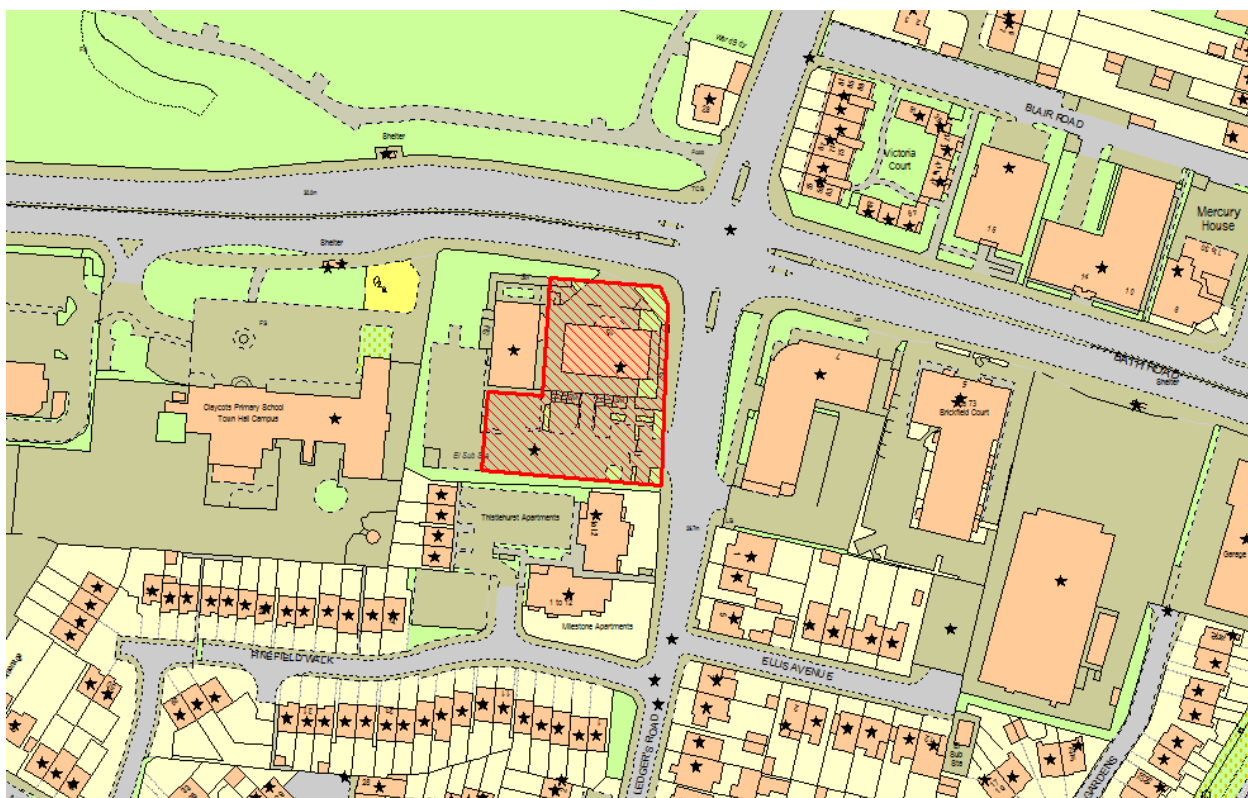


Registration Date:	15-Jul-2019	Application No:	P/06033/018
Officer:	Christian Morrone	Ward:	Chalvey
Applicant:	Vivant Homes (Bath Road) Ltd	Application Type:	Major
		13 Week Date:	14 October 2019
Agent:	Mr. Alex Kitts, RPS 20 Farringdon Street, 7th Floor, London, EC4A 4EN		
Location:	15, Bath Road, Slough, SL1 3UF		
Proposal:	Demolition of existing roof. Three storey extension above existing second floor and part 4 and part 6 storey rear extension to existing building to provide 24 residential flats (17 x 1 bed; 7 x 2 bed). Installation of vehicle access gates, fencing, change of access to 17 Bath Road, provision of car parking, cycle storage, refuse storage area. External alterations to existing building including revisions to fenestration, elevations and addition of terraces. Boundary treatment and landscaping.		

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



1.0 **SUMMARY OF RECOMMENDATION**

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

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 Agreement to secure the financial contributions set out in paragraph 19.1;
- 2) satisfactory details of the positioning, size, and finishing material of the air intakes and extracts for mechanical ventilation;
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 27<sup>th</sup> March 2020 unless a longer period is agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.

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:

- Removal of existing roof and constriction of a three storey extension over the existing second floor level to provide third, fourth and fifth floor levels over existing building.
- Part six storey, part four storey rear extension.
- Proposed extensions to provide 24 residential flats (17 x 1 bed; 7 x 2 bed).
- Development to be carried out in at the same time as the recently approved Prior Approval for a change of use from offices to 24no. residential flats (3 x studio and 21 x 1 bed flats) within the existing ground, first, and second floors.
- External alterations to existing building including revisions to fenestration and elevations including non opening windows which serve the properties fronting Bath Road.
- Boundary treatment and landscaping.
- 15 parking spaces (including 4 Electric Vehicle charging bays) at surface level and within basement.
- 25 secure cycle parking spaces within basement.

Amendments since the original submission:

The application was originally submitted with balconies; however, these have since been removed due to the issues around exposure to poor air quality (see the 'impact on Air Quality' section in the planning assessment). For the same reason the windows serving the properties fronting Bath Road are now proposed to be non-opening with ventilation and cooling provided mechanically. The access arrangements to the neighbouring office has also been slightly revised / clarified since the original submission, (see the 'impact on highways, access and parking' section in the planning assessment).

### 3.0 **Application Site**

- 3.1 The application site is located within the defined town centre boundary and is positioned on the southern side of Bath Road on a corner plot with the Bath Road and Ledgers Road junction. The site is currently occupied by a detached three storey building with additional semi basement level. The site is accessed via a pedestrian access from the external stepped frontage along Bath Road, and the vehicular access is taken from the side in Ledgers Road. The site includes shared basement and surface level parking with the neighbouring office building at 17 Bath Road. Approximately 48 car parking spaces at surface level and basement level are allocated for the application site. The existing building is currently vacant and was recently as offices (B1a Use Class) occupied by Burger King Head offices.
- 3.2 Neighbouring the site to the west is an existing three storey office building similar in scale, form, and design as 15 Bath Road. To the east on the opposite corner plot by the Bath Road and Ledgers Road junction is a five storey detached office building (7 Bath Road). To the north on the opposite side of Bath Road is Salt Hill Park which is designated as Public Open Space. Neighbouring the site to the south is the recently built-out four storey flats fronting Ledgers Road (Thistlehurst Apartments, Planning ref. P/15909/000), and two storey terrace housing to the western rear of the flats with car parking in between.
- 3.3 Approximately 40 metres to the northeast is a Grade II listed structure Milestone and approximately 40 metres to the north is 28 Bath Road and to the east is Claycots Primary School which are both are locally listed buildings.

### 4.0 **Relevant Site History**

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

F/06033/017 Notification for prior approval for a change of use from offices (B1a Use Class) to 24no. residential flats comprising 3 x studio and 21 1 bed flats (C3 Use Class).

Approved with conditons: 18-Aug-2019.

**[Not implemented].**

F/06033/016 Notification for prior approval for a change of use from offices (B1a Use Class) to 29no. residential flats (C3 Use Class).

Approved with conditons: 20-Feb-2019.

**[Not implemented].**

P/15909/000 Demolition of 8 & 10 Ledgers Road and construction of 73 dwellings (2 & 3 bedroom houses; 1 & 2 Bedroom Flats) and associated parking, landscaping and highway works.

Approved with conditons:06-Mar-2015

**[Implemented and occupied].**

## 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), following revised plans, two site notices were displayed outside the site on 06/08/2019 and following amendments on 29/10/2019. The application was advertised as a major application in the 02/08/2019 edition of The Slough Express and following amendments on 21/10/2019. Neighbour letters were sent out on 24/07/2019 and following amendments on 25/10/2019 to the following addresses:

Former Town Hall, Cctv Suite, 19, Bath Road, Slough, SL1 3UQ, 19, Bath Road, Slough, SL1 3UQ, First Floor, 7, Bath Road, Slough, SL1 3UA, The Lodge, 28, Bath Road, Slough, SL1 3SR, 67, Blair Road, Slough, SL1 3ST, 75, Blair Road, Slough, SL1 3ST, 71, Blair Road, Slough, SL1 3ST, 57, Blair Road, Slough, SL1 3ST, 61, Blair Road, Slough, SL1 3ST, 65, Blair Road, Slough, SL1 3ST, 63, Blair Road, Slough, SL1 3ST, 55, Blair Road, Slough, SL1 3ST, 59, Blair Road, Slough, SL1 3ST, Avco Systems, 17, Bath Road, Slough, SL1 3UF, 7, Bath Road, Slough, SL1 3UA, Third Floor, 7, Bath Road, Slough, SL1 3UA, Ground Floor, 7, Bath Road, Slough, SL1 3UA, Fourth Floor, 7, Bath Road, Slough, SL1 3UA, Second Floor, 7, Bath Road, Slough, SL1 3UA, Milestone Apartments, Flat 11, 2, Finefield Walk, Slough, SL1 2QE, Thistlehurst Apartments, Flat 10, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 7, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 4, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 11, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 8, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 5, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 2, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 12, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 9, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 6, 4, Finefield Walk, Slough, SL1 2QQ, Thistlehurst Apartments, Flat 3, 4, Finefield Walk, Slough, SL1 2QQ,

Thistlehurst Apartments, Flat 1, 4, Finefield Walk, Slough, SL1 2QQ, 12, Finefield Walk, Slough, SL1 2QR, 10, Finefield Walk, Slough, SL1 2QR, 8, Finefield Walk, Slough, SL1 2QR, 6, Finefield Walk, Slough, SL1 2QR, Milestone Apartments, Flat 7, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 9, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 1, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 4, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 2, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 5, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 3, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 8, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 10, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 6, 2, Finefield Walk, Slough, SL1 2QE, Milestone Apartments, Flat 12, 2, Finefield Walk, Slough, SL1 2QE, Thistlehurst Apartments, 4, Finefield Walk, Slough, SL1 2QQ, 5, Ledgers Road, Slough, SL1 2QZ, 3, Ledgers Road, Slough, SL1 2QZ, 1, Ledgers Road, Slough, SL1 2QZ, 49, Blair Road, Slough, SL1 3ST, 51, Blair Road, Slough, SL1 3ST, 53, Blair Road, Slough, SL1 3ST, 41, Blair Road, Slough, SL1 3ST, 47, Blair Road, Slough, SL1 3ST, 45, Blair Road, Slough, SL1 3ST, 43, Blair Road, Slough, SL1 3ST, Car Parking Spaces, 1516, Bath Road, Car Parking Spaces, 151, Bath Road.

