

Registration Date:	13-Apr-2021	Application No:	P/16742/002
Officer:	Alistair De Joux	Ward:	Chalvey
Applicant:	Mohammed Babu	Application Type:	Major
		13 Week Date:	13 July 2021
Agent:	Bimal Ruparelia, Juttla Architects 2-4 High Street, Ruislip, HA4 7AR		
Location:	31-41 Beckwell Road, Slough, SL1 2XA		
Proposal:	Demolition of existing properties and proposed redevelopment of the site to allow for a part 3 and part 4 storey building to form 29 self contained residential units - 16 x 1 Bed Units and 13 x 2 Bed Units with associated amenity space, refuse and recycling, cycle storage and basement car park.		

**Recommendation:** Delegate to Planning manager for Refusal



## 1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application be refused, for the following reasons:

1. The proposed development has not demonstrated that it will not severely constrain or sterilise the land to the north from being efficiently developed in a way that would assist in meeting the Council's identified housing targets and housing needs. As such, the proposal is not in accordance with National Planning Policy Framework 2021 paragraphs 120 d), 121 and 122, Core Policy 1 (paragraph 4) of the Slough Local Development Framework, and saved policies H9 and H13 f) of the Slough Local Plan 2004. While the emerging Slough Local Plan is at an early stage of preparation, it is also noted that the application site is part of a wider strategic site as identified in the Council's Proposed Spatial Strategy to 2036 (published November 2020) regulation 18 consultation document, Chalvey Regeneration Site 4 - Tuns Lane (East Side).
2. The proposal while of some merit in building design terms it would result in a significant loss of privacy for neighbouring occupiers particularly in the use of their private rear gardens, and the loss of trees and the inability of the development as designed to provide sufficient replacement planting would mean that this impact could not be properly mitigated. In addition
  - the structural landscape planting shown on drawing no. P104 dated DEC 2020 would not be capable of implementation due to the extent of the basement across the almost the whole of the site, which in turn would not allow for the proper development of tree specimens of the size indicated on that drawing, and
  - the need to limit overlooking of properties at 11, 25 and 13 Tuns Lane through the omission of balconies and windows with unimpeded outlook has resulted in the buildings having less design merit on their north elevations than the more public frontages for the development.

As such, the proposal is not in accordance with National Planning Policy Framework 2021 paragraphs 130 and 131, Core Policy 8.2 of the Slough Local Development Framework, and saved policies EN1 f) & i) - l) and EN3 of the Slough Local Plan 2004.

3. As shown in the submitted plans, the basement car park would not provide long-term convenient access and egress for vehicles using the car park that would remain viable alongside the provision of affordable housing. No delivery vehicle bays and visitor cycle store(s) are provided, and while the location of the bin store would be accessible from the highway, bin carry distances for future occupiers would be excessive. In addition, access and egress to and from the cycle store would be awkward and requires improvement in any acceptable scheme. As such, the proposal is contrary to National

Planning Policy Framework 2021 paragraphs 112 and 130 a) and Policies 4, 7 and 8 of the Slough Local Development Framework Core Strategy 2006 - 2026.

4. The application has not demonstrated that the development would provide satisfactory surface water drainage and that it would not result in an increased risk of surface water flooding, contrary to Policy 8(4) of the Slough Local Development Framework Core Strategy 2006 – 2026.
5. The proposal would, if acceptable in other respects, be required to provide for necessary infrastructure including the mitigation of impacts on Burnham Beeches SAC by way of appropriate financial contributions, and to secure on-site affordable housing, all of which would need to be secured by the completion of a section 106 agreement. No such agreement has been completed, contrary to Policies 4, 9 and 10 of the Slough Local Development Framework Core Strategy 2006 - 2026, Slough Borough Council's *Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106)* and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

- 1.2 The proposals comprise a major planning application; therefore the development is required to be determined by Slough Borough Council Planning Committee.

## **PART A: BACKGROUND**

### **2.0 Proposal**

- 2.1 This is a full planning application for the proposed redevelopment of the site to provide 29 self-contained residential units in two buildings. The western block would comprise a part-three, part-four storey building with the top floor set towards the Tuns Lane frontage and set in from the floors below it around most of the roof line. The eastern building would be three storeys high, and would be located in the central and eastern part of the site. The whole site would be excavated to form a basement level car park that would be accessed by two car-lifts to be located between the two buildings. A total of 42 car spaces would be provided in the basement, including five intended for disabled use, along with 22 Sheffield cycle stands that would accommodate up to 44 bicycles.
- 2.2 The West Block would accommodate 6no. 1-bdr and 8no. 2-bdr flats, while the East Block would provide 10no. 1-bdr and 5no. 2-bdr units.
- 2.3 Communal amenity space would be provided in the eastern part of the site. This is shown on the layout plan as a landscaped garden, and would be a constructed over the basement car parking area. A communal bin store is also shown in this area, and the remaining space around the buildings is also shown in the site plan as being in mainly soft landscape.

### 3.0 **Application Site**

- 3.1 The application site consists of an area of approximately 1770 sq.m on the eastern side of Tuns Lane and northern side of the Beckwell Road, where it forms an irregular shaped plot with its longer frontage (about 98m) to Beckwell Road, with site levels falling at a gentle gradient from west (the Tuns Lane frontage) toward the east. It currently accommodates two no. 2-storey residential blocks in the western and central part of the site, and an informal or unauthorised business yard in its eastern part, which also includes a garage block that is no longer used for residential car parking.
- 3.2 Adjoining the northern boundary of the site there are two mid-20<sup>th</sup> century terraces of dwellings; 1 - 11 Tuns Lane has direct frontages to Tuns Lane, while 13 - 23 Tuns Lane are to the east. These dwellings are accessed from the north, by way of a separate access adjacent to the Fire Station, along with single detached house at 25 Tuns Lane. The properties directly adjoining the site within this group of houses are the end-terrace houses at numbers 11 to the west, 13 to the east, and the detached number 25 between them. To the east of the site there is a gated access to a two to three-storey car parking building that serves Turner House, which is a part-four, part-five storey office building located at 103-105 Bath Road. Quadrivinium Point is a part four-, part five-, part six-storey residential development located at the junction of Bath Road and Tuns Lane (re. P/03727/003), and the part-single, part-two storey Fire Station is to the south of this, on the northern side of the access road to 1 - 25 Tuns Lane.
- 3.3 A number of trees to the north of the site are protected by Tree Preservation Orders, including both individual specimens and groups of trees.
- 3.4 To the south of Beckwell Road there is a mix of three storey residential flats and two-storey terrace housing, mostly with Harris Gardens addresses although this cul-de-sac also provides access to flats opposite the application site at 40-45 Tuns Lane, and extending south of the Beckwell Road / Tuns Lane junction from number 39 back to 26 Tuns Lane.
- 3.5 To the west, on the opposite side of Tuns Lane, the established pattern of mainly two-storey residential development in the more immediate surroundings of the application site is continued with a mix of semi-detached dwellings, and flats or maisonettes that are also accommodated in two storey buildings. Tuns Lane itself is a busy traffic route that connects the M4 with Farnham Road and Bath Road. Part of the site falls within the Air Quality Management Area encompassed by Air Quality Management Order 2011 Tuns Lane.
- 3.6 The site is located approximately 700m from the Town Centre boundary, as measured along Tuns Lane and Bath Road, although the closest retail outlets and other town centre services are about 900m distant by the same route.

