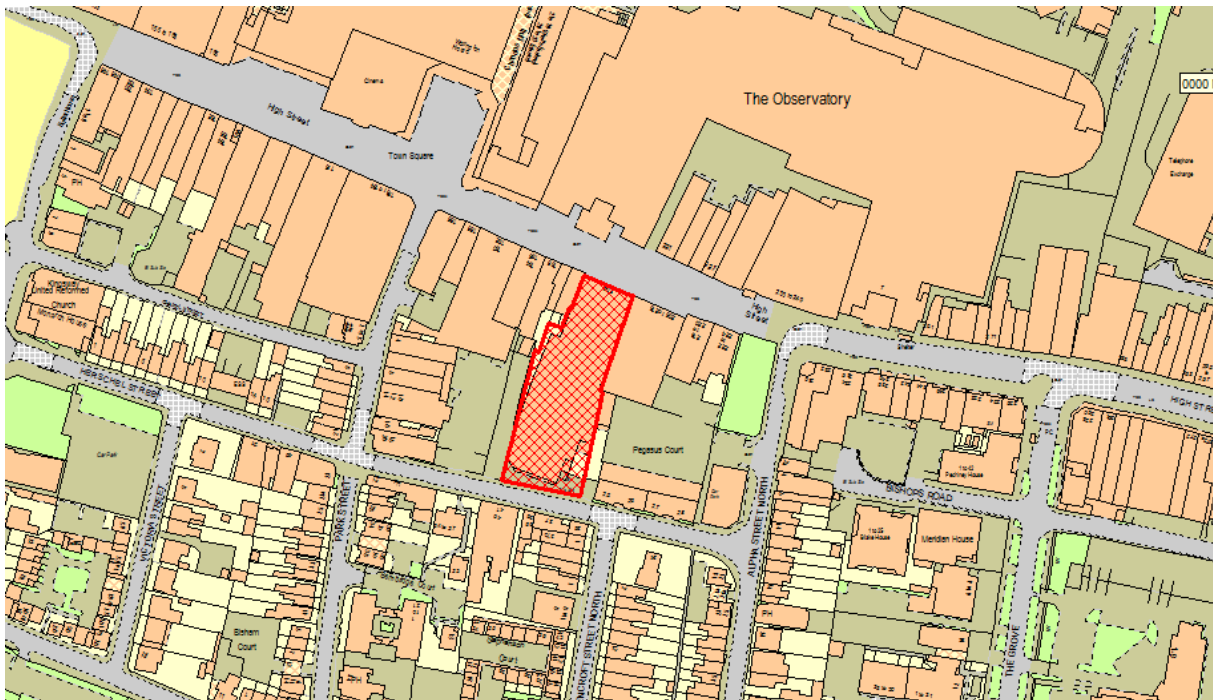


PLANNING APPLICATION REPORT

App No	P/02683/015	Applicant	WMC (Slough) Ltd
		Agent	Mr. Chris Brown, Rolfe Judd Planning
Received	3rd August 2021		Old Church Court, Claylands Road, London, SW8 1NZ
Officer	Nyra John		
Level	Delegated	App Type	Variation of Conditions (Major)
Ward	Central	13 Week Date	2 nd November 2021
Location	204-206, High Street, Slough, SL1 1JS		
Proposal	An application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 2 (Approved Drawing Numbers) , Condition 5 (Approved Uses) and Condition 6 (Hours of Operation) of planning permission P/02683/013 for the Demolition and Redevelopment of the existing site for a mixed use development (granted 4th March 2020) namely for various material amendments including addition of 2 'floors' to the top of Block B to create an 11th and 12th floor and an additional 8 x 1 bed flats; use of the first floor of Block A for 3 x 2 bed residential units; flexible Class E space throughout the ground floor commercial unit; amendment to the commercial High St side entrance to form a residential entrance; increasing the number or cycle parking spaces and waste provision; and removal of the flexible office/gym space at first floor of Block A		

Recommendation: Delegate to the Planning Manager for Approval.



1 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 delegated to the Planning Manager for:.