- 5.2 The public consultation period expired 19<sup>th</sup> November 2019 and no letters of representation have been received.

## 6.0 **Consultations**

### 6.1 Local Highway Authority:

No objections. Case Officer Note: refer to section 14 of this report for detailed Planning Officer assessment.

### 6.2 Thames Water:

No objections. Informatives recommended.

### 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:

I have reviewed the **Phase 1 Preliminary Risk Assessment Report** (Ref. no. JER8122/001R) dated May 2019, and prepared by RPS Consulting Services Ltd.

Please see my comments below:

- There was limited access to the site during the site walkover carried out in December 2018, thus the condition of the inside of the building was not assessed.
- According to the conclusions and recommendations of the report, some type of ground investigation should be undertaken in order to confirm the ground conditions, and thus plan accordingly for the preferred development option.

Based on the above, the following conditions standard conditions should be placed on the Decision Notice:

1. Phase 2 Intrusive Investigation Method Statement
2. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy
3. Remediation Validation

6.5 Lead Local Flood Authority:

No objections:

The general principles for the surface water drainage proposals are acceptable based on the provided information. Therefore, a condition is required to secure a detailed drainage design.

6.6 Environmental Quality (Air Quality & Noise)

*Air Quality:*

Slough Borough Council has adopted the Low Emission Strategy, therefore assessment and mitigation should be in line with this Strategy. Due to the significance of air quality impacts, Slough Borough Council reserve the right to determine scheme impact in accordance with published Low Emission Strategy, which forms part of the air quality action plan and paragraph 181 of the National Planning Policy Framework.

The development is classified as a MAJOR scheme, due to the site's proximity to AQMA 4. Nearby monitoring (SLO 37) located on Bath Road suggests that future occupants may be exposed to poor air quality due to the high traffic flow of 34,790 vehicle movements (2018 data) on Bath Road, causing an exceedance of the AQO for NO<sub>2</sub> (40ug/m<sup>3</sup>).

Defra background air quality data maps have been used to determine baseline NO<sub>2</sub> concentrations. However, Defra pollutant maps have a lower background NO<sub>2</sub> concentration than what was recorded at the automatic station SLH 4 located on Bath Road. The AQIA states "Defra modelled

background concentrations for the local area are likely to decrease between 2017 to 2022". From 2016 to 2017, the NO<sub>x</sub> concentration increased rather than decreased as predicted by Defra.

The developers AQIA predicts that concentrations between 27.5ug/m<sup>3</sup> - 30.6ug/m<sup>3</sup> can be achieved on this area of Bath Road within 2 years, however the closest diffusion tube location (SLO 37) recorded 40ug/m<sup>3</sup> in 2018. This concentration is unlikely to reduce to the modelled value without significant mitigation, therefore SBC lack confidence in reported modelling results.

The developer has proposed to install mechanical ventilation with filtration systems to mitigate against NO<sub>2</sub> concentrations originating from Bath Road. However, use of mechanical ventilation to improve internal air quality would only be considered suitable if future occupants were not able to open windows. Allowing openable windows would compromise the filtration system and the ventilation scheme would be ineffective. On these grounds, the application should be refused.

As this site is considered a MAJOR development, offsetting the air quality impact through contribution to a project within the Low Emission Strategy Programme is expected.

A contribution of £25,000 to the Clean Air Zone feasibility study is required, which aims to bring about compliance in the shortest possible time. Implementation of a Clean Air Zone on Bath Road would reduce NO<sub>2</sub> exposure to future occupiers of the development and would deem the development acceptable.

SBC also request a £2,500 contribution towards a 5 year diffusion tube monitoring programme, which will cover office time, laboratory analysis and AQ reporting. This will allow SBC to fully understand the air quality conditions on the proposed development facade and the impact of traffic from Bath Road on the future occupants.

#### Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. It is stated in the AQIA that EV provision will be provided for all parking spaces on site.
- Construction Environmental Management Plan (CEMP) shall be produced and shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report and dust management methods. It shall also include construction traffic route plans.
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report

- The Travel Plan shall be monitored and include details of the promotion of sustainable travel, including electric vehicle use and usage of the EV charging infrastructure.
- Air intakes for mechanical ventilation must be situated away from pollution sources -at height or at the back of the development/ away from major roads.
- Contribution of £25,000 towards the Clean Air Zone Feasibility Study (Project 67 of the Low Emission Strategy Programme).
- Contribution of £2,500 towards a 5 year diffusion tube monitoring programme.

#### *Noise:*

All facades of the building are exposed to high noise levels originating from road traffic on Bath Road and Ledgers Road. The North, East and West Facades experience 68dB LAeq,16h, 62dB LAeq8h, and 85dB LMax. The South Façade experiences 60dB LAeq16h, 53dB LAeq,8h, and 75dB LMax.

In accordance with 'ProPG: Planning & Noise – Professional Practice Guidance on Planning & Noise', aspects of good acoustic design have been incorporated into the development design, however as stated in the report, additional mitigation is required to ensure internal noise levels do not exceed standards specified in BS 8233. These are as follows:

#### North, East and West Elevations:

- Glazing: 47dB Rw combined secondary glazing system, and the balcony door should be protected to an extent by the proposed solid glass balcony upstand. The precise specification should be confirmed at detailed design stage. At this time a Rw 44 dB unit should be allowed for. Secondary glazing system formed from min. 6mm glass/16mm air/4mm glass/150mm void with absorbent reveal lining/6mm pane (or equal and approved)
- Ventilation; individual apartment Mechanical Ventilation With Heat Recovery MVHR systems are required, with acoustically attenuated inlet and discharge ducts. Trickle and through wall ventilation is not permitted. Noise from the operation of MVHR systems must not exceed 30dB LAeq in noise sensitive rooms.
- Building Fabric: External Wall Construction with either a cavity masonry wall or timber framed wall capable of achieving a Weighted Sound Reduction of 52dB Rw, flat roof with 100mm reinforced concrete capable of achieving a Weighted Sound Reduction of 52dB Rw.

#### South Elevations:

- Glazing: Double glazed unit formed from 8.8mm Laminated Pane/ 16mm Air/ 10 mm Pane in suitable frames (or equal and approved), able to achieve 44dB Rw
- Ventilation (bedrooms): Passive ventilation system Greenwood MA3051



(or equal and approved), or apartment MVHR, able to achieve 55dB Dne,w. Noise from the operation of MVHR systems must not exceed 30dB LAeq in noise sensitive rooms.

- Ventilation (living rooms): High performance trickle vent Window Greenwood EHA574 (or equal and approved), or apartment MVHR, able to achieve 44dB Dne,w.

Glazing and ventilation specifications (including details of ventilation noise outputs) chosen for the development must be submitted to SBC for approval prior to construction, to ensure future occupants are not exposed to unacceptable levels of noise.

6.7 Crime Prevention Design Advisor:

Case Officer Note: Awaiting comments on revised security strategy. Comments to be provided on the Amendment Sheet.

6.8 Viability Specialist:

The proposal would not support policy compliant affordable housing due to the scheme resulting in a negative residual deficit of when applying the policy requirement.

6.9 Daylight and Sunlight Advisor:

No objections. Case Officer Note: refer to section 11 of this report for detailed Planning Officer assessment.

6.10 Landscape Advisor:

The loss of any established soft landscape within 15 Bath Road would not have an impact. There is considerable scope for meaningful improvements to the frontage, sides and rear of the property all of which have a high profile being close to a major road through the borough.

Conversion of the office block to residential should mean that there is an overall improvement to the landscape to make the environs more 'homely'. No detailed landscape plan has been provided to support the application.

New soft landscape should include as a minimum.

Intensive green roofs (150mm deep substrate) with wild flowers and or terracing on all flat roofs which will improve outlooks for residents. New tree planting and shrub beds that will establish and provide a better relationship with the main road.

I suggest conditions to secure detailed landscaping.

6.11 Fire Authority:

No comments received. Comments to be provided on the Amendment Sheet should they be received.

6.12 Heritage Advisor:

No objection.

15 Bath Road is a late 20th century office development (with prior approval for residential use) set back from Bath Road and on the corner of Bath Road and Ledgers Road. The application proposes the construction of a linked 6-storey residential development to the rear.

The application has been accompanied by a Heritage Statement which assesses the impact of the development upon designated and non-designated heritage assets in the vicinity (in accordance with NPPF para. 189).

There is only 1 designated heritage asset that could be impacted by the proposals in terms of its setting, this is a grade II listed milestone on the south side of the Bath Road, east of the junction with Ledgers Road. By their nature milestones are small roadside structures, its 'setting' now comprises the busy Bath Road and the office buildings behind which make a neutral contribution to its significance - the proposed development to the west will not have any impact upon its significance.

I would agree with the findings of the Heritage Statement that consider the significance of non-designated heritage assets will be preserved - views of the side of Slough Town Hall from Ledgers Road will be reduced by the development to the rear but this is not considered to be overly harmful. The Bingo Hall, 3 Bath Road and 28 Bath Road are considered to have their settings preserved.

In summary the proposal is considered to preserve the setting and therefore the significance of both designated and non-designated heritage assets in the locality, it accords with Local Plan Policy and the relevant heritage based policies within the NPPF; no objection.