Local shopping services are provided in the parade of shops on the south-western side of the Tuns Lane / Bath Road junction, at a walking distance of about 230m from the site. The Grade II Listed Three Tuns public house, is located on the north-western junction of Bath Road/ Tuns Lane. .

3.7 The site lies falls within a Selected Key Location as set out in the Proposed Spatial Strategy November 2020. This site also includes all of the terrace housing at 1 - 25 Tuns Lane noted above, and the Fire Station which is to the immediate north of that.

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

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

4.2 At the application site:

P/16742/001: Demolition of existing properties and proposed redevelopment of the site to allow for a part 3, part 4 and part 5 storey building to form 30 self contained residential units - 15 x 1 Bed Units, 12 x 2 Bed Units, 3 x 3 Bed Units with associated balconies, amenity space, refuse and recycling, cycle storage and basement car park. Withdrawn, 21 May 2018.

P/016742/000: Demolition of existing properties and proposed redevelopment of the site to allow for a part 3, part 4 & part 5 storey building to form 34 self contained residential units (24 x 1 bed units, 7 x 2 bed units, 3 x 3 bed units) with associated amenity space, refuse and recycling, cycle storage, basement car park and associated works. Withdrawn, 12 July 2017.

4.3 Land at the Junction of Tuns Lane and Beckwell Road:

A current application covers both the application site and 1 - 25 Tuns Lane, and is currently under consideration:

P/19259/000: Outline planning permission for the demolition of existing buildings, provision of new vehicular access, alterations to existing Tuns Lane access, erection of 10 storey building fronting Tuns Lane to provide up to 238 new dwellings and erection of 12 storey building in the eastern part of the site to provide up to 129 new dwellings with associated landscaping and cycle and car parking including an area for 'Slough Bikes' and Car Club spaces. Access, layout, appearance and scale to be determined with landscaping for future determination.

4.4 At 11 Tuns Lane (adjoining site to the north):

TPO/2014/020: Ash - remove/reduce secondary limbs to create a 1m clearance between any part of the building and the branches of the tree. Work to only involve the removal of limbs below 100mm in diameter, ie larger parts of the tree might still be within 1m of the building after the work is completed. Approved 16 September 2014.

#### 5.0 **Neighbour Notification**

5.1 Due to the development being a major application, in accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), site notices were displayed outside the site on 27<sup>th</sup> January 2021 and 30<sup>th</sup> April 2021. The application was advertised in the 5<sup>th</sup> February 2021 and 30<sup>th</sup> April 2021 editions of The Slough Express.

The second consultation arose from the late submission of the Design and Access Statement, which meant that the application was not technically valid until 13<sup>th</sup> April.

5.2 Two representations were received from neighbours / interested parties, which are summarised as follows:

5.3 *11 Tuns Lane*

- i) As a result of the substantial size, scale and positioning of the development close to the boundary it will severely harm the level of residential amenity enjoyed by my clients' at No.11 and all neighbouring properties through an unacceptable loss of privacy, direct overlooking, as well as a loss of light/outlook and overshadowing.
- ii) The development, by virtue of its siting and poor design will have adverse impact on the character and appearance of this property and surrounding area;
- iii) The effect on highway and pedestrian safety;
- iv) The development will provide a poor level of amenities for future occupants;
- v) Removal of a high specimen of tree; and
- vi) The Equality Act 2010.

5.4 *Shanly Homes*

1. This site is subject to an ongoing Compulsory Purchase Order process which the applicant will be aware of. The CPO will enable the coordinated development of the wider site and its release it for regeneration. This regeneration is in line with the emerging Spatial Strategy for Slough and the identification of the wider Tuns Lane site (Tuns Lane - East Side) as a regeneration site within the Chalvey Regeneration Area.
2. The application pays no regard to the future development of the wider Tuns Lane site. It prejudices its future development in conflict with Section 11 (Making Efficient use of Land) of the National Planning Policy Framework 2019.

3. An application has been submitted by Shanly Homes for the development of the wider site (LPA Ref: P/19259/000). This is an exceptional quality, landmark development which will bring forward 367 new homes across two buildings as a mix of market and affordable housing within a carefully considered landscaped setting. The high-quality architecture and landmark building in this prominent location will result in a significant enhancement to the streetscene and contribute to the regeneration of the Chalvey Regeneration Area in accordance with existing and emerging policy and guidance.
4. The application at 31-41 Beckwell Road would prevent the efficient use of land for which there is a current application to bring forward a significant number of new homes and other significant planning benefits. It prevents the provision of a vehicular access to serve the wider site in this location. The absence of a comprehensive approach will result in an inefficient use of the site.

5.5 Redacted copies of the objections can be viewed on line at the following link, by entering the application number in the relevant field:

<https://www.sbcplanning.co.uk/decsearch.php>

## 6.0 **Consultations**

### 6.1 Local Highway Authority:

#### *Vehicular Access*

Vehicular access to the development will be provided by a new vehicle crossover on Beckwell Road, circa 40m to the east of Tuns Lane. Access will be controlled by an inward opening gate set well back from Beckwell Road to allow vehicles to pull in off the road whilst the gates open. Cars will then drive into a car elevator and access the car park at basement level.

The Transport Statement outlines that a visibility splay of 2.4m x 35m is available to the right of the access and 2.4m x 38m is available to the left of the access. Manual for Streets requires visibility splays of 2.4m x 43m for roads subject to a 30mph speed limit. According to Manual for Streets, the available visibility is appropriate for vehicles travelling at speeds of 26mph and 27mph.

Beckwell Road is a no-through road and provides access to residential properties and the multi-storey car park associated with Reckitt Benckiser Group (RB) Head Office. Therefore, it is likely a high number of vehicles will travel along Beckwell Road and pass the site access.

SBC Highways and Transport require the following additional information to demonstrate the suitable access can be provided to the site:

- SBC cannot accept the use of a car lift to provide access to the site. Car lifts present possible safety risks to the user in the event that the lift breaks down or the power supply is interrupted and the driver/car could

either be dropped or become stuck in the lift. The use of a car lift is also likely to cause queueing on Beckwell Road as drivers wait for the lift. Furthermore there are long term maintenance concerns with the use of a car lift. It is not clear who would be responsible for the repair of the lift in 50-100 years time or if parts for the lift would be available (or cost effective to source);

- SBC require the applicant to confirm how the proposals would affect existing on-street parking on Beckwell Road. A double-yellow parking restriction would need to be implemented to provide enough carriageway space for vehicles to ingress/egress the proposed development;
- SBC require the completion of a parking survey on Beckwell Road and Harris Gardens to establish on-street parking demand. This is important to establish whether on-street parking can be removed to facilitate access;
- SBC Highways and Transport require the completion of a 7-day speed survey using an Automatic Traffic Counter to establish 85<sup>th</sup> percentile speed of traffic travelling westbound along Beckwell Road to support the visibility splay of 2.4m x 35m; and
- SBC Highways and Transport also require the completion of a Stage 1 Road Safety Audit of the proposed site access arrangement in accordance DMRB GG119 which requires the completion of a Stage 1 RSA for all preliminary access designs. Paragraph 5.17 states that: '*a Stage 1 RSA shall be undertaken at the completion of preliminary design*'.