A. Approval subject to:

(i) the satisfactory completion of a Section 106 Deed of Variation to secure additional financial contributions towards education improvements and open space/recreation improvements in the local area; and

(ii) finalising conditions and any other minor changes;

B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 31st March 2022 unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee;

1.2 The original consented application was previously presented to the planning committee October 2019 where members delegated to the Planning Manager for approval.

1.3 This application has subsequently been amended by the applicant and has submitted amended plans and technical reports. It is being brought to Committee for decision, at the request of the Planning Manager and because it remains a major development within Slough Town Centre.

PART A: BACKGROUND

2 Site and Surroundings

2.1 The 0.24ha site comprises the vacant former BHS Store at 204-206 High Street, in Slough. The site consists of the building and areas of hardstanding used for associated parking and servicing. The existing building comprises 3 commercial storeys in height fronting onto the High Street and is currently formed of a hoarded up shop front at ground floor, with a two storey tiled facade above. The height of the building rises to 4 storeys to its rear on Herschel Street. The flank walls around the eastern site boundary for much of its length.

2.2 The site's access points and presence on the High Street create a linear retail unit from north to south. The existing building has windows on the flank walls overlooking the adjacent properties to the East and West of the site. The Herschel Street facade is blank with only an emergency escape door/service entrance on the ground floor.

- 2.3 The site is located within the established Town Centre of Slough on the southern edge of the High Street. The surrounding urban townscape is characterised by buildings of varying style, age and size, transport infrastructure and public realm. The land uses are predominantly retail and commercial to the north of the site and residential to the south of the site.
- 2.4 Historically the High Street has been characterised by mainly 3-4 storey buildings. In the latter half of the 20th century a number of new modern additions were constructed on the High Street, including Queensmere Shopping Centre, a part 8 storey building, constructed in the 1970's. The Shopping Centre and pedestrianised High Street are located immediately north of the site.
- 2.5 The buildings to the east are made up of commercial/retail uses toward the High Street and residential uses toward Herschel Street. There is an open parking area of land to the rear of 210 – 216 High St and Pegasus Court, Herschel St.
- 2.6 To the west are commercial/retail buildings and a larger area of car parking at the rear of 190 – 202 High Street and properties on Park Street.
- 2.7 To the south is Herschel Street, which provides servicing areas for the commercial units fronting the High Street, but also has residential, commercial and community buildings on the southern side. There is no on-street parking. There are potential plans to expand the width of the road on the southern side; however no firm policy has been adopted to date. The mass, form and spacing of buildings fronting the north and south sides of Herschel Street are varied with low rise single storeys to larger modern developments (up to 8 storeys). The area to the south can be characterised as a transitional area between commercial/community and residential uses and scales of premises.
- 2.8 The site is not within a Conservation Area, nor does it contain any statutory listed buildings, but it is in close proximity to two locally listed properties. The Locally Listed Nos. 194-198 and 200-202 High Street are situated to the immediate west of the site located at the High Street frontage. No. 200-202 comprises a three-storey red brick building that adjoins part of the site's western boundary. 208-212 High Street (to the east) comprises a three storey commercial building with ground floor retail and ancillary uses on the upper floors which are set back from the frontage.
- 2.9 Due to the site's Town Centre location, it is well situated to benefit from the majority of the local amenities that Slough has to offer. The area is well served by Great Western Railway trains that run through Slough Station, located around 5 minutes walk from the site. The train service runs west towards Reading and Windsor stations, as well as east towards Southall and London Paddington stations and is expected to be served by Crossrail with a direct route to Central London in the future.

3 Planning History

- 3.1 The original application P/02683/013 was approved with Conditions; Informatives on 4th March 2020. The description of development is as follows:

Demolition and Redevelopment of the existing site for a mixed use development comprising replacement flexible retail space (Class A1,A2,A3 uses) at ground floor level, flexible commercial floorspace at first floor fronting the High Street for either B1 (offices) or Class D2 (gym) uses and 78 residential dwellings within 3 buildings at podium level across the site with heights of 5, 11 and 4 storeys. Shared amenity space provided at first floor podium level, with cycle, waste and recycling storage facilities at ground floor level, and provision of two accessible car parking spaces (for the residential uses), loading and drop-off facilities and servicing area within ground floor level with access from Herschel Street (Revised Description of Development and Revised Plans submitted 03/09/2019)