**PART B: PLANNING APPRAISAL**

7.0 **Policy Background**

- 7.1 National Planning Policy Framework 2019:  
Chapter 2. Achieving sustainable development  
Chapter 4. Decision-making  
Chapter 5. Delivering a sufficient supply of homes  
Chapter 6: Building a strong, competitive economy

Chapter 7: Ensuring the vitality of town centres  
Chapter 8: Promoting healthy and safe communities  
Chapter 9: Promoting sustainable transport  
Chapter 11: Making effective use of land  
Chapter 12: Achieving well-designed places  
Chapter 14: Meeting the challenge of climate change, flooding and coastal change  
Chapter 16: Conserving and enhancing the historic environment

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

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

The Adopted Local Plan for Slough 2004 (Saved Policies)

EN1 – Standard of Design  
EN2 – Extensions  
EN3 – Landscaping Requirements  
EN5 – Design and Crime Prevention  
EN17 – Locally Listed Buildings  
H9 – Comprehensive Planning  
H11 – Change of Use to Residential  
H14 – Amenity Space  
T2 – Parking Restraint  
T7 – Rights of Way  
T8 – Cycle Network and Facilities

Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document 2010
- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map (2010)
- Nationally Described Space Standards
- Slough Low Emission Strategy 2018 – 2025
- DEFRA Technical Guidance TG (16)
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017

Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires

that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The revised version of the National Planning Policy Framework (NPPF) was published on 19th February 2019.

The National Planning Policy Framework 2019 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2019, the Local Planning Authority can not demonstrate a Five Year Land Supply. Therefore, when applying Development Plan Policies in relation to the distribution of housing, regard will be given to the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2019 and refined in case law.

Planning Officers have considered the revised National Planning Policy Framework 2019 which has been used together with other material planning considerations to assess this planning application.

7.2 The planning considerations for this proposal are:

- Land use
- Housing mix
- Impact on the character and appearance of the area
- Impact on Heritage Assets
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Air Quality
- Sustainable design and construction
- Surface water drainage
- Contaminated Land
- Affordable housing and Infrastructure
- Section 106 Requirements
- Equalities Considerations
- Impact on biodiversity and ecology
- Presumption in Favour of Sustainable Development

## 8.0 **Land Use**

8.1 The site is located within the defined Town Centre, outside the defined Shopping Area and comprises an existing detached vacant office building which benefits from a recent prior approval change of use to residential flats.

8.2 The National Planning Policy Framework seeks to support the role that town centres play at the heart of local communities. Planning should promote the long-term vitality and viability of town centre by taking a positive approach to their growth, management and adaptation. This includes recognising that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

8.3 Core policy 5 of the Core Strategy states that outside Existing Business Areas, the change of use or redevelopment of existing offices to residential will be encouraged where this is considered appropriate. Core Policies 1 and 4 of the Core Strategy seeks high density flatted development to be located within the town centre and urban areas.

8.4 The site is located within the defined Town Centre, outside the defined Shopping Area and outside any Existing Business Areas. The proposal seeks to demolish the existing roof and extend upon and to the rear of the existing vacant office building. The existing building has a recent prior approval change of use to residential flats which was granted on 18/08/2019 and would need to be completed within 3 years to comply with the prior approval permission. Given the prior approval has not been completed, the proposal for flats could potentially be carried out as a extension to the existing office building which could either remain as an office or be converted to flats within 3 years under the prior approval.

8.5 *Existing building to remain as office:*

The demolition of the existing roof would result in the loss of functional office space at third floor level and air conditioning plant on the roof. The planning history includes two prior approval permissions (refs. F/06033/017 granted on 18/08/2019 and F/06033/016 granted on 20/02/2019). The F/06033/016 prior approval permission included the entire building including the roof void to be converted into residential flats.

8.6 Residential flats above offices are not wholly incompatible uses subject to satisfying other relevant material planning considerations. These have been assessed below and it has been found that in this instance retaining the offices on the lower floor would not result in a compatible use with the proposed residential flats. This is due to issues around residential amenity, parking, and servicing. A detailed assessment of these issues is carried out below in the relevant sections of the planning assessment.

8.7 *Existing building to be converted to flats via prior approval:*

The more recent prior approval (ref. F/06033/017 granted on 18/08/2019) does not include the roof void as part of the change of use to residential flats. The prior approval and the scheme would incorporate its own access and into the existing building that would be independent from the flats proposed in this application.

8.8 The prior approval procedure allows the change of use to either the whole of a building or to part of the building, and therefore the demolition of the roof as part of this planning application would not prejudice the implementation of prior approval flats. An extension to residential flats to provide additional would be compatible subject to satisfying other relevant material planning considerations. These have been assessed below and it has been found that subject to conditions the proposal would be compatible with the prior approval flats

8.9 *Compatibility of uses:*

Based on the above, the proposed extension to provide residential flats would be an acceptable use in combination with the more recent prior approval (ref. F/06033/017 granted on 18/08/2019). However, the proposal would not be an acceptable use in combination with the existing office building.

8.10 It is established that planning permission should not be refused where a concern or impact can be overcome by means of imposing a planning condition. Given the office building is within the red line of the application site and the developer has control over this building, a planning condition can be included to ensure the proposed development is only carried out in combination with the prior approval permission F/06033/017 granted on 18/08/2019. The developer has agreed to this condition which has been included in this list of conditions.

8.11 Based on above, the proposal would be an acceptable use of the land.

9.0 **Mix of housing**

9.1 The National Planning Policy Framework seeks to deliver a variety of homes to meet the needs of different groups in the community. This is largely reflected in local planning policy in Core Strategy Strategic Objective D and Core Policy 4.

9.2 The proposal would provide 17no. one bed flats and 7no. two bed flats which, over a small site as proposed 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 The proposed enlargements would include the removal of the existing hipped roof and extend the building above second floor level to provide third, fourth and fifth floor levels. The proposal also includes a rear extension that would be part six storey and part four storey in height.

10.3 *Height, scale, and mass:*

The proposed additional height on the existing building would result in a building similar in the height as the neighbouring building to the east on the opposite corner plot by the Bath Road / Ledgers Road junction (no. 7 Bath Road). The proposal would be approximately two storeys higher than the overall height of the adjacent neighbouring building at no. 17 Bath Road, however, as there is a separation distance of approximately 8 meters and given the urban character of the area, the additional height would not appear as over dominant or out of scale in relation to this neighbouring building.

10.4 Although there would be a noticeable increase in height, scale, and mass, when viewed from the surrounding area, as the application site is located on a corner plot with Bath Road / Ledgers Road, the adjacent highway provides a good degree of openness. This provides ample separation distance from the existing neighbouring buildings to the north and east and from the Public Open Space at Salt Hill Park to satisfactorily mitigate from the increase in height scale, and mass.

10.5 The proposed rear extension would extend beyond the southern rear elevation on existing hardstanding areas, planters, and approximately five parking spaces and up to the existing vehicular access into the site from Ledgers. This rear extension would be six storeys in height where it adjoins the existing building, and would then step down to four storeys as it extends in a southerly direction along the Ledgers Road frontage. It should be noted that the six storey element of rear extension would be the same number of storeys as the proposed main building; however the rear extension would be set down to appear as one storey lower in height than the proposed main building. This is because the ground floor of the existing main building is raised from ground level, and the internal heights of the existing building were developed for commercial purposes and are therefore much higher compared to those for residential purposes.

10.6 The proposed rear extension would therefore step down in height towards the south and the southernmost four storey element would be similar in height to the southern neighbouring flats known as the Thistlehurst Apartments which front Ledgers Road. Given the nature of the proposed stepping down together with an ample amount of separation distance being retained from the Thistlehurst Apartments which includes the access road into the site, the proposed extensions would not appear as visually over dominant or out of scale when viewed in relation to this building.

10.7 The height of the proposed rear extension would not exceed the height of the existing neighbouring office building on the opposite side of Ledgers Road. Given the ample separation distance offered by the highway, the proposed extensions would not appear as visually over dominant or out of scale when viewed in relation to this building.

10.8 *Form, style, and appearance:*

The existing building is comprises reddish/brown brick linear elevations. The windows are set within continuous horizontal sills and heads and separated by small brick mullions which result in a horizontal emphasis of the fenestration. The existing roof is a shallow pitch metal clad hipped roof set beyond the parapet elevations.

10.9 The proposed upper floor extensions at the 3<sup>rd</sup> and 4<sup>th</sup> floor levels would be finished in a brick to match the existing building. The fenestration at 3<sup>rd</sup> floor would match those on the lower floors while at the At 4<sup>th</sup> floor the fenestration would vary by including narrower window units. However as these would be set within recessed openings where the brick mullions broadly line up with those on the lower floors, the openings would relate to the pattern of those on the lower floor while providing visual interest. The 5<sup>th</sup> (top) floor would comprise set-in elevations finished in zinc and a flat roof from with overhanging eaves. The pattern of fenestration would vary from the lower floors, however, given the set-in nature of its elevations and the variation in materials, this reads as a separate element and provides appropriate visual interest and is therefore considered acceptable on this basis.

10.11 The proposed rear extensions would be read in two elements. The six storey element which is set down from the host building would be finished in a brick with reddish / grey tones and incorporate large window opening with bronze panelling. The top floor would be set-in from the lower floors and comprise zinc elevations, large recessed openings and a flat roof from. The rear extension would then step down to four storeys and on the upper floors would revert back to reddish/brown brick elevations to match the main building and also incorporate large window openings with bronze panelling. At ground floor, darker / grey brick elevations with large windows and individual accesses fronting dedicated amenity areas are proposed.



10.12 Overall the proposed extensions would result in proportioned enlargements and would appropriately draw from the merits of the existing building, while also introducing new architectural features, a mix materials and textures. As there are existing buildings within the surrounding area which vary in their style, and given the improved visual appearance compared to the existing building, the proposal is considered to complement the character and appearance of the surrounding area. Due to the air quality issues (see section 14), air intakes and extracts for mechanical ventilation would be required for each flat. At this stage it is unclear what size these would be, where they would be positioned or what material they would be made of. It is recommended that these details are provided before planning permission is granted in order to ensure they do not detrimentally affect the appearance of the building. In order to ensure a high quality development is built out, conditions are included to secure high quality materials, and large scale plans/elevations and samples are to be provided to ensure appropriate quality and detailing

10.13 *Landscaping:*

The proposal would result in the loss of some existing landscaped areas and planters to the rear of the site. The existing landscaped areas to the front of the site would remain. Some new landscaping is proposed due to parking reconfiguration at the rear of the site, by the boundary fence along Ledgers Road and a new tree within an existing landscape area to the front of the site. The Landscape Officer has requested for green roofs, however, the developer has resisted due to viability issues. Given the viability constraints of the scheme, the provision of green roofs would place additions costs on the scheme and therefore result either in the loss of much needed financial contributions or an undeliverable scheme. Overall the proposed landscaping is considered appropriate for this urban area and further complement the proposed development. Further details relating the specifications of the proposed landscaping and a landscape management plan can be secured by condition. The developer has agreed to include Bumble Bee friendly planting with planting specification and this will be reflected in the condition.