SBC Highway and Transport object to the proposed access arrangements for the site unless a safe and suitable access for the site is provided and the information above supplied.

#### *Access by Sustainable Travel Modes*

The site is located approximately 1700m (21 minutes' walk) from Slough High Street, 1800m (23 minutes' walk) from Slough Railway Station and 1800m from Slough Bus Station. The nearest bus stops are the Windmill Road stops on the A4, 450m (5 minutes walk) from the development site. The BR, Number 4, X74 and 583 offer services to Slough Town Centre and Heathrow Airport from these stops.

#### *Layout*

The proposed parking layout is displayed on Drawing No. P301 dated December 2020. Swept path analysis has been provided on Drawing No. 8160112/6206.

SBC require the applicant to provide the specification of the vehicle used for the swept path analysis.

#### *Parking*

It is proposed to provide 43 car parking spaces in a basement car park. The parking requirement based on the Slough Developers Guide: Part 3 – Highways and Transport is provided in Table 1 below:



*Table 1: Parking Requirement for 43 Beckwell Avenue*

	Parking Standard (Communal)		Requirement	
	Car	Cycle	Car	Cycle
1 Bedroom (x16)	1.25 per unit	1 per unit	20	16
2 Bedroom (x13)	1.75 per unit	1 per unit	23	13
<b>Total</b>			<b>43</b>	<b>31</b>

Therefore, the provision of 43 parking spaces complies with the parking standards for a communal layout within a predominantly residential area.

Swept path analysis has been provided within Appendix D which demonstrates that the proposed car parking arrangement is suitable to allow a large car to ingress and egress each parking space.

SBC require the applicant to confirm that on-street parking capacity exists, given no parking provision is made for visitors on-site and Beckwell Road already experiences on-street parking.

#### *EV Parking*

The applicant is required to provide Electric Vehicle Charging Points in accordance with the Slough Low Emissions Strategy (2018 – 2025).

#### *Cycle Parking*

17 Sheffield standards will be included within the proposed basement, providing 34 secure, covered cycle parking spaces.

SBC Highways and Transport request that the applicant provide some short-stay cycle parking for visitors in addition to the secure spaces provided for residents. The SBC Developers Guide – Part 3: Highways and Transport requires the provision of cycle parking for visitors.

#### *Servicing and Refuse Collection*

SBC Highways and Transport require the applicant to clarify the location and size of the bin store. The bin store does not appear to be marked on the proposed site plans, although Paragraph 3.15 of the Transport Statement states that the bin store is located at the western end of the site at the back of the northern footway.

It should be ensured that a refuse vehicle will not need to stop at the western end of Beckwell Road whilst refuse is collected as this could cause vehicles to queue back onto the junction of Beckwell Road / Tuns Lane.

The applicant is required to confirm how deliveries to the site would be accommodated given the increased use of online shopping in recent years.

#### *Summary and Conclusions*

Mindful of the above significant amendments are required before this application could be supported. If the applicant considers that they can

address the comments that have been made then I would be pleased to consider additional information supplied. Alternatively, should you wish to determine this application as submitted then I would recommend that planning permission be refused for the reason(s) given.

### *Reasons for Refusal*

Poor access – Proposed

The proposed means of access to the site is inadequate by reasons of its / width / alignment / construction / to serve the proposed development with safety and convenience. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7.

## 6.2 Thames Water:

### *Waste Comments*

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, and testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:

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

### *Surface Water drainage*

Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. 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>

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted.

“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"

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

#### *Water Comments*

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water 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.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, 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)

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

6.3 Neighbourhood Protection

No comments received. Should any comments be provided they will be reported on the Update Sheet to Committee.

6.4 Contaminated Land Officer:

Reviewed the information submitted for the above property, as well as our records related to potential contaminative land uses at the property and within 250m of the property.

Historical mapping indicates that there are no potential contaminative historical land uses on-site. However, the proposed development is located within 250m of over 13 Potentially Contaminated Sites, some of which have entries in the Disused Tank Registry.

Based on the above, conditions are recommended for any planning permission.

6.5 Lead Local Flood Authority:

*Surface Water Drainage*

We have reviewed the following information in relation to the above planning application:

- Existing plans and elevations Drawing No. P201 Dec 2020
- *Proposed site plan Drawing No.P104 Dec 2020*
- *Block plan drawing no. P104 Rev Dec 2020*
- *Surface water drainage strategy Report No.4776 SWDS Aug 2019*
- *Preliminary Surface Water Layout Basement Floor Plan Drawing No.4776-DR01 Aug 2019*

In order for us to provide a substantive response, the following information is required:

- Please provide a detailed drawing showing the proposed drainage network and catchment areas highlighting the impermeable areas. Proposed ground levels should be shown on the plan in order to relate the site levels with the proposed cover levels.
- Can the basement levels be shown so we can see how the drainage will discharge from the basement back to the ground level. No detail of this has been shown. Is the surface water to be pumped and can this

be included in the layout.

- For maintenance please be specific about the authorities that will take up this responsibility or show that the developer is in talks with the relevant authorities.
- 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 climate change event of 40%.
- Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this. Can a clear drawing showing the existing catchment area and proposed area be shown. A 10% increase in area should be added to the proposed catchment area to ensure that the drainage system is adequate for additional storms.

#### 6.6 Berkshire Archaeology:

Previous development applications at this site have not received a response from Berkshire Archaeology. The site is of a reasonably modest size of circa 0.15ha, and it has been previously developed which will have impacted on the potential survival of any archaeological material. Whilst Montem Mound, a mount for a motte castle and scheduled monument (list no. 1007928) lies only a short distance east, there seems little reason locally to justify further archaeological mitigation works on this development proposal. Therefore, in the view of Berkshire Archaeology, should planning permission be granted, then it should be allowed to proceed with no further requirement for archaeological mitigation attached.

#### 6.7 Natural England:

Objection - further information required to determine impacts on designated sites - development within 5.6 kilometres of Burnham Beeches Special Area of Conservation (SAC).

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

#### 6.8 Environmental Quality - Air Quality:

Slough Borough Council (SBC) has designated 5 Air Quality Management Areas (AQMA) due to elevated concentrations of Nitrogen Dioxide (NO<sub>2</sub>, annual average), including:

- Slough Town Centre
- M4
- Tuns Lane
- Brands Hill
- Bath Road

While particulate matter concentrations do not breach EU Limit Values, levels in Slough are higher than both the national and regional averages and it is estimated that 1 in 19 deaths are attributable to PM2.5 in Slough (PHE).

SBC adopted the Slough Low Emission Strategy 2018-25 on the 17<sup>th</sup> September 2018. This application has been assessed in relation to air quality considerations in line with the Slough Low Emission Strategy Technical Report: 'Land-Use planning and Development Management' Guidance (Section 3.3). The Low Emission Strategy (LES) Technical Report can be found on the SBC Low Emission Strategy web page - <http://www.slough.gov.uk/pests-pollution-and-food-hygiene/low-emission-strategy-2018-2025.aspx>

Where mitigation is required and refers to the 'Slough Electric Vehicle Plan' this can be found in Section 4.3 of the LES Technical Report.

The Slough Low Emission Strategy also includes a Low Emission Programme. Again, details can be found on the SBC LES web page.