- 3.2 A non-material amendment (P/02683/014) to planning application P/02683/013 dated 4th March 2020 was approved with Conditions on 9th August 2021 as follows:

Non material amendment to planning permission P/02683/013 dated 04/03/2019 to change to the description of development to remove references to the specific building heights, unit numbers, and floorspace areas and variation of the wording in Condition 2 (Approved Drawings) to include reference to the unit numbers and floorspace areas. The new description of development comprises:

Demolition and Redevelopment of the existing site for a mixed use development comprising replacement flexible retail space fronting the High Street and residential dwellings within 3 buildings at podium level across the site. Shared amenity space provided at first floor podium level, with cycle, waste and recycling storage facilities at ground floor level, and provision of accessible car parking spaces (for the residential uses), loading and drop-off facilities and servicing area within ground floor level with access from Herschel Street

- 3.3 The non-material amendment P/02683/015 was to facilitate the planning permission to remove any reference to specific building height, unit numbers and floorspace areas. It is not possible to amend the description of development through a s73 application (which can only vary planning conditions). Therefore, the s96A application is required to amend the wider development description and refer to specifics in Condition 2 accordingly, in order to facilitate the approval of this concurrent s73 Application (subject to its acceptability in planning terms).

4 The Proposal

- 4.1 The application is made under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 2 (Approved

Drawing Numbers), Condition 5 (Approved Uses) and Condition 6 (Hours of Operation) of planning permission P/02683/013 for the Demolition and Redevelopment of the existing site for a mixed use development (granted 4th March 2020) namely for various material amendments including:

- addition of 2 'floors' to the top of Block B to create an 11th and 12th floor and an additional 8 x 1 bed flats;
- use of the first floor of Block A for 3 x 2 bed residential units and resulting changes to the front façade including balconies introduced on the first floor facing the High Street;
- flexible Class E space throughout the ground floor commercial unit;
- amendment to the commercial High St side entrance to form a residential entrance and a staircase leading to the High St and lift removed;
- increasing the number of cycle parking spaces for the increase of 11 units and increase and reconfiguration of waste provision to the rear for the increase of 11 units; and
- removal of the flexible office/ gym space at first floor of Block A.

4.2 The scheme proposes a total of 51 no. 1 bed units (57%) and 38 no. 2 bed units (43%). 6 no. (7%) of the flats are wheelchair accessible units.

4.3 766sqm of private amenity space is provided in the form of balconies and private gardens. There is proposed 1169sqm of communal amenity space, comprising 233sqm at ground floor level, 788sqm across two landscape areas on the first floor podium level and 2no 148sqm roof terraces on upper floors of building B.

4.4 Condition 2 of permission P/02683/013 lists the following drawings relating to the application:

Condition 2. Approved plans

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

Ground Floor Plan A3 P100 S2-P8

First Floor Plan A3 P101 S2-P5

Second Floor Plan A3 P102 S2-P5

Third Floor Plan A3 P103 S2-P5

Fourth Floor Plan A3 P104 S2-P6

Fifth Floor Plan A3 P105 S2-P6

Sixth Floor Plan A3 P106 S2-P5

Seventh Floor Plan A3 P107 S2-P5

Eighth Floor Plan A7 P108 S2-P6

Ninth Floor Plan A3 P109 S2-P6

Tenth Floor Plan A3 P110 S2-P6

Roof Plan A3 P114 S2-P6

High Street Elevation A2 P200 S2-P4

Herschel Street Elevation A2 P201 S2-P5

Section AA, BB & CC A2 P300 S2-P5

Section DD & EE A2 P301 S2-P5
Section FF A2 P302 S2-P5
Section GG A2 P303 S2-P4
Section HH A2 P304 S2-P5

REASON: For the avoidance of doubt, 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 to comply Policy EN1 of The Local Adopted Plan for Slough 2004, Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

This S73 application seeks to remove the above approved drawings and replace with the following proposed drawings:

Condition 2. Approved plans

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

Ground Floor Plan HSL P100 S2-P12
First Floor Plan HSL P101 S2-P8
Second Floor Plan HSL P102 S2-P6
Third Floor Plan HSL P103 S2-P6
Fourth Floor Plan HSL P104 S2-P7
Fifth Floor Plan HSL P105 S2-P7
Sixth Floor Plan HSL P106 S2-P6
Seventh Floor Plan HSL P107 S2-P6
Eighth Floor Plan HSL P108 S2-P8
Ninth Floor Plan HSL P109 S2-P8
Tenth Floor Plan HSL P110 S2-P8
Roof Plan AHSL P114 S2-P9
High Street Elevation HSL P200 S2-P7
Herschel Street Elevation HSL P201 S2-P7
Section AA, BB & CC HSL P300 S2-P6
Section DD & EE HSL P301 S2-P6
Section FF HSL P302 S2-P6
Section GG HSL P303 S2-P5
Section HH HSL P304 S2-P8

REASON: For the avoidance of doubt, 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 to comply Policy EN1 of The Local Adopted Plan for Slough 2004, Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

4.5 The S73 application is submitted with the following additional documents, which accompany the application:

- Planning Statement – prepared by Rolfe Judd, dated 26/07/2021
- Design, Access and Heritage Statement – prepared by Stephen Davy Peter Smith Architects, dated July 2021
- Transport Statement Addendum – prepared by RSK, dated 18/07/2021
- Daylight/Sunlight Report Addendum – prepared by BVP, dated July 2021
- Drainage/SUDS Addendum – prepared by RSK, dated 05/07/2021
- Approved Archaeological Desktop Report – prepared by RSK, dated December 2018
- Ecological Constraints and Preliminary Roost Assessment Report – prepared by RSK, dated 21/07/2021
- Sustainability Statement Addendum – prepared by RSK, dated 21/07/2021
- Energy Statement – prepared by RSK, dated 21/07/2021
- Noise Assessment – Hawkins Environmental, dated 08/07/2021
- Landscaping Scheme Statement of Conformity– prepared by Wilder Associates
- Townscape and Visual Impact Assessment – prepared by Lichfields, dated July 2021
- Approved Contaminated Land Assessment – prepared by RSK, dated December 2018
- Viability Report Addendum– prepared by Turner Morum LLP (sent separately)

4.6 Condition 5 of the original application formalises the uses which could be accommodated within the ground floor commercial space:

Condition 5. Approved Uses

Notwithstanding the information in the approved plans and subject to the provisions within the relevant conditions set out in this planning permission, the following specified land uses are permitted within the specified floorspace:

Ground Floor Level:

Class A1 (Retail)

Class A2 (Financial and Professional Services)

Class A3 (Restaurant)

First Floor Level in Block A:

Class B1 (Office)

Class D2 (Gym)

As set out in Class E, Part 3, schedule 2 of the General Permitted Development Order 2015 (as amended) or the provisions of the relevant Class/Part upon implementation, this permission benefits from a period during which changes of use of the above specified floorspace between uses A1, A2 and A3 (at ground floor level) and B1 or D2 (at First floor level in Block A) as set out in the description of development

may take place without the need for further planning permissions. This flexibility is for a period of ten years from the date of the approval.

Reason: To ensure the uses are compatible with the adjoining land uses and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1, 5 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

4.7 Since the scheme was approved, the Use Classes order has been updated on 1st September 2020. Most of the approved uses which are relevant to the scheme have now been placed within a new Class E use in order to increase the flexibility of commercial units. The S73 application seeks to specify which Class E uses could occupy the unit via planning conditions as follows:

Condition 5. Approved Uses

Notwithstanding the information in the approved plans and subject to the provisions within the relevant conditions set out in this planning permission, the following specified land uses are permitted within the specified floorspace:

Notwithstanding the information in the approved plans and subject to the provisions within the relevant conditions set out in this planning permission, the following specified land uses under Class E (Commercial) are permitted within the specified floorspace:

- a) retail, other than hot food;
- b) food and drink;
- c) professional services;
- d) indoor sport, recreation or fitness;
- e) Medical or health services; and
- f) Creche, day nursery or day centre.