10.14 The curtilage of the site would include bin store which is appropriately enclosed by timber fencing and metal railing boundary treatment to the side by Ledgers Road which is also of an appropriate quality. A new flat roof is proposed onto of the existing walls to the external stairwell at the front of the. This is not considered to have any significant adverse visual impacts.

10.15 Based on the above and subject to conditions, the proposal would have an acceptable impact on the character and visual amenity of the area and therefore comply with Policies EN1, EN2, and EN3, of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy

Framework.

**11.0 Impact on Heritage Assets**

- 11.1 The site is not located within a conservation area and does not contain any designated heritage assets, however, there is a Grade II Listed Milestone approximately 40 metre to the west within the public footway. There are also three locally listed (non-designated heritage assets) in close proximity. No. 28 Bath Road, located approximately 40 metres directly north of the application site, Claycots Primary School, approximately 50 metres to the west, and the Bingo Hall, approximately 50 metres to the east.
- 11.2 Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act requires special regard to the desirability of preserving a listed building and its setting.
- 11.3 Chapter 16 of the NPPF intends to preserve and enhance the historic environment; paragraph 193 requires local planning authorities to afford great weight to the asset's conservation, irrespective of whether the potential harm is substantial harm, total loss or less than substantial harm.
- 11.4 Core Policy 9 of the Core Strategy, (2006 – 2026) Development Plan Document December 2008 states that development will not be permitted unless it:
- Enhances and protects the historic environment;
  - Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;
- 11.5 In accordance with paragraph 189 of the NPPF the applicant has submitted a heritage impact assessment which concludes the proposal would result in a neutral contribution to the settings and significance of the four built heritage assets assessed. The affected Grade II Listed milestone is a small roadside structures and its setting comprises the busy Bath Road and the office buildings behind (7 Bath Road). When considering the proposed height, scale and mass of the proposal is similar to 7 Bath Road together with the relatively large separation distances the proposal would preserve the setting of this Grade II Listed millstone. Furthermore, given the ample separation distance from the locally listed buildings, the proposal would preserve their setting.
- 11.6 Planning Officer in combination with specialist advice therefore agree the proposal is considered to preserve the setting and therefore the significance of both designated and non-designated heritage assets in the locality would not be unacceptable. The proposal would not lead to less than substantial harm, substantial harm, or total loss of the designated heritage asset. The proposal therefore complies with Core Policy 9 of the Core Strategy and the requirement of the National Planning Policy Framework.

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 Policies EN1 and EN2.

12.2 Future Flats (within existing building):

The existing building was recently used as offices but is currently vacant and is expected to undergo conversion into 24 residential flats via a recently approved prior approval application (ref. F/06033/017). By extending to the rear of the existing building, the proposal would have an impact on its future occupiers. This is assessed below in further detail.

12.3 *Daylight and Sunlight*

This application has been submitted with an indicative layout of the prior approval scheme because detailed floor plans were not included within the prior approval application. Based on the indicative layout, the proposed rear extension would encroach within 45 degrees of number of windows within the rear elevation of the existing building that would serve habitable rooms within these approved flats. Therefore a Daylight and Sunlight Study has been submitted which measures the Average Daylight Factor and Annual Probable Sunlight Hours, which are the correct forms of measurement for this type of impact according to the British Research Establishment guidelines.

12.4 Average Daylight Factor - the British Research Establishment guidelines recommends the following minimum Average Daylight Factor values are achieved:

Bedrooms	1.0%
Living Rooms	1.5%
Kitchens	2.0%

The submitted Daylight and Sunlight Study report concludes that all the affected rooms based on the indicative layout of the approved flats in the existing building would either meet or exceed the Average Daylight Factor recommended values.

12.5 Annual Probable Sunlight Hours - the British Research Establishment guidelines recommend that all living rooms should have an availability of 25% annual probable sunlight hours with 5% being in the winter months. The submitted Daylight and Sunlight Study report concludes that all the affected rooms based on the indicative layout of the approved flats in the

existing building would either meet or exceed the recommended values in relation to the Annual Probable Sunlight Hours for the future prior approval flats within existing building

12.6 *Outlook:*

Although the proposed rear extension would limit the outlook to the east from within the approved flats in the existing building, a reasonable degree of outlook would remain to the south and west. Given the identified need for housing, this would not provide enough weight to refuse this application on its own; however this should be added to the weight towards any harm when determining the application.

12.7 *Privacy:*

The proposal would provide views towards the rear facing windows within the existing building, however these are very oblique views that would not result in an unacceptable loss of privacy to the future occupiers of these units.

12.8 *Noise and Disturbance:*

The proposed upper floor extension would build above the second floor of the recently approved prior approval application (ref. F/06033/017). An indicative layout of the prior approval scheme has been included with this application. Here it shows the flats within the proposed third floor of the upper floor extension are not stacked in coordination with the prior approval flats below. For example, living rooms and kitchen would be stacked directly above bedrooms areas. This would likely result in significant noise transmission from high activity areas into quieter resting areas of the units below thereby resulting in unacceptable living conditions. The application includes a noise impact assessment which proposes internal better than building regulation sound insulation and sound testing to ensure the floors are appropriately constructed to ensure conflicting stacking would have acceptable impacts. This is an acceptable approach and should be secure by condition.

12.9 Thistlehurst Apartments:

The proposed rear extension would be positioned approximately 17 metres from the existing northern side facing elevation of the neighbouring four storey flats known as the Thistlehurst Apartments which front Ledgers Road. This elevation contains one side facing window within each storey, each of which serve single aspect non-master bedrooms. The impacts on these neighbouring properties are addressed below.

12.10 *Daylight and Sunlight*

The height of the proposed rear extensions would encroach within a vertical 25 degree angle of the centre of the neighbouring ground floor bedroom window. Therefore a Daylight and Sunlight Study has been submitted which measures the Vertical Sky Component, Daylight Distribution, and sunlight for each of these neighbouring bedrooms. These are the correct forms of measurement for this type of impact according to the British Research Establishment guidelines.

- 12.11 Vertical Sky Component - the British Research Establishment guidelines states a Vertical Sky Component of 27 degrees should provide reasonable daylight falling on the plane of the window. If a proposed development would reduce the Vertical Sky Component by more than 27 degrees and result in a 20 percent over its former value, the loss of daylight would be noticeable for the occupiers and the room would appear more gloomy. The submitted Daylight and Sunlight Study finds the existing neighbouring ground floor bedroom window which is the only window serving the bedroom has a Vertical Sky Component of 30.38 degrees. With the proposed development in place, the Vertical Sky Component would be reduced by 13 percent to 26.36 degrees. Although the proposal would be just below the recommended 27 degrees, the reduction would be less than 20 percent and therefore would not fail to comply with the British Research Establishment guidelines in this regard. Furthermore, as the affected bedroom is not a main living area or a master bedroom, and given the relative shortfall from the 27 degrees, the proposal would not have an unacceptable impact on occupiers of this neighbouring dwelling. The Vertical Sky Component upper floor windows would be more than 27 degrees and with the proposed development in place, this would be reduced between 12% and 7% which is in compliance with the guidelines.
- 12.12 Daylight Distribution - the British Research Establishment guidelines states where the daylight distribution existing room is reduced by 20% the loss of daylight would be noticeable for the occupiers. The guidance states bedrooms should be analysed although they are less important than main living areas. The submitted Daylight and Sunlight Study finds that as a result of the proposed development, the existing neighbouring ground floor and first floor windows would be reduced by 26% and 22% respectively. However, as the affected rooms are bedrooms, and given these windows being close to the common boundary, such a relaxation in the guidelines is appropriate and acceptable.
- 12.13 Sunlight - the British Research Establishment guidelines advises that any windows facing within 90 degrees due south should be measured for loss of sunlight. Given the affected windows are not 90 degrees due south and are north facing; no measurement of any loss of sunlight is required. Due to the northern orientation of the proposal, it would not lead to an unacceptable loss of sunlight serving these room and the external areas at the Thistlehurst Apartments.

#### 12.14 *Outlook*

The proposed extensions would be positioned at the following approximate distances from the Thistlehurst Apartments:

	Proposed 4 storey element	Proposed 6 storey element (rear extension)	Proposed highest point (upper floor extension)
Northern side facing elevation (Thistlehurst Apartments)	17 metres	24.5 metres	34.8 metres
Northern boundary (Thistlehurst Apartments)	15.5 Metres	23 Metres	33.3 metres

These distances would provide sufficient separation space from the increased built form to prevent any unacceptable overbearing impact or loss of outlook for the occupiers of the neighbouring flats within the Thistlehurst Apartments.

#### 12.15 *Privacy*

The proposal would include west facing windows and a roof terrace at fourth floor level that would provide views towards the Thistlehurst Apartments; the closest of which would be those within the southernmost four storey elevation of the proposed rear extension. These windows serve habitable rooms and would be positioned approximately 17 metres from the existing bedroom windows in the northern side elevation of the Thistlehurst Apartments. Regard should be given to the fact that these affected windows in the Thistlehurst Apartments are positioned very close to the common boundary with the application site (approx. 1.5 metres) and therefore do not benefit from space within its own curtilage to provide sense of private outlook. Given the proposed windows are not positioned directly opposite the Thistlehurst Apartments windows (as shown on drawing no. I DG 01) and given a proposed separation distance approximately 17 metres, the resulting separation distance combined with the relatively oblique views would not result in an unacceptable loss of privacy for the occupiers of the neighbouring flats within the Thistlehurst Apartments. The proposed windows and terrace area on the upper floors would be separated by a minimum distance of approximately 22.5 metres from the Thistlehurst Apartments which is ample distance to prevent an unacceptable loss of privacy.

12.16 The external areas at the Thistlehurst Apartments are positioned to the front and side of the building and are not private. The proposal would not result in any significant overlooking not these areas over and above the current situation.