Development specific comments:

In line with the Low Emission Strategy Technical Guidance, the development is classified as having a major air quality impact. The development consists of 43 parking spaces and it is likely that the associated vehicle movements would contribute to a worsening of air quality in the Tuns Lane AQMA. NO<sub>2</sub> concentrations at SLO 50 (Tuns Lane) have remained above the air quality objective (40ug/m<sup>3</sup>) since monitoring began in 2017 and it is therefore expected that this development would contribute towards a relevant Low Emission Strategy Programme to help improve air quality in this location.

Due to the air quality issues on Tuns Lane, a full detailed air quality assessment will be required. It is noted that an air quality assessment was provided previously, however this is now out of date and is no longer relevant. An updated assessment is therefore required, which contains the following:

- The impact of vehicle emissions and plant, during the construction phase, on levels of NO<sub>2</sub> and PM
- The impact of vehicle emissions, once the scheme is operational, on levels of NO<sub>2</sub> and PM
- The impact of any emissions arising from heating systems, once the scheme is operational, on levels of NO<sub>2</sub> and PM
- An assessment of potential exposure of future residents to

concentrations of NO<sub>2</sub>

Mitigation Requirements:

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. It is noted in the Transport Statement that 10 parking spaces will have access to EV charging. This is accepted.
- Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works. It must include details of noise and dust mitigation.
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in Table 7 of the LES Technical Report
- A contribution towards ongoing air quality action planning relating to Tuns Lane
- A contribution towards LES Programme Project 24: Development on-street rapid Charger Infrastructure in cul-de-sac off Cippenham Lane.

6.9 Environmental Quality: Noise

Due to the location of the development, it is very likely that vehicle movements on Tuns Lane will cause disturbance to future occupants unless adequately mitigated. In line with the ProPG: Planning and Noise Guidance, a noise assessment is required, which will indicate the likely risk of adverse effects from:

- Noise arising from current traffic sources e.g. road traffic, rail and aviation, on future residents of the development
- Increase in traffic noise to existing residents in the area and future residents of the development
- Existing and/or proposed plant noise to existing residents in the area and future residents of the development
- Existing and/or proposed commercial noise including operational HGV noise
- Construction traffic noise and construction activities on site

The assessment will indicate the likely risk of adverse effect from noise, which will determine the level of mitigation required for the development. This may include:

- Consideration of development orientation and internal layout for screening purposes and to locate bedrooms facing away from noise

sources, to ensure an internal noise level of LAeq 35 dB is not exceeded during the day or LAeq 30 dB during the night, or exceed LAMax limit of 45dB 10-15 times per night (BS 8233)

- Application of good acoustic design principles such as acoustic glazing for windows, and potential for air ventilation systems, details of which shall be submitted as part of the noise impact assessment.

## **PART B: PLANNING APPRAISAL**

### 7.0 **Policy Background**

#### 7.1 National Planning Policy Framework 2021:

- 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 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 15: Conserving and enhancing the natural environment

#### 7.2 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 12 - Community Safety

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

- EN1 - Standard of Design
- EN3 - Landscaping Requirements
- EN5 - Design and Crime Prevention
- H9 - Comprehensive Planning
- H13 - Backland / Infill Development
- H14 - Amenity Space
- T2 - Parking Restraint
- T8 - Cycle Network and Facilities

#### 7.4 Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map (2010)



- Nationally Described Space Standards
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017

#### 7.5 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.

The revised version of the National Planning Policy Framework (NPPF) was published in July 2021. 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 National Planning Policy Framework 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.

Planning Officers have considered the revised National Planning Policy Framework 2021, which has been used together with other material planning considerations to assess this planning application.

#### 7.6 Emerging Preferred Spatial Strategy for the Local Plan for Slough

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

The Proposed Spatial Strategy Document Regulation 18 Document (November 2020) was recently consulted on, in December 2020 and January 2021. However it is noted that the emerging local plan is at an early stage of development and as such can, in isolation, be given only little weight in planning decisions.

Within the Proposed Spatial Strategy, “Selected Key Locations” that could be suitable for large scale regeneration or development were identified. These include the application site together with residential housing at 1 – 25 Tuns Lane and the Fire Station as one parcel of land. The Strategy describes the land and one of its particular challenges as follows:

*Tuns Lane (east side) redevelopment for residential development and possibly renewed fire station. This is a medium to long term redevelopment opportunity. Comprehensive or coordinated redevelopment is required to achieve benefits. Substantial benefits are*

*needed to compensate for the loss of some family homes.*

## **8.0 Planning Assessment**

8.1 The planning considerations for this proposal are:

- The principle of redevelopment
- Supply of housing
- Mix and density of dwellings
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- The amenities of future occupiers of the development
- Crime prevention
- Highways, Transport and parking
- Burnham Beeches SAC
- On-site ecology
- Affordable Housing
- Sustainable Design and construction
- Surface water drainage
- Heritage impacts
- Safe and Accessible Environment
- Infrastructure and Section 106 requirements
- Equality impacts

## **9.0 The principle of redevelopment**

9.1 Residential use of this site is established and fully compatible with the location, and is acceptable in principle in terms of both the adopted Local Plan and the Proposed Spatial Strategy. The principle of the redevelopment of the site, either as a standalone scheme or as part of a wider scheme for residential development is capable of being broadly compliant with the Core Strategy.

9.2 As noted above at Section 7.7. of this report, the site forms part of a wider development site known as Site 4 of the Chalvey Regeneration Selected Development Site in the Proposed Spatial Strategy. The principle of a comprehensive redevelopment of this wider site was also agreed in principle by Planning Committee in February 2018, when an Update on the Emerging Preferred Spatial Strategy listed this regeneration site as one of 24 "Strategic" sites that are capable of making the biggest contribution towards meeting housing targets and housing need in the Borough. The Strategic sites were identified in that report as being capable of achieving about 100 or more homes. A planning application for a larger part of this site is currently being assessed, which includes both the application site and land to the north of it, at 1 - 25 Tuns Lane (odd numbers only) - SBC planning ref. P/19259/000.

9.3 The application site comprises a standalone development at the southern end of a site earmarked as a possible strategic site and would result in an undesirable piece-meal development that would fail to achieve the Council's housing aims, which are consistent with national planning policy in seeking to secure sustainable development, making an efficient and effective use of brownfield sites.. As such the proposal in this application has the potential to prejudice the efficient development of the wider site, which would be contrary to the general aspirations of Core Policies 3 and 4, and the more specific requirement of saved Local Plan policy H9 for a

*"...comprehensive approach to be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised"*, and to the similar requirement in saved Local Plan policy H13 f).

9.4 The applicant has been advised that, because any stand-alone development here could potentially impinge on the form and layout of development to the north, it is important that any proposals in this application are designed to safeguard the development potential of the wider site. . This is required in order to ensure that a good quality townscape is provided, that living conditions are not compromised, and that the land across the wider opportunity site is not under-utilised.

9.5 While the built form proposed here would not necessarily be incompatible with the development of the wider site, the heavy use of Tuns Lane by vehicle traffic and the relative proximity to the Tuns Lane / Bath Road junction results in a particular issue with ensuring that access to the land to the north is not effectively sterilised by a stand-alone proposal. The applicant has not demonstrated to the satisfaction of officers that the wider site would be adequately accessed to allow for the effective utilisation of the wider site.

