revised National Planning Policy Framework 2018 has been published. The revised National Planning Policy Framework 2018 replaces the previous National Planning Policy Framework 2012 which was used together with other material planning considerations to assess this planning application.

2.0 Update to paragraph 6.1, 6.3, 6.7 (Consultations).

2.1 The Local Highway Authority has assessed the revised plans and considered the provision of a servicing strategy and have removed their objection subject to the proposed service bay within the vehicular access being omitted and securing appropriate visibility splays.

2.2 No further consultation responses have been received.

3.0 Update to paragraph 7.1 (National Planning Policy Framework and National Planning Policy Guidance).

3.1 The relevant chapters of the NPPF 2012 set out in the committee report are now replaced with following relevant chapters of the revised National Planning Policy Framework 2018:

- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 5. Delivering a sufficient supply of homes
- Chapter 7. Ensuring the vitality of town centres
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 11. Making effective use of land
- Chapter 12. Achieving well-designed places
- Chapter 16. Conserving and enhancing the historic environment

3.0 Update to paragraphs 10.10 – 19.5 (Impact on the character and appearance of the area).

3.1 Concerns were 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 eastern side elevation above the ground floor. Revised plans have now been received which propose brick at ground floor with detailing including soldier courses and honeycomb ventilation for the undercroft. The eastern side elevation includes similar detailing as well as continuation of the protruding brickwork courses on upper floors on the Herschel Street and Church Street elevations. These changes would result in an appropriate visual appearance and satisfactorily address the originally raised issues raised. Materials can be secured by condition.

3.2 No change to recommendation

4.0 Update to paragraph 16 (Highways and Parking).

4.1 The reference to paragraph 32 of National Planning Policy Framework should be replaced with 'paragraph 108 of the revised National Planning Policy Framework 2018 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

4.2 No change to recommendation

5.0 Update to paragraphs 19.0 – 19.5 (Affordable Housing and Infrastructure).

5.1 The revised National Planning Policy Framework 2018 broadens the types of affordable homes available for the affordable housing provision in major developments; therefore, Officers are seeking delegated powers to consider whether changes are required, and then to secure these where required, to the types of affordable homes accepted within paragraph 19.4 of the committee report.

6.0 PART C: CHANGE TO RECOMMENDATION:

6.1 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 to secure the appropriate affording housing and infrastructure, finalising conditions, and any other minor changes, or 2) refuse the application if a satisfactory s106 Agreement is not completed by 1st December 2018, unless a longer period is agreed by the Planning Manager.

Publication of the new NPPF

The revised version of the National planning Policy Framework (NPPF) was published upon 24th July.

This confirms that a new Housing Delivery Test will be introduced in November which will determine whether a 20% buffer will have to be included in the five year land supply as explained in paragraphs 5.4 and 5.5 of the Committee report.

It is currently assumed that Slough will meet the requirements of the Housing Delivery Test in this respect but we will not know until November. The results of the Test will have to be fed into future calculations of the five year housing supply.

The revised NPPF also confirms that Local Plans should use the new standard method for calculating Objectively Assessed Housing Needs as explained in paragraph 5.11 of the Committee report. The Government has stated, however, that in order to ensure that its target of 300,000 homes a year are built, it may consider adjusting the method after the new household projections are released in September. As a result Slough's provisional requirement of 912 houses a year may change.

Any changes to Slough's housing need figure will have to be fed into future calculations of the five year supply.

The new NPPF has also amended the definition of which sites are considered to be deliverable in the five year period. It states that "sites with outline planning permission, permission in principle, allocated in the development plan or identified on a Brown Field Register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

The basis upon which the Housing Trajectory has been compiled is explained in paragraph 5.16 of the Committee report. The implications of all of the changes from the new NPPF will have to be considered in future assessments of the five year land supply when all of the relevant information is available.

In the meantime it is considered that the conclusions in the Committee report that Slough continues to have a five year land supply .remains valid and should be used as the basis for determining planning applications.

NO CHANGE TO RECOMMENDATIONS