12.17 17 Bath Road:

The proposed upper floor extension on the existing buildings would be sited approximately 8 metres to the existing neighbouring office building at no. 17 Bath Road. The rear extension would be sited approximately 18.5 metres from this building. The impacts on this neighbouring property are addressed below.

12.18 *Daylight and Sunlight*

The British Research Establishment guidelines state the recommended values can apply to 'some offices'. The local planning authority consider that impact on office working environments should be given less weight compared to residential living environments. Regard should also be given to 17 Bath Road possibly being converted into residential flats; however, no plans have been submitted to propose this. As such, a Daylight and Sunlight Study has been submitted which measures the Vertical Sky Component on the affected east facing windows at 17 Bath Road. Both the local planning authority and the British Research Establishment consider this a reasonable approach.

12.19 Vertical Sky Component - the British Research Establishment guidelines states a Vertical Sky Component of 27 degrees should provide reasonable daylight falling on the plane of the window. The submitted Daylight and Sunlight Study finds that with the proposed development in place much of the east facing windows would have a Vertical Sky Component of 27 degrees or more. At the lower levels the Vertical Sky Component would be between 16 – 21 degrees. Given the close relationship of this neighbouring elevation with the common boundary together with existing use being offices which are given less weight compared to existing residential dwellings, the proposal would not result in an unacceptable impact on the amount of daylight serving the existing office.

12.20 *Privacy*

The proposed upper floor extension on the existing buildings would be sited approximately 8 metres from the west elevation of the neighbouring 17 Bath Road. No west facing windows are proposed within the upper floor extension and therefore no concerns are raised regarding the overlooking from this part of the proposed development.

12.21 The proposed rear extensions contain west facing windows serving habitable rooms and a fourth floor terrace which are positioned approximately 13 metres from the western boundary line with 17 Bath Road and approximately 18.5 metres from the elevation of the east elevation of 17 Bath Road. Subject to 1.8 metre high screening to the fourth floor terrace which can be secured by condition, these distances are considered to be sufficient to prevent unacceptable overlooking impact on the existing office use or any future redevelopment of the site.

12.22 *Outlook:*

Given the existing close relationship of the west elevation of 17 Bath Road with the common boundary together with existing use being offices where less weight is given compared to existing residential dwellings, the proposal would not result in an unacceptable impact on the amount of outlook serving the existing office. Furthermore, it is considered that the proposal would not result in an unacceptable impact on future residential occupiers should a conversion or a redevelopment be carried out appropriately.

12.23 Remaining properties within vicinity of the site:

12.24 The remaining neighbouring properties would be set away from the proposal by a distance great enough to prevent any unacceptable impacts on their amenity in terms of overlooking, overbearing, outlook, daylight, or sunlight.

12.25 Based on the above, and 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, and the requirements of the National Planning Policy Framework 2018.

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

13.1 The National Planning Policy Framework states that planning should create places with a high standard of amenity for existing and future users.

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 Policy H14 of the Adopted Local Plan seeks an appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities.

13.4 *Access:*



Pedestrian access from the street would be gained directly from the footway in Ledgers Road and a secondary access would be provided at the rear within the parking area. The main access comprises a secure lobby with postal storage. A further internal door provides access to the single stair core and lift to the upper floors of the proposed extensions. The prior approval scheme would be accessed separately via its own stair core via existing access from footway Bath Road. Residents of the prior approval scheme would not have access to any internal areas of the proposed development. The two lower ground floor units would benefit from independent access from Ledgers Road.

13.5 *Flat size, outlook, and privacy:*

The proposed flats would have acceptably sized internal spaces that would comply with the Nationally Described Space Standards. Most of the proposed flats would be served by windows that provide a suitable degree of aspect, outlook and privacy. The windows serving the living areas within the proposed lower ground floor flats within the rear extension would obtain outlook from the adjoining private terrace which measure approximately 4.4 metres deep, where the boundary fence and planting then adjoin Ledgers Road. Given the fencing is metal railed and not closed boarded together with a buffer area for planting which can provide additional screening, this would result in an acceptable level of outlook and privacy within these living areas. The bedroom windows within one of these units (unit PL LG01) would be close to the vehicle access road. Although this is not ideal, the access into the site would be gated, no footpath would be adjacent to this window and there would be no reason for anyone to walk past this window. Given the number of units proposed which provide good outlook conditions, the harm caused by the positioning of this window would not provide enough weight to refuse the application in its own right however this should be added to the weight towards any harm when determining the application.

13.6 The bedroom window serving the lower ground floor flat (unit PL LG02) would be positioned close to the undercroft walkway which provides the rear pedestrian access from the car park. The amount and nature of defensible area proposed for this window would not normally provide sufficient security or privacy. However, given the number of units proposed which provide good living conditions, the harm caused by the positioning of this window would not provide enough weight to refuse the application in its own right however this should be added to the weight towards any harm when determining the application. The daylight entering the bedroom this window would serve has been measured to have a Average Daylight Factor of 1.06 which comply with the British Research Establishment Guidelines of 1.0 for windows.

13.7 *Indoor environment:*

Due to high levels of Nitrogen Dioxide within the adjacent Air Quality Management Area, the flats would be required to incorporate mechanical ventilation with filtration systems. For these to provide an appropriate amount of fresh clean air within each flat, all of the windows along the Bath Road frontage and Ledgers Road frontage and some on the eastern side elevation would need to be non-openable windows. The windows within the remaining elevations would be openable by either 30%; 60%; 75% or 100% as set out in the submitted air quality assessment. Further assessment and explanation on this matter is provided below in the 'impact on air quality' section.

13.8 An overheating report has been submitted which to ensure these units would not overheat due to the restricted window openings. It is concluded that with mitigation such as providing 4 air changes per hour through the mechanical ventilation along with fabric enhancements and internal blinds, the internal temperatures would be in line with the relevant guidance (CIBSE Guide A). The proposed mitigation should be secured by condition.

13.9 The inclusion of non opening windows would prevent the future occupiers having a direct relationship to the external environment and therefore would not provide the livings conditions that would normally sought for residential living. However given the health issues associated with exposure to Nitrogen Dioxide together with the defined need for housing, this would not provide enough weight to refuse the application in isolation however this should be added to the weight towards any harm when determining the application.

13.10 As discussed in paragraph 15 The Councils Air Quality Officer therefore recommends a financial contribution towards a Clean Air Zone Feasibility Study and local tube testing which could help reduce pollution within the adjacent Air Quality Management Area and therefore enable fully openable windows in the future. These financial contributions would be secured through the Section 106 Agreement.

13.11 The strategy of providing non openable windows has been discussed with the Council's Building Control Department who have confirmed that Building Regulations provide scope for appropriate means of escape where developments such as these do not have openable windows.

13.12 *External amenity space:*

Turning to external amenity space, balconies were originally proposed, however, these have since been removed due to air the quality issues discussed above. Due to the close location to Salt Hill Park which is located on the opposite side of Bath Road via signalled controlled pedestrian crossings, future residential would have a degree access to external

amenity space. A policy compliant financial contribution of £7,200 towards open space and recreation will be secured as part of the Section 106.

13.13 *Noise and disturbance:*

As the proposal would be positioned within close proximity to the Bath Road and Ledgers Road where noise levels originating from road traffic would have an impact on the future occupiers. A Noise Impact Assessment has been submitted which finds the noise levels would significantly exceed those recommended by the relevant British Standard. The submitted Noise Impact Assessment asserts the noise impacts can be mitigated through the building fabric and individual apartment mechanical ventilation. This has been assessed by the Council's Environmental Quality Officer who generally agrees with these findings but require further information is required regarding the specific glazing to be used and the ventilation specifications along with a noise assessment and any mitigation to ensure the noise levels remain acceptable when the mechanical ventilation systems are in use. Following advice from the Environmental Quality Officer, mechanical ventilation systems are small units within each flat and are very quiet when in operation. together with appropriate positioning such as within a kitchen and if needed within an insulated cupboard they would not result in unacceptable noise impacts to the occupiers of the units and neighbouring properties. As noise impact assessment and any mitigation can therefore be secured by condition.

- 13.14 The proposed extensions propose uncoordinated stacking of rooms in some areas. For example, living rooms and kitchen would be stacked directly above bedrooms areas and vice versa. This would result in significant noise transmission from high activity areas into the areas into the quieter resting areas of the neighbouring units thereby significantly impacting living conditions. The application includes a noise impact assessment which proposes internal better than building regulation sound insulation and sound testing to ensure the floors are appropriately constructed to ensure conflicting stacking would have acceptable impacts. This is an acceptable approach and should be secured by condition.

13.15 *Existing offices*

The application is not proposed to and has not been designed to continue with the office use on the vacant floors below. Should an office use continue on the lower floors there would be noise and disturbance issues for the future occupiers unless a planning condition is included to restrict the opening hours, and noise impacts from air conditioning plant that would likely be required. As this scenario would result in unacceptable living conditions, a planning condition can be included to ensure the proposed development is only carried out in combination with the prior approval permission F/06033/017 granted on 18/08/2019. The developer has agreed to this condition.

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

14.0 **Crime Prevention**

14.1 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.

14.2 Pedestrian access from the street would be gained directly from the footway in Ledgers Road where there is already a good level of natural surveillance from the highway and also from the proposed windows in the upper floors. A secondary access would be provided at the rear within the parking area which is within the secured site. The main access comprises a secure lobby with postal storage. A further internal door provides access to the single stair core and lift to the upper floors of the proposed extensions. The prior approval scheme would be accessed separately via its own stair core via existing access from footway Bath Road. Residents of the prior approval scheme would not have access to any internal areas of the proposed development. The two lower ground floor units would benefit from independent access from Ledgers Road.

14.3 The proposed vehicular access from Ledgers Roads would be securely gated and be shared with the neighbouring offices at 17 Bath Road. Following consultation the Crime Prevention Officer from Thames Valley Police the plans have been revised since their original submission to provide a secure boundary around the sensitive parts of the site. Officers are now satisfied this scheme would prevent any unwanted access from the neighbouring office users and members of the public.

14.4 Cycle storage would be located within the basement and would comprise one secure store of 25 spaces for the proposal and a separate secure store of 23 spaces for the permitted development scheme. The proposed cycle store for this scheme would provide 5 individual secure lockers along with Sheffield and vertical stands. This is appropriate in principal but details of the physical security feature will be clarified through details submitted by condition.