9.6 National Planning Policy Framework 2021 paragraphs 120 d) provides for planning decisions to

*"...support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively..."*

9.7 NPPF paragraph 121 urges

*"...Local planning authorities...(to) take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs.... This should include identifying opportunities to facilitate land assembly...where this can help to bring more land forward for meeting development needs and/or secure better development outcomes."*

Paragraph 122 sets out that decisions need to reflect changes in the demand for land, and that they should be informed by regular reviews of both the land allocated for development in plans, and of land availability.

9.8 Core Policy 1 (paragraph 4) of the Slough Local Development Framework, sets out that

*"...Proposals for the comprehensive regeneration of selected key locations within the Borough will also be encouraged at an appropriate scale. Some relaxation of the policies or standards in the Local Development Framework may be allowed where this can be justified by the overall*

*environmental, social and economic benefits that will be provided to the wider community. ”*

9.9 The emerging local plan is at an early stage of development, and can be afforded minimal weight. However, the above paragraphs from the 2021 NPPF together with Core Strategy Policy 1 (paragraph 4) and saved Local Plan policies H9 and H13 f) provide a clear policy framework for the comprehensive development of the surrounding land. In conclusion, and in view of the potential for the application to hinder the efficient development of land to the north, the provision of 22 additional flats at the application site is not considered to carry sufficient weight for the scheme to be supported in principle.

#### 10.0 **Supply of housing**

10.1 The extant Core Strategy covers the 20 year plan period between 2006 and 2026. Core Policy 3 sets out that a minimum of 6,250 new dwellings will be provided in Slough over the plan period, which equates to an average of 313 dwellings per annum. Core Policy 3 states that proposals for new development should not result in the net loss of any existing housing.

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

10.3 The Local Planning Authority cannot demonstrate a Five Year Land Supply, and the proposal for 29 flats, equating to 22 additional residential units, would make a small but significant contribution to the supply of housing. However, as noted above in Section 9, the development could curtail the development of the wider strategic site where at least 100 dwelling units (and perhaps substantially more) could be achieved.

#### 11.0 **Mix and density of dwellings**

11.1 One of the aims of National Planning Policy is to deliver a wide choice of high quality homes and to create sustainable, inclusive and mixed communities. This is reflected in Core Strategy Policy 4. The Local Housing Needs Assessment for RBWM, Slough & South Bucks (October 2019) suggests at Table 39 that the following percentage mixes are needed within Slough:

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>
<b>Market</b>	5%	19%	57%	20%

11.2 The proposal would provide 16no. 1-bdr. flats and 13 no. 2-bdr. units. This does not reflect the proportions of housing required in the Local Housing

Needs Assessment, and as such the proposal would not strictly comply with the housing mix requirements of Core Policy 4. This tempers the weight given to the benefit of providing additional housing at the site.

11.3 Dwelling density would be 164 dwellings per hectare, as compared to the existing 40 dwellings per hectare. This compares with 70 dwellings per hectare at 25-45 Harris Gardens to the south - the flatted element of the Harris Gardens development - and 323 dwellings per hectare at Quadrivinium Point which is 130m to 150m to the north of the site. As the residential character of the area is mixed and the density falls within the range provided at the above two flatted developments, it is considered that the proposed density would be appropriate in this location subject to other considerations being satisfied. With regards to dwelling mix, the application form states (in different part of the form) that there are six or seven existing flats at the site. The 29 flats to be provided are all at or close to the minimum areas for one and two-bedroom flats as set out in the SBC Developer Guide Part 4 Supplement - *Space standards for residential development* (2018). These minima are 50 sq.m. for 1B2P flats and 61 sq.m. for 2B3P flats. In this proposal all but one of the 1-bdr units range between 50 and 56 sq.m., although a larger 1-bdr is provided on the third floor, which would be 65 sq.m. in area. For 2B3P flats the minimum floor area for is 61 sq.m. while for 2B4P flats the minimum is 70 sq.m. The 2-bdr units in this proposal range from 61 to 65 sq.m. It would be preferable to see some larger units; however, given the current housing mix on this site and in other adjacent and nearby sites on the eastern side of Tuns Lane, the proposed mix of 1B2P and 2B3P flats is considered to be acceptable. (This should however not be taken as a generally acceptable principle for the whole of the wider Development Site 4 in the Proposed Spatial Strategy of November 2020, where a mix that is more reflective of the Borough's identified area of housing need is likely to be sought).

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

12.1 The National Planning Policy Framework 2021, at paragraphs 126 and 130, 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 EN3. NPPF paragraphs 131 notes the important contribution to the character and quality of urban environments that is made by trees, and advises that

- appropriate measures should be put in place to secure the long-term maintenance of newly plantings of trees, and that
- existing trees should be retained wherever possible.

12.2 As noted above, the surrounding area is of mixed character and building typologies that include three-storey flats on the southern side of Beckwell Road, at Harris Gardens, terraced housing both to the south and north, and semi-detached houses and maisonettes in two storey buildings on the opposite side of Tuns Lane. Further north Quadrivinium Point is a four to six storey apartment building on the south-eastern side of the junction of Tuns

Lane and Bath Road, and Turner House - an office building to the immediate east of Quadrivinium Point - is of similar scale (up to six stories). Immediately to the east of the site there is a two to three storey car parking building, which serves Turner House.

- 12.3 The proposal would provide two buildings constructed over a basement level car park that would be built across and beneath almost the entire site. As noted in the Section 2 of this report, the western block would comprise a part-three, part-four storey building with the top floor set set in around most of the building line, and the eastern building would be three storeys high. As ground levels fall towards the east, this would sit at a lower level than the three/four storey western block. The Design and Access Statement sets out that the ground floor would also be set at a lower level than surrounding, with the intention that the development would not be over-scaled in comparison to the surrounding buildings.
- 12.4 This proposed scale, height and massing of built forms relates well to the proportions of the three storey flatted blocks to the south side of Beckwell Road, which in contrast to the application proposals feature pitched roofs. While these flats feature significant set-backs that are a minimum of 7.5m from Beckwell Road, the application proposals would be set closer to this road frontage; the main building lines for both buildings would be set in approximately 3m, and most balconies and terraces 1.5m from the edge of the pavement, although the easternmost front balcony would be almost on the street frontage boundary where Beckwell Road curves around the site to the north-east. The set-backs from Tuns Lane would more typically be 7 to 9m.
- 12.5 Proposed building heights would be higher than those existing both within the site and to the north, but this height increase would be relatively modest, with just the third floor level of the higher western block being higher than the roof ridgeline of the building that it would replace. Given the scale of the flatted blocks to the south side of Beckwell Road and the larger scale residential and office buildings to the north on Bath Road and at the junction with Tuns Lane, it is considered that the height and overall building footprint and massing would be acceptable in the existing site context.
- 12.6 The building façades have been designed with two types of brickwork as the main external material. On the more public street-frontage elevations, this would be articulated with anthracite grey aluminium framed balcony structures with obscure glazed balustrades. The set-back third floor in the western block would be clad in a contrasting material such as aluminium. Overall, as viewed from public vantage points around the site, the result would be a modern and crisp appearance that would markedly improve the current appearance of the site. However, the appearance from the north would be much plainer. Whereas the proposed balcony structures are a particular feature of the street frontage elevations, the main rear elevations would be reliant on the more simplified treatment of vertical brick work to

provide any design interest. It would not be possible to provide balconies on the rear elevations of the building as this would give rise to unacceptable overlooking of the properties to the north, but this does mean that the design quality of these elevations would not provide the interest that is shown on the more public parts of the buildings. For an acceptable scheme, it would be necessary to provide additional design detailing of the north elevations. The introduction of green walls is one option that could result in a marked improvement in the appearance of the north elevations.

- 12.7 With regards to the intention to provide significant structural landscaping as shown on the proposed site plan, the proposal for the basement to extend across most of the site means that this would be difficult if not impossible to achieve. There would be very little soft ground available for the siting of medium and larger grown trees, and if the application was acceptable in other respects some modification of the basement plan would be advisable, in order that the larger growing trees as indicated on the site plan could be provided in-ground rather than in planter boxes, which would result in much diminished or stunted growth.
- 12.8 If the proposals were acceptable in all respects, detailed elevations and bay studies of the aluminium framing system and details of the window reveals would also be required to clarify how the depth of internal walls and of the balustrade materials would combine to provide a cohesive architectural composition. Clarification over the use of glazed balustrade material is also required, as it is understood this is no longer compliant with Fire Safety regulations.
- 12.9 Overall, it is considered that while the proposal is of considerable merit in building design terms, the inability of the development as designed to provide the structural landscape planting shown on drawing no. P104 dated DEC 2020 is a shortcoming in the proposals. In addition, the omission of balconies and relatively few windows opening in the rear elevations, which as noted below is intended to limit the overlooking of properties to the north, has resulted in the buildings having less design merit on their north elevations than would otherwise be the case. The proposals are therefore not compliant with Core Policy 8 of the Core Strategy, saved Local Plan Policies H13, EN1 and EN3, and the requirements of The National Planning Policy Framework 2021 paragraphs 130 and 131.
- 12.10 In the event that the application was to be approved, provision of a financial contribution towards off-site tree planting, for example as street trees in the vicinity of the site, could be considered. However, this would not outweigh the other objections to the application.
- 13.0 **Impact on amenity of neighbouring occupiers**
- 13.1 The National Planning Policy Framework 2021 encourages new developments to be of a high quality design and to provide a high quality of amenity for all existing and future occupiers of land and buildings, and is also

reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EN3.

- 13.2 The closest residential units to the site are 11 Tuns Lane, which is to the rear of the proposed western block, and numbers 25 and 13 which are to the rear of the eastern building. The relationships with numbers 11 and 13 are mainly towards their flank walls, whereas to number 25 the relationship is between rear elevations with a separation of approximately 16 metres. In the three-storey eastern block, this could result in direct views to the rear windows at 25 Tuns Lane from two bedroom windows and also from a window in the circulation core at each of the first and second floor levels. Views to the rear garden would also result, at distances of 9m to 10m; however, the bedroom windows would be fitted with angled bays that would direct views at towards the rear corners of the property. While this would assist in mitigating the potential loss of privacy, a perception of overlooking is likely to remain. Notwithstanding that, if the application is to be approved it would be important for further details of the design of these bays to be provided, to ensure that this mitigation is achieved. However the circulation core windows are not angled or obscure glazed. Views between the existing buildings at the site and 25 Tuns Lane are currently heavily screened by two mature ash trees. While these are excluded from the Tree Protection Order that covers many trees to the north and east of the site, one would be removed and the other is also likely to be compromised by excavation of the basement, so that views would be opened up between the buildings. Obscure glazing could be considered for the overlooking windows serving the circulation core, if the application was acceptable in all other respects, but the loss of trees and limited ability to provide replacement planting would mean that the building would be quite dominant in views from the north.
- 13.3 In the western block, the separation distances from windows towards the side boundary at 11 Tuns Lane would be 8m to 8.5m from two bedroom windows at first and second floor levels and 7.5m from a window serving the circulation core on the first, second and third floor. While the circulation core windows are shown on the submitted drawings as being obscure glazed, the bedroom windows are not, and if the application was acceptable in all other respects the possibility of introducing angled windows such as proposed for the eastern block should be investigated. Views from the existing building are currently screened by a small group of ash trees that would be removed as part of the development, and overlooking from the windows in the form submitted would result in a loss of privacy for occupiers using their garden at this neighbouring property. As with the eastern block, the ability to provide meaningful replacement planting would be required if the application was considered acceptable in other respects. The rear elevation at number 11 would also face three pairs of west-facing windows in the eastern block, which serve living rooms on each level of this building. Separation distance is approximately 34m, which is considered sufficient to protect privacy of occupiers within their home, although this would result in a loss of privacy within the rear garden.



- 13.4 Distances across Beckwell Road to windows at the flats at 39-45 Harris Gardens would be approximately 19.5m from balconies and 21m from windows at first and second floor levels, with the equivalent separations from third floor balconies and windows of 21m and 22.5m. The majority of the windows facing from the neighbouring development serve bedrooms, with the exception of a secondary elevation for a kitchen-diner-living room that has its primary frontage to Tuns Lane. Windows facing street frontages are generally considered less critical than rear-facing windows due to their more public situation and outlook, and the flats served by these windows are all dual aspect. If the application was to be approved, it is however considered that some visual mitigation of potential views from users of the proposed balconies would assist in ensuring that the privacy of neighbours is not unacceptably compromised. This could take the form of either obscure glazed or perforated metal screens, and could be secured by an appropriate condition.
- 13.5 A Daylight, Sunlight and Overshadowing Impact Assessment was submitted with the application. While this results in some relatively minor impacts in terms of sunlight reaching one window at 11 Tuns Lane during shorter winter hours and to daylight at 25 Tuns Lane, these impacts are relatively minor and it is not considered that the Assessment raises any major issues with regards to material or significant loss of sunlight or daylight to neighbouring properties.
- 13.6 Based on the above assessment, suitably worded conditions would assist in improving the proposal's relationship to neighbouring occupiers and impacts on neighbouring occupiers. However, it is not considered that the outstanding points of not comply with Core Policy 8 of the Core Strategy, Local Plan Policies EN1 and EN2, and the requirements of The National Planning Policy Framework 2021 (para. 130 a) and f).
- 14.0 **The amenities of future occupiers of the development**
- 14.1 The National Planning Policy Framework 2021 states that planning should create places with a high standard of amenity for existing and future users. 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", and Local Plan Policy H14 seeks an appropriate level of amenity space for new residential development.
- 14.2 Access to both buildings is either from the street or via a lift or stair from the basement car and cycle park / store. Communal access corridors and the entrance spaces are generally satisfactory, although for the west block there is an opportunity for this to be made more direct through amendments to layout at ground floor level.
- 14.3 The submitted floorplans indicate that the proposals would accommodate a range of dual and single aspect dwellings. The minimum space standards in

the SBC Developers Guide Part 4 - *Supplement - Space standards for residential development* would be broadly complied with but it is noted that seventeen of the flats are at the absolute minimum standard areas for 1B2P or 2B3P flats, and that only four flats would exceed the minimum for these types of flats by more than 4 sq.m. However the majority of flats are dual or in some cases triple aspect, and the small number of units that are single aspect face east or south. Those that are east facing have a balcony overlooking the communal amenity space, or in the case of the ground floor unit a small terrace.