14.5 The application includes a security strategy that aims to achieve a Secured by Design Silver Award which according to the Crime Prevention Officer from Thames Valley Police would be appropriate for this development. The submitted strategy is currently being reviewed by the Crime Prevention Officer to ensure it would achieve such accreditation. Any comments will be included on the Amendment Sheet. A condition is required to achieve a Secured by Design Silver Award level of security.

14.6 Based on the above, and subject to any objections from the Design Prevention Officer, the proposal is considered to be in accordance with the requirements of Policy EN5 of the adopted Local Plan.

15.0 **Highways and Parking**

15.1 The National Planning Policy Framework 2019 requires development to give priority first to pedestrian and cycle movements, and second - so far as possible – to facilitating access to high quality public transport. Development should be designed to create safe and suitable access and layouts which minimise conflicts between traffic and pedestrians. Plans should also address the needs of people with disabilities, allow for the efficient delivery of goods and access by emergency vehicles, and provide facilities for electric vehicle charging. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 109 of the National Planning Policy Framework states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

15.2 Core Policy 7 of the Core strategy and Local Plan Policy T2 require the level of parking within residential development will be appropriate to both its location and the scale of the development and taking account of local parking conditions.

15.3 *Trip Generation:*

The existing offices generated approximately 269 two way vehicle trips. The proposal in combination with the approved 29 flats through the prior approval would generate approximately 190 two way vehicle trips, resulting in a net reduction of traffic movements of approximately 78 two way vehicle trips. On this basis, no objections have been raised by the Local Highway Authority with regard capacity.

15.4 *Access:*

Pedestrian access is proposed directly from the footway in Ledgers Road and a secondary access at the rear within the parking area. The Local Highway Authority has confirmed these do not cause any highways issues. In proposing a secure boundary around the application site the pedestrian access into the neighbouring office building at 17 Bath Road would be slightly altered. This includes a narrower pedestrian access at the front of the site, and the removal of an access way from the rear carpark. The narrower access at the front would be through a 1 meter wide gate which is considered acceptable. Given there is a further pedestrian access at the rear to the west, the removal of the southern rear pedestrian access would not prejudice access into the building from the car park and is therefore also

acceptable.

- 15.5 The existing vehicular access from Ledgers Roads which is shared with 17 Bath Road would be retained and used to access the site. Subject to the required visibility splays being retained which can be secured by condition, satisfactory service vehicle and serving access can be achieved and objections have been raised by the Local Highway Authority.

15.6 *Car parking*

The site is located within the defined Town Centre where the development plan sets a nil parking standard for residential uses. The application proposes 15 surface level car parking spaces which exceeds this standard, however, as there would not be an increase over the existing number of car parking spaces and the trip generation would not be worsened this is considered acceptable. Of the proposed 15 car parking spaces 4 would have electric vehicle charging point which is appropriate. No parking would be provided in the basement. The neighbouring office building at 17 Bath Road would retain its current number of parking spaces.

- 15.7 The application is not proposed to and has not been designed to continue with the office use on the vacant floors below. The Local Development Plan has a maximum parking requirement of 1 space per 40sqm for offices in the town centre while residential flats have a nil parking provision. Following discussions with the Local Highway Authority should the office be retained then some parking should also be retained to serve the offices. The application proposes to allocate the parking spaces to the residential scheme and the layout does not provide any office parking. Without any off street parking for the office or any mitigation, retaining the office on the lower floors would likely lead to vehicles using the surrounding roads for parking. The Local Highway Authority assert the surrounding on street parking is up to capacity and the loss of office parking would lead to either the displacement of residential on street parking or cause a highway obstruction.

- 15.8 The application is not proposing to retain the existing offices but is currently converting them into residential flats via the recently granted prior approval permission F/06033/017 granted on 18/08/2019. This prior approval permission did not require the car parking to be retained because the site is located within the defined Town Centre where there is a nil parking requirement for residential flats. It is therefore considered the proposal in combination with the prior approval permission would result in an acceptable provision of parking on the site. A planning condition can be included to ensure the proposed development is only carried out in combination with the prior approval permission F/06033/017 granted on 18/08/2019. The developer has agreed to this condition.

- 15.9 Allocation of the car parking spaces and management of EV Charging

spaces should be ensured through a car park management plan which would allow spaces and charging points to be reallocated to residents that require them.

15.10 *Cycle parking*

Cycle storage would be located within the basement and would comprise one secure store of 25 spaces for this proposed development and a separate secure store of 23 spaces for the permitted development scheme. The proposed cycle stores would provide 5 individual secure lockers in each secure store along with Sheffield stands and vertical stands. This is acceptable subject to the physical security features being clarified through details submitted by condition.

15.11 *Refuse and Servicing:*

The refuse and recycling store would comprise a timber enclosure within the rear parking area to the western side of access ramp into the Basement. The store would be combined with approved flats within the existing building. The store would be an appropriate size to accommodate the required number of bins and manoeuvring space and would be positioned in an area suitable for resident access and for the bin collection vehicle. Acceptable turning areas within the site for a bin lorry have been demonstrated within the Transport Statement.

15.12 In order to address the increase in online deliveries, and to prevent such vehicles causing an obstruction on the roadway, a delivery management plan should be required. There appears to be enough space within the site to accommodate a delivery vehicle without causing an obstruction and therefore this can be secured by condition.

15.13 The local Highway Authority has assessed the proposal and raised no objections and the proposals are considered to accord with Core Policy 7 of the Core Strategy , Local Plan Policy T2 and T8, and the requirements of the National Planning Policy Framework.

16.0 **Air Quality**

16.1 The application is located next to the Bath Road Air Quality Management Area. Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. Proposal should not result in unacceptable levels of air pollution. This is reflected in Paragraph 181 of the National Planning Policy Framework which also goes on to require any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

16.2 The Council has recently adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic and requiring electric charging points within new developments.

16.3 *Exposure to future occupiers:*

Due to the site being within close proximity to the Bath Road Air Quality Management Area the Council's Environmental Quality Officer has confirmed that without mitigation, the proposal would lead to an unacceptable impact on the future occupiers in terms of exposure due to high levels of Nitrogen Dioxide. The application includes an Air Quality Assessment proposed to install mechanical ventilation with filtration systems to mitigate against Nitrogen Dioxide concentrations originating from the adjacent Air Quality Management Area. The Council's Air Quality Officer initially advised this is an acceptable approach subject to all of the windows being secured shut at all times. Following further discussions with the Council's Air Quality Officer and further air quality modelling from the applicant's specialist, all of the proposed flats would still require incorporate mechanical ventilation with filtration systems; however a portion of the windows could now be openable to provide a mix of filtered and non filtered air. All of the windows along the Bath Road frontage and Ledgers Road frontage and some on the southern rear elevation would need to be non-openable windows. The windows within the remaining elevations would be openable by either 30%; 60%; 75% or 100% as set out in the submitted air quality assessment. The Council's Air Quality Officer has accepted this approach. Details of the openable and non-openable windows should be required by condition.

16.4 While the installation of individual mechanical ventilation / filtration systems for each flat would provide mitigation for the future occupiers against the poor air quality, the inclusion of non opening windows would affect the living conditions of the future occupiers. The Council's Air Quality Officer therefore recommends a financial contribution of £25,000 towards a Clean Air Zone Feasibility Study which could help reduce pollution within the adjacent Air Quality Management Area and therefore may enable fully openable windows in the future.

16.5 Paragraph 54 of the National Planning Policy Framework requires obligations to meet the following three tests set out in Regulation 122 of The Community Infrastructure Levy Regulations 2010:

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



The Clean Air Zone feasibility study is planned to be carried out next year and is subject to funding. Should the funding be obtained, there is no certainty whether a Clean Air Zone would in fact be required or implemented as a result of the feasibility study. It is therefore considered the requested financial contribution of £25,000 towards a Clean Air Zone Feasibility Study may not meet the three tests set out in Regulation 122 of The Community Infrastructure Levy Regulations 2010.

- 16.6 The Councils Air Quality Officer also recommended tube testing is carried out post development to provide measurements of the air quality on the façade of the building. This would provide the Local Planning Authority appropriate information to enable openable windows should the levels of pollution drop in the future and a subsequent application is submitted. A further financial contribution of £2,500 would be required to cover the Council's cost in this regard. However the developer is currently undertaking the tube testing and following advice from the Councils Air Quality Officer, this is an acceptable alternative and therefore the £2,500 would be no longer be required.

16.7 *Impact on the Air Quality Management Area*

The proposal in combination with the recently approved prior approval for a change of use from offices to 24no. residential flats is not envisioned to result in an increase in traffic movements when compared to the previous offices. However, the construction phase and the introduction of boilers serving each flat would have a detrimental impact on the Air Quality Management Area if not appropriately mitigated. Furthermore, 4no. electric vehicle charging points are proposed within the parking area. The Councils Air Quality Officer has also requested the EV provision be provided for all parking spaces on site. Given the net reduction traffic movements compared to the existing situation (approximately 78 less two way vehicle trips), the proposed 4no. electric vehicle charging points with is considered an acceptable.

- 16.8 The Councils Air Quality Officer has requested Travel Plan monitoring and details of the promotion of sustainable travel, including electric vehicle use and usage of the EV charging infrastructure. As set out in the Developer's Guide, due to number of flats proposed is less than 80, the planning application is not required to include a Travel Plan. However, a car park management plan which sets out how the EV parking spaces will be prioritized for EV charging will be secured by condition.

16.9 *Mitigation:*

Based on the above and the following mitigation measures will be sought:

- Car park management plan (to include EV charging).
- Construction Environmental Management Plan (CEMP) shall be

produced and shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report and dust management methods. It shall also include construction traffic route plans.

- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard.
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report.
- Mechanical ventilation with filtration systems to mitigate against NO2 concentrations originating from Bath Road.
- Air intakes for mechanical ventilation must be situated away from pollution sources at height or at the back of the development/ away from major roads.
- Non non-openable and partially openable windows.

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

17.0 **Surface water drainage**

17.1 Paragraph 165 of the National Planning Policy Framework requires Major developments to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate. Core Policy 8 of the Core Strategy requires development to manage surface water arising from the site in a sustainable manner.

17.2 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.