- 14.4 The communal area would comprise an area of over 200 sq.m in a triangular layout, and other space around the building is intended for more passive enjoyment and landscaped settings to the Tuns Road frontage and to the rear of the buildings. Most of the ground floor flats would have small terraces or direct access onto garden areas that could be designated as 'private' spaces, and the layout is such that only two of the nine ground floor flats would not have this possibility. However in some cases, access to the outside space is through a bedroom, and a more rational internal layout would adjust this to provide access via living rooms in all possible cases. Above ground, only two flats do not have balconies, and as only four flats in total would not have their own private amenity space either as a terrace or a balcony, provided that the communal amenity space is finished and maintained to a high standard the overall provision of amenity space for the development as a whole would therefore be acceptable. In the event that the application is approved, this would need to be ensured by inclusion of a landscape management plan, either by condition or by way of a section106 requirement.
- 14.5 External noise could arise from the location adjacent to a very busy road. No noise assessment was provided with the application, although this could be addressed by a condition to secure a noise report and any noise mitigation such as enhanced fabric / windows and a ventilation strategy to allow the windows to be closed when noise levels are high. As noted in the Environmental Quality officer's comments at Section 6.8 above, an updated air quality assessment would also be required. Ventilation design is likely to need to be able to ensure that air is drawn from areas within the site that are less subject to the air quality impacts that result high traffic levels on Tuns Lane.
- 14.6 The submitted Sunlight / Daylight assessment does not consider natural light conditions for future occupiers. However, it is noted that the habitable rooms within the development are relatively shallow, that most of the flats are dual aspect and that there are no single aspect flats on the north sides of the buildings. For those reasons, no objection is raised on grounds that natural lighting within the development has not been assessed.
- 14.7 Given the shape and size of the site and buildings, it is considered that the layout is acceptable, and subject to the conditions noted above being included in any planning permission, it is considered that the proposals would provide a satisfactory level of accommodation for future occupiers.

15.0 **Crime Prevention**

15.1 The National Planning Policy Framework requires developments to be safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. 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. Core Policy 12 of the Core Strategy requires development to be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime.

15.2 Access from the street would be gained directly to each building from Beckwell Road, where there would be a good level of natural surveillance. There would also be a secondary access at the rear of each of the blocks, and it would be important to ensure that outside areas both to the rear and the communal amenity space are securely fenced. Further details would be required by condition if the application was considered acceptable in other respects.

16.0 **Highways, Transport, Parking and Servicing**

16.1 The National Planning Policy Framework 2021 requires development to give priority first to pedestrian and cycle movements and, 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. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 111 of the National Planning Policy Framework 2021 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'.

16.2 Access for drivers to the basement car park would require a fob access to use the car lift. Cycle storage would be in three locations within the basement, and because access to the basement would be either by a car lift or from within the building, it appears more likely that cycle users would bring bicycles through the entrance lobbies for both buildings and down the stairs or lift. While potentially workable, a particularly attractive proposition nor would it be convenient, as it is likely to lead to some conflict with other users of the main lobby and the main access from the street. For any acceptable proposal, improved access and facilities for cyclists would be required. While it is expected that the basement would be secure, providing cycle storage within smaller enclosures would make it more attractive for residents to store bicycles there.

16.3 Highways officers have raised issues with visibility splays at the vehicle entrance to the site and to safe access, whether existing residents rely on Beckwell Road for car parking, and the reliance on car lifts for occupiers to be able to park their cars. It is considered that boundary treatment design could

be modified to provide the required visibility splays, if the application was acceptable in other respects. Current use of Beckwell Road for car parking (and its loss for any new access) would need to be established by surveys as part of any acceptable application. The Highways Officer's objection to reliance on car lifts are based on the possible safety risks to the user in the event that the lift breaks down or the power supply is interrupted and the driver/car could either be dropped or become stuck in the lift; that it is also likely to cause queueing on Beckwell Road as drivers wait for the lift and the likely requirement for significant maintenance and eventual replacement. This adds to the objection on grounds that reliance on a car lift would be unacceptable.

- 16.4 Car parking that is intended for disabled use is shown on the basement plan; however this is only accessible on one side of the designated spaces and is another shortcoming of this proposal. For any acceptable scheme, this would need to be modified to make these spaces fully accessible. The provision of electric charging points would also be required, although this could be provided for by condition in any acceptable scheme,
- 16.5 No provision is made for parking of delivery vehicles, which would be a necessary aspect of any acceptable scheme. This would need to be provided in any acceptable application to a fully accessible standard, to allow use by mobility taxis and services as well as commercial delivery vehicles.
- 16.6 The bin store would be located in the eastern part of the site. No details of the proposed structure are shown and while these could be provided by condition, it is noted that the carry distance would be over 50m for occupants of the western block. This does not include the additional bin-carry distance within the building, and it is noted that for the majority of occupiers of the western block, this would result in a bin carry distance that would be more than twice the 30m maximum recommended by the Council's Refuse and Recycling Guidance.
- 16.7 In summary while the development would be provided with sufficient levels of both car parking and cycle spaces for future residents, there are a number of shortcomings to the parking and servicing layout that mean that the application cannot be supported.
- 17.0 **Impacts on Burnham Beeches Special Area of Conservation**
- 17.1 Natural England (NE) has objected to the application on the basis that the site is located less than 5 km from the Burnham Beeches Special Area of Conservation (SAC). The principle of providing mitigation for any identified significant effects is accepted, and NE has asked for a suitable strategy to be agreed that will provide on-going mitigation for future major development within a 5.6km buffer zone around the SAC. This would require mitigation to be secured for an identified project through a planning obligation, in order to ensure that there will not be any in-combination effect as a result of additional recreation pressure on the Burnham Beeches SAC.
- 17.2 A financial contribution for development of alternative greenspace within Slough would be required, if planning permission were to be granted. Upton

Court Park has been identified as a key site for such works and a report on this key alternative greenspace was considered by the Planning Committee at the meeting of 23<sup>rd</sup> June this year, when the principle of supporting this local greenspace project was approved by members. For any acceptable proposals, a financial contribution towards mitigation would be required, as noted below at Section 24 in this report.

18.0 **On-site ecology**

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

18.2 The existing buildings and trees that would be demolished and removed may be suitable as bat roosts, and a preliminary bat roost assessment and emergence surveys are required in order to evaluate this potential. This was not included in the planning application. However, a survey of the surrounding area for bats and other protected species was submitted for application ref. P/19259/000, which revealed only a minor amount of 'commuting' bat activity. As the survey was undertaken in 2020, if this application was acceptable in other respect, new surveys and any ecological mitigation necessary could be secured by condition.

19.0 **Affordable housing**

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

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

19.3 The application offers 5no. 1-bdr. and 4no. 2-dbr. Units on site as affordable rental units which is a policy compliant number of units in each size. If the application was to be approved, it would be necessary for this to be secured by a section 106 agreement.

20.0 **Sustainable Design and construction**

20.1 NPPF 2021 seeks to promote high levels of sustainability. NPPF paragraph 157 in the NPPF sets out that:

*In determining planning applications, local planning authorities should expect new development to:*

*a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the*

*applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

*b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*

20.2 Core Strategy Policy 8(1) requires all development to include measures to:

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

20.3 The Design and Access Statement outlines that the development would seek to achieve a high degree of energy efficiency, and in the event that the application is considered by decision makers to be acceptable, it is considered that this should be provided by way of a pre-commencement condition, with the sustainability features to be established before any development commences at the site. The ability to provide for future heating needs through a district heating networks should be considered as a potential source of low-carbon energy for the development.

#### 21.0 **Surface water drainage**

21.1 Paragraph 169 of the National Planning Policy Framework requires major developments to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate. Core Policy 8 of the Core Strategy requires development to manage surface water arising from the site in a sustainable manner.

21.2 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.

21.3 The application has been assessed by the Lead Local Flood Authority (LLFA) consultee, which has requested additional information to be submitted (Section 6.5 in this report). As also noted elsewhere in this report in respect to the proposal's capacity for significant structural landscaping, almost the entire site would be excavated and built on, and little or no soft ground would remain either for landscaping and or for sustainable drainage purposes. The key information requirements noted by the LLFA consultee are, as noted at Section 6.5, are:

- Details of the extent of impermeable areas, and proposed ground levels ;
- basement levels, to show the drainage will discharge from the basement back to ground level;
- responsibility for maintenance of SUDS;
- evidence that storage/attenuation will be provided without increasing the runoff rate or volume for a 1 in 100 year plus climate change event

of 40%.

Given the lack of information provided on this issue, it is considered that the application should be refused on grounds that it has not demonstrated that the above issues can be satisfactorily addressed.

## 22.0 **Heritage impacts**

22.1 As noted in the consultees comments above at Section 6.6, the site is located a short distance from the Montem Mound, which is a scheduled monument. This important heritage asset is located approximately 170m to the east of the application site. However, Berkshire Archaeology has raised no concerns with potential for archaeology.

22.2 The Grade II listed Three Tuns PH is located 230m from the site, on the north-western side of the junction of Tuns Lane, Bath Road and Farnham Road. The proposed buildings are relatively small scale in terms of their potential to impact on the setting of this building. Given their scale, it is considered that the site is at a sufficient distance from the listed building to prevent any unacceptable impacts on it.

## 23.0 **Safe and Accessible Environment**

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

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

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

23.3 The key security issues with this development are the provision of secure access into the site, to the entrance lobbies of both Blocks, and to the car lifts. The site plans note that access to pedestrian gates and to a sliding vehicle access gate would be provided, and details of how this will be provided could be required by condition.

23.4 With regards to accessibility, Core Strategy policy 11 sets out that:

*The development of new facilities which serve the recognised diverse needs of local communities will be encouraged. All development should be easily accessible to all and everyone should have the same opportunities.*

23.5 The Developers Guide Part 2 *Developer Contributions and Affordable Housing (Section 106)* sets out a requirement for developments of 25 units or more to provide 5% of homes to wheelchair accessible standard. While the submitted plans do not specifically show any wheelchair accessible flats, it is noted that some of the flats would be of a size where this could be provided. To meet the 5% requirement, a minimum of two wheelchair flats would be

required. In the event that the application were to be approved, a condition would be recommended to provide for this, with reserved car parking also to be available in close proximity to the basement lift. Details would also be required to demonstrate that safe and level access could be provided for people with all levels of ability, both to the street and the basement car-park, and as noted in Section 16, for mobility taxis and other service vehicles as well as for commercial deliveries,

23.6 Fire safety is also a consideration under the above policies. While for buildings of this size this is a matter for Building Control rather than planning, a condition would be recommended for any acceptable application, to require the submission and approval of a Fire Strategy.

#### 24.0 **Infrastructure and Section 106 requirements**

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

24.2 In the event that this application is considered to be acceptable, it is expected that financial contributions for off-site infrastructure made necessary by the development would be required for education, public open space and recreation, public realm improvements, sustainable transport and mitigation of impacts on Burnham Beeches SAC. Affordable housing would also need to be provided for, as noted in Section 19 in this report.

#### 25.0 **Equality impacts**

25.1 Due consideration has been given to the potential impacts of development upon individuals either residing at or visiting the development, or who 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 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).

25.2 The proposal would provide new residential accommodation with a mix of dwelling sizes. On-site parking would be provided, and if the application were to be approved then wheelchair accessible parking would be required both within the basement, and including ground level space for mobility taxis and other mobility services. Within the development, access into the buildings is



via doorways at ground level, and a stairwell and lift is provided in each of them for access to the upper floors.

25.3 It is considered that there would be temporary (but limited) adverse impacts upon all individuals with protected characteristics while the development is under construction, as a result of construction works. There is potential for some people to be disadvantaged as a result of the construction works associated with the development, including people with disabilities; pregnant women, carers and those with younger children; children of all ages; and elderly residents/visitors. Noise and dust from construction also 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, and this could be secured by an appropriate condition.

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

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

26.1 The application has been evaluated in accordance with the adopted Development Plan, the NPPF and other relevant material planning considerations. The emerging Local Plan is a material consideration, which is afforded little weight. The Authority has assessed the application against the planning principles of the NPPF and whether the proposals deliver “sustainable development.” While the Local Planning Authority cannot demonstrate a Five Year Housing Land Supply the presumption in favour of sustainable development is tilted in favour of the supply of housing.

26.2 The proposal for 29 residential units (a net increase of 22) would make a useful contribution to the supply of housing, and given the current shortfall in housing supply this contribution attracts significant positive weight in the planning balance. Set against this, the application has not demonstrated that it will not constrain or sterilise the land to the north from being efficiently developed in a way that would assist in meeting the Council’s identified housing targets and housing needs, and this issue must be given significant negative weight in the planning balance.

26.3 In addition, the proposal would cause significant and demonstrable harm as a result of the following issues:

- low design quality of the north elevations;
- a significant loss of privacy for neighbouring occupiers, particularly in the use of their private rear gardens;
- the loss of trees and the inability of the development as designed to provide sufficient replacement planting;
- conflict between providing long-term convenient access and egress for vehicles using the basement car park;
- lack of delivery vehicle bays and visitor cycle store(s);

- location of the bin store would result in excessive bin carry distances for future occupiers;
- awkward access and egress to and from the cycle store; and
- the application has not demonstrated that the development would provide satisfactory surface water drainage.

26.4 The above issues all relate, in various ways, to the design and layout of the development. Lower design quality of the northern elevations of the buildings impacts on neighbouring properties rather than the wider streetscape and public views, so is accorded only limited weight. However, the impacts on the privacy and amenity of existing occupiers at neighbouring properties and on the amenities of future occupiers of the development in combination carries some weight. Taken together with the negative impact that the proposal is likely to have on the ability to deliver a significant level of housing on the land to the north, it is considered that on balance the benefits of providing an additional 22 residential units do not outweigh the disbenefits of the scheme.

26.5 While a section 106 planning agreement, if completed, would provide necessary infrastructure including the mitigation of impacts on Burnham Beeches SAC and on-site affordable housing, this would not overcome the above harm.

## 27.0 **PART C: RECOMMENDATION**

27.1 Having considered the relevant policies of the Development Plan and other material considerations, the representations received from consultees and the community along with all relevant material considerations, it is recommended that the application be refused for the reasons set out in Section 1 of this report.