17.3 The application includes a drainage strategy which has been assessed by the Lead Local Flood Authority and found to be acceptable in principle, but further details are required. The Lead Local Flood Authority are recommending this can be dealt with by condition, which has been applied to the draft list of conditions.

18.0 **Infrastructure and Affordable Housing**

18.1 *Infrastructure:*

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.

18.2 *Education:*

As the proposal is between 15 and 100 units, in accordance with Core Policy 10 and Part 2 of the Developer's Guide, the Education Authority

would seek education contributions. In accordance the tariffs set out in on page 6 of the Developer's Guide, each one bed flat attracts £903 and each two bed flat attracts £4,828. Based on the proposed mix, the proposal would attract a financial contribution of £49,147.

18.3 *Open Space:*

The proposal is a high density development, comprises less than 70 units and all of the flats would be served by balconies the proposal would attract a financial contribution of £300 per flat which amounts to £7,200. This amount should be allocated this towards landscape and / or recreation improvements Salt Hill Park which is located on the opposite side of the Bath Road.

18.4 *Affordable Housing:*

Core Policy 4 of the Core Strategy requires all proposals of 15 or more dwellings (gross), to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing. In accordance with the updated Developer Guide Part 2, (September 2017), as the proposal is between 15 and 24 units, the application would attract a financial contribution in accordance with the schedule of rates towards affordable housing units to be built off-site. Given the mix of units proposed, the policy compliant financial contribution would amount to £328,736.

18.5 *Viability:*

Paragraph 57 of the National Planning Policy Framework states where up to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

18.6 The total policy compliant level of planning obligations for this scheme equate to £385,083. A viability report has been submitted which has been assessed by the Council's third party viability specialist, BPS where it has been found this level of planning obligations would result in a negative residual deficit of -£280,281. Given the degree of this negative deficit the developer asserts the proposed scheme would not be deliverable. Without any obligations the scheme would have a surplus of +£104,802. Following lengthy negotiations between Planning Officers, the Council's third party viability specialist and the developer, the following level of financial contributions have been offered:

Education:	£49,147
Open Space:	£7,200
Affordable Housing:	£92,713
Net Total:	£149,060

- 18.7 The above contributions would meet the required amount sought for education and open space. However the £92,713 is a reduced amount compared to the policy compliant £328,736 for affordable housing. This amount is 28 percent of the policy requirement.
- 18.8 Where it is found that the policy compliant amount of affordable housing and / or infrastructure payments cannot be achieved it is for the Local Planning Authority to balance the priorities in where to allocate any financial contributions. In balancing the priorities, having regard to the merits of the application and the impacts associated with the development, officers have come the conclusion the contributions should be distributed as set out in the table in paragraph 18.3.
- 18.9 Based on the above, subject to securing the financial contributions set out above towards Infrastructure and Affordable Housing, mitigation through a Section 106, no objections are raised regarding affordable housing and infrastructure
- 19.0 **Section 106 Obligations**
- 19.1 As set out above, the a Section 106 would be required to secure the following:
- Infrastructure, Affordable Housing, and Air Quality mitigation financial contributions:
    - i. Education: £49,147.
    - ii. Open Space: £7,200.
    - iii. Affordable Housing: £92,713
- 19.2 Based on the information assessed to date, such obligations would be considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that the obligations are considered to be:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- The above should be secured through a Section 106 Agreement before this planning permission is granted.
- 20.0 **Equalities Considerations**

- 20.1 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either residing in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority has given due regard for the needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (eg: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In particular, regard has been had with regards to the need to meet these three tests:
- Remove or minimise disadvantages suffered by people due to their protected characteristics;
  - Take steps to meet the needs of people with certain protected characteristics; and;
  - Encourage people with protected characteristics to participate in public life (et al).
- 20.2 The proposal would provide new residential accommodation at a mix of dwelling sizes that would all be compliant with the Nationally Described Space Standards. Two of the fifteen parking spaces would be sized for wheelchair accessibility. Wheelchair access from these spaces up to the main entrance can be achieved where an intercom system will provide voice communication to each flat. The communal doorways, internal corridors, lift; front doors into each flat all provide appropriate widths for wheelchair accessibility. Given the proposal is for 24 private market flats, these provisions are considered appropriate and would comply with local and national planning policies.
- 20.3 It is considered that there will be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development eg: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects. This is secured by condition.
- 20.4 In relation to the car parking provisions, there are potential adverse impacts on individuals within the pregnancy/maternity, disability and age protected characteristics if the occupier/individual does not have access to a car parking space in the development. A justification for the level of car parking is provided in the transport section of this report to demonstrate compliance with the NPPF and transport planning policies in the Local Plan/Core Strategy.

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

21.0 **Impact on biodiversity and ecology**

21.1 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

21.2 The application property does not fall within a designated Special Protection Areas, Special Areas of Conservation or Site of Special Scientific Interest. It is not within 200m of ancient woodland, and is not an agricultural building or barn. The building was previously used as an office and became vacant in early 2018. Since the building was vacated the building has been stripped out and is currently undergoing internal conversion works to implement the residential flats approved through the prior approval in August 2019. Following a site visit there did not appear to be any signs of any protected habitats and the developer asserts there are none. Officers are satisfied there would be no likely significant harm on protected species or ecology resulting from the proposed development.

21.3 The proposal would result in the loss of some existing landscaped areas and planters to the rear of the site. The existing landscaped areas to the front of the site would remain. Some new landscaping is proposed due to parking reconfiguration at the rear of the site, by the boundary fence along Ledgers Road and a new tree within an existing landscape area to the front of the site. This therefore gives opportunity to provide planting that would attract ecological habitats. Officers are aware Members Planning Committee often seek planting which attract Bumble Bees and this has been added to the landscaping condition. Given the quantity of landscaping that would replace the areas to be lost, together with ecologically focused planting; the proposal is considered to result in a minor net gain for biodiversity.

21.4 Based on the above, the proposal would satisfy Core Policy 9 of the Core Strategy and the National Planning Policy Framework.

22.0 **Presumption in favour of sustainable development:**

22.1 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.” The Local Planning Authority can not demonstrate a Five Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing

as set out in Paragraph 11 of the National Planning Policy Framework 2019 and refined in case law should be applied.

- 22.2 The report identifies that the proposal complies with some of the relevant saved policies in the Local Plan and Core Strategy, but identifies where there are some conflicts with the Development Plan, namely the limited outlook to the east from within the approved flats in the existing building; the compromised living conditions caused by the restricted window openings, the bedroom window positioning in flats PL LG01 and PL LG02, and the reduced affordable housing contribution. However, when considering the proposal would provide 24 new flats towards the defined housing need at a time where there is not a Five Year Land Supply within the Borough, in combination with compliance with the relevant planning policies and considerations as set out above, the Local Planning Authority consider that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2019 taken as a whole. On balance, the application is recommended for approval.

23.0 **PART C: RECOMMENDATION**

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

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 Agreement to secure the financial contributions set out in paragraph 19.1;
- 2) satisfactory details of the positioning, size, and finishing material of the air intakes and extracts for mechanical ventilation;
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 27<sup>th</sup> March 2020 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

**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. 190215 – 001; Dated 05/07/2019; Rec'd 21/10/2019
- b) Drawing No. 190215 – 003 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- c) Drawing No. 190215 – 011 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- d) Drawing No. 190215 – 100 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- e) Drawing No. 190215 – 101 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- f) Drawing No. 190215 – 102 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- g) Drawing No. 190215 – 110 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- h) Drawing No. 190215 – 111 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- i) Drawing No. 190215 – 112 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- j) Drawing No. 190215 – 113 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- k) Drawing No. 190215 – 114 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- l) Drawing No. 190215 – 115 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- m) Drawing No. 190215 – 116 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- n) Drawing No. 190215 – 117 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- o) Drawing No. 190215 – 300 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- p) Drawing No. 190215 – 301 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- q) Drawing No. 190215 – 302 Rev A - Dated 20/10/2019; Rec'd 21/10/2019
- r) Drawing No. 190215 – 310 Rev A - Dated 20/10/2019; Rec'd 21/10/2019

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 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 C665 &



C552 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

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

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

Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the 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.

#### 5. 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.

#### 6. Samples of Materials

Prior to the commencement of the extensions hereby approved, samples of external materials (including, reference to manufacturer, specification details, positioning, and colour) to be used in the construction of external envelope of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2018.

#### 7. Architectural details

Prior to the commencement of the extensions hereby approved, 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, balconies, and all elevational detailing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained 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 (saved polices), and the requirements of the National Planning Policy Framework 2018.

#### 8. Surface Water Drainage

Prior to the commencement of the extensions hereby approved, a

surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).

The surface water drainage strategy shall follow the drainage hierarchy for the outfall as per Building Regulations Part H requirement. The drainage scheme shall also provide the followings;

- a. Evidence that a suitable number of infiltration tests have been completed. These need to be across the whole site; within different geologies and to a similar depth to the proposed infiltration devices. Tests must be completed according to the BRE 365 method or another recognised method including British Standard BS 5930: 2015.
- b. Maintenance regimes of the entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element. Evidence that those responsible/adopting bodies are in discussion with the developer. For larger/phased sites, we need to see evidence of measures taken to protect and ensure continued operation of drainage features during construction.
- c. Evidence that enough storage/attenuation has been provided without increasing the runoff rate or volume. This must be shown for a 1 in 100 year plus 40% climate change event.'

The approved scheme shall be implemented in accordance with the approved details which shall be fully installed before the development is occupied and be retained, managed, and maintained in accordance with the approved details at all times in the future.

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

#### 9. Construction Management Scheme

Prior to the commencement of the extensions hereby approved, a Construction Management Plan shall be 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 and to ensure minimal disruption is caused to existing businesses in the shopping centre area in accordance with policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2019.

#### 10. Landscaping Specification

Prior to the commencement of the extensions hereby approved, the following details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority:

- a) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- b) a schedule detailing type sizes and numbers/densities of all proposed trees/plants (including planting which attract Bumble Bees);
- c) specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and
- d) types and dimensions of all boundary treatments
- e) location, type and materials to be used for hard landscaping including specifications, where applicable for:
  - permeable paving
  - tree pit design
  - underground modular systems
  - Sustainable urban drainage integration
  - use within tree Root Protection Areas (RPAs)

The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. All soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) or planting that die, are removed or become severely damaged or diseased shall be replaced within five years of planting. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

REASON: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004

#### 11. Crime Prevention and Anti Social Behaviour

The development hereby approved shall not commence until and a security strategy capable of achieving a level of security required by the Secured by Design Silver Award has been submitted to and approved in writing by the Local Planning Authority.

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

REASON to ensure the proposed development minimises the opportunity criminal activity and anti social behaviour in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 Policy EN5 of The Adopted Local Plan for Slough 2004, and the National Planning Policy Framework, 2019.

#### 12. Overheating Mitigation

No development shall continue above the ground floor slab of the extensions hereby approved until the specific mitigation details set out in the submitted Overheating Analysis Issue No. 2 (ref. 4260-Park House-Overheating-1911-05yp.docx); Dated 05/11/2019; Rec'd 05/11/2019 have been submitted to and approved in writing by the Local Planning Authority.

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

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

### 13. Noise assessment – external noise

No development shall continue above the ground floor slab of the extensions hereby approved until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a. lazing units pursuant in accordance with the design criteria outlined within the Planning Noise Assessment by Adnitt Acoustics (ref. E19069/EBF/R2a) Dated 5th July 2019;
- b. mechanical ventilation specification including details of ventilation noise outputs along with a noise assessment in accordance with any mitigation in accordance with ProPG: Planning and Noise Guidance and British Standard 8233:2014

The development shall be carried out in full accordance with the approved details together with the noise mitigation measures set out in Section 6 of the Planning Noise Assessment by Adnitt Acoustics (ref. E19069/EBF/R2a) Dated 5<sup>th</sup> July 2019 prior first occupation shall be retained as such all times in the future. Each Mechanical Ventilation unit shall then be used and maintained in accordance with the manufactures requirements.

REASON to ensure future residents are not subjected to unacceptable noise levels once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

### 14. Non- openable and partially openable windows

Prior to the installation of the windows within the extensions hereby approved, full details of all non- openable and partially openable windows pursuant to and in accordance with the submitted Internal NO2 Analysis Issue No. 1 (ref. 3902-15 Bath Road-Internal NO2-1911-06ns.docx); Dated 06/11/2019; Rec'd 06/11/2019 shall be submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the windows will be retained closed or partially closed as required without the future occupiers easily adjusting the required window aperture.

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

REASON to ensure future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008.

## 15. Mechanical Filtered Ventilation

Prior to the occupation of the extensions hereby approved, details of the Mechanical Filtered Ventilation within each flat pursuant to and in accordance with the submitted Internal NO2 Analysis Issue No. 1 (ref. 3902-15 Bath Road-Internal NO2-1911-06ns.docx); Dated 06/11/2019; Rec'd 06/11/2019 and the noise shall be submitted to and approved in writing by the Local Planning Authority

The development shall be carried in full accordance with these details prior first occupation and retained as such at all times in the future. Each Mechanical Filtered Ventilation unit shall then be used and maintained in accordance with the manufactures requirements.

REASON to ensure existing and future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

## 16. Noise assessment – stacking

Prior to first occupation the development hereby approved details of internal sound insulation and testing to address the conflicting stacking of rooms in accordance with and pursuant to and in accordance with the Planning Noise Assessment by Adnitt Acoustics (ref. E19069/EBF/R2a) Dated 5th July 2019 shall be submitted to and approved in writing by the Local Planning Authority

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

REASON to ensure future residents are not subjected to unacceptable noise and disturbance once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

## 17. Landscape Management Plan

Prior to first occupation of the extensions hereby approved, a landscape management plan shall be submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the communal landscape areas and boundary treatments, shown on the approved landscape plan, and should include time scales for the implementation. The development shall be carried out in accordance with the approved details.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004

#### 18. Refuse

No part of the development hereby permitted shall be occupied until full details of the external materials to be used in the bin store pursuant to the approved plans have been submitted to and approved in writing by the Local Planning Authority.

The bin store shall be carried out in accordance with the approved details first occupation and shall be retained as such at all times in the future.

REASON To ensure that there is adequate and asthetically appriorpate bin storage available at the site in accordance with Core Policies 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies T8 and EN5 of The Adopted Local Plan for Slough 2004, and the National Planning Policy Framework, 2019.

#### 19. Delivery management plan

No part of the development hereby permitted shall be occupied until a delivery management plan has been submitted to and approved in writing by the Local Planning Authority. The delivery management plan shall demonstrate how a delivery vehicle will access the secured parking area without comprising the security strategy and without causing an obstruction on the highway.

The development shall be carried out in full accordance with the approved details on first occupation shall be retained at all times in the future.

REASON: to ensure the delivery vehicles serving the proposed development do not cause an obstruction on the adjoin or surround highway in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2019

#### 20. Car Park and Electric Vehicle Management Plan

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



car park management scheme has been submitted to and been approved in writing by the Local Planning Authority. The Scheme shall include provisions to :

- a) Ensure that spaces cannot be owned/let/allocated to anyone who is not a resident or does not have a car/need a parking space.
- b) Ensure spaces are not permanently linked to dwellings.
- c) State how electric vehicle charging point spaces will be made available to residents with plug in vehicles.
- d) How use of charging point spaces by non plug-in vehicles will be restricted.
- e) Allocation of any visitor spaces.

No dwelling shall be occupied until the car park management scheme has been implemented as approved. Thereafter the allocation and use of car and electric vehicle parking spaces shall be in accordance with the approved scheme.

REASON to provide mitigation towards the impacts on the adjacent Air Quality Management Area and to ensure the parking spaces are in optimum use in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2019

## 21. Cycle Parking

No part of the development hereby permitted shall be occupied until the further details of the cycle parking including their physical security features and external materials pursuant to the approved plans have been submitted to and approved in writing by the Local Planning Authority.

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

REASON To ensure that there is adequate and secure 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, Policies T8 and EN5 of The Adopted Local Plan for Slough 2004, and the National Planning Policy Framework, 2019.

## 22. External Site Lighting

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

lighting scheme has been submitted to and approved in writing by the Local Planning Authority. This shall include external site lighting and lighting within the rear undercroft access and basement in accordance with the design strategy; details of the lighting units, hours of use, and vertical and horizontal illuminance levels including on habitable windows within the site and on neighbouring property. The scheme shall demonstrate there would be no increase in light on neighbouring habitable windows by more than one candela over the ambient background lighting.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future. 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 existing neighbouring residents and future residents of the proposed development and to provide a safe environment within the site in accordance with Core Policies 8 and 12 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and EN5 of The Adopted Local Plan for Slough 2004 and the requirements of the National Planning Policy Framework 2019.

23. In combination with prior approval only

No material operation in the works comprised in the approved development unless or until the scheme approved under the Local Planning Authority reference F/06033/017 dated 18/08/2019 has been implemented. No part of the approved development shall be occupied unless or until the development approved under Local Planning Authority reference F/06033/017 dated 18/08/2019 has been occupied.

REASON: to ensure the existing offices are not retained as part of the use of the land in the interest of residential amenity, parking, and servicing, and to comply with Core Policies 7 and 8 of the Core Strategy, Local Plan Policies EN1 and T2, and the requirements of the National Planning Policy Framework.

24. Privacy screening

No part of the extensions hereby permitted shall be occupied until details of privacy screening to the western side of the terrace area serving flat PL301 have been detailed on floor plans and elevations and submitted and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details prior to first occupation shall be retained in good condition at all times in the future.

REASON In the interests of neighbor amenity and to ensure no overlooking within the proposed development in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and EN2, and the requirements of the National Planning Policy Framework 2019.

25. Gas-fired boilers emissions

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

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

REASON to provide mitigation towards the impacts on the adjacent Air Quality Management Area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2019.

26. Electric vehicle charging

The 4no. Electric Vehicle charging bays as shown on the approved plans along with infrastructure capacity to power 100 percent of the parking provision for future Electric Vehicle charging shall be fully operational and available for use prior to first occupation. The 12no. Electric Vehicle charging points shall incorporate Type 2 sockets and be rated to at least 3.6kW, 16amp, 0 7kW 30amp single phase.

The Electric Vehicle charging bays shall be retained in good working order at all times in the future.

REASON to provide mitigation towards the impacts on the adjacent Air Quality Management Area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2019.

27. No vehicle access gates, roller shutters

No vehicle access gates, roller shutters doors or other vehicle entry barriers (other than those approved by this planning permission) shall be installed on the Bath Road 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 of the development, and in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, and the requirements of the National Planning Policy Framework 2019.

### 28. Car Parking

The parking spaces and turning area shown on the approved plans shall be provided on site prior to first occupation of the development and shall be retained at all times in the future for the parking of motor vehicles ancillary to the use hereby permitted.

REASON To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T2 of The Adopted Local Plan for Slough 2004 (saved policies), and the requirements of the National Planning Policy Framework 2019.

### 29. No additional windows

Notwithstanding the terms and provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no windows (other than those hereby approved) shall be formed in the any part 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 further overlooking of the neighbouring office site at 17 Bath Road 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 National Planning Policy Framework 2019.

### 30. Use of flat roofs

Other than the terrace area shown on the approved plans, the roof areas on the development hereby approved shall not be accessible for residents or visitors and 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, and the requirements of the National Planning Policy Framework 2019.

#### INFORMATIVES:

1. In the exercise of its judgement in determining the appropriate balance of considerations, the Local Planning Authority has acted positively and proactively in determining this application proposal, taking into account all material considerations. Material considerations include planning policies and any representations that may have been received preceding the determination to grant planning permission in accordance with the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2019 and refined in case law. The Local Planning Authority is satisfied that its processes and practices in assessing and determining this application are compatible with the Human Rights Act, the decisions of the European Court of Human Rights, and the Equality Act 2010.
2. An Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
3. 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.
4. 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.
5. Noisy works outside of these hours only to be carried with the prior written agreement of the Local Authority.
6. During the demolition phase, suitable dust suppression measures must be taken in order to minimise the formation & spread of dust.

7. All waste to be removed from site and disposed of lawfully at a licensed waste disposal facility.

8. 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.

9. Thames Water

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

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

Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply->

[and-pay-for-services/Wastewater-services](#)

“A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 020 3577 9483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

If you are planning on using mains water for construction purposes, it’s important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

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