As set out in Class E, Part 3, Schedule 2 of the General Permitted Development Order 2015 (as amended) or the provisions of the relevant Class/Part upon implementation, this permission benefits from a period during which changes of use of the above specified floorspace between uses Class E as set out in the description of development may take place without the need for further planning permissions. Permitted development under Schedule 2, Part 3 Class MA (General Permitted Development) (England) Order 2015 to change Class E to Class C3 (residential) are removed. This flexibility is for a period of ten years from the date of the approval.

Reason: To ensure the uses are compatible with the adjoining land uses and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance

with policies EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1, 5 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

- 4.8 Condition 6 outlines the approved hours of use for each use:

Condition 6. Hours of Operation

(A) The Class A1, A2 and A3 uses hereby permitted shall operate only between 0700 hours and 2300 hours, on weekdays and on Saturdays and on 0700 hours to 2230 hours on Sundays and Bank Holidays.

(B) The Class B1 or D2 uses hereby permitted shall operate only between 0700 hours and 2100 hours, on weekdays and on Saturdays and on 1000 hours to 2100 hours on Sundays and Bank Holidays

Reason: To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Policy EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

- 4.9 The changes to the Use Classes means there is a need to update Condition 6 as follows:

Condition 6. Hours of Operation

(A) The Class E uses hereby permitted shall operate only between 0700 hours and 2300 hours, on weekdays and on Saturdays and on 0700 hours to 2230 hours on Sundays and Bank Holidays.

Reason: To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Policy EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

5 Consultations

- 5.1 A neighbour notification exercise was undertaken through site notices which were placed on 11th August 2021 at High Street and Herschel Street. A press notice was issued in the Slough Express on 3rd September 2021. No objections were raised between the consultation period (11th August 2021- 1st September 2021).

- 5.2 The following comments have been received following consultation exercises carried out in August and September.

Sustainable Design and Construction

- 5.3 Response received 12th August 2021: I confirm the details submitted (Sustainability Statement dated 21st June 2021 and Energy Statement dated 17th June 2021) are acceptable re current published guidance. I suggest you inform the applicant that the Council is about to change its guidance re implementation of policy and will be seeking greater sustainable design and construction requirements re climate change. Cabinet is due to consider a climate change strategy and action plan but it is not available yet. And Government is about to announce a revised policy on heat and buildings. I suspect that the developer could relatively easily go for at least 20% better than building regulations. 20% is the current limit, mentioned in PPG, that Planning can stipulate re variation from Building Regs Part L.

Local Lead Flooding Authority

- 5.4 Response received 2nd September 2021: We have reviewed the following information in relation to the above planning application: • 680184-R1(1)-SuDS; Sustainable Drainage Strategy, RSK, dated 5th July 2021 Based on the information supplied, the proposed changes will not affect the conditions previously set for foul/surface water drainage (i.e. they can remain outstanding) and we have no additional comments on the proposed changes to conditions 2, 5 and 6.

BPS Chartered Surveyors

- 5.5 A response was received 27th September 2021 through an independent viability review was prepared by BPS on behalf of the Council. The report analysis concludes that the S73 application scheme generates a surplus of £83,300. The report includes updated S106 contributions including for additional open space contributions (£26,700) and education contributions (£229,517) as a result of the additional 11 units. BPS conclude overall that the surplus figure is less than 0.5% GDV and noting minimal changes to the appraisal inputs, this could reduce the surplus further. BPS advises that the scheme's viability may not justifiably support additional affordable dwellings as the surplus is nominal and could change as a result of uncertainties within build costs.

Highways and Transport

- 5.6 A response was received 1st October 2021: I can confirm that there are no significant changes proposed to the application that was approved at the October 2019 planning committee. The most significant changes to the proposal from a Highways and transport perspective are in the following areas;

- Pedestrian Access- improvement from previous application
- Commercial Access- access for commercial unit 3
- Cycle Parking- further details on configuration and layout although number is adequate
- Refuse- further details on refuse strategy
- Servicing- no notable changes

The amended proposal is not vastly different from the approved scheme and therefore we have no objections to this scheme providing that the conditions listed above for the commercial access, design and layout of the cycle storage/parking and the refuse management strategy can be secured.

Environmental Quality

5.7 No comments received.

Landscape

5.8 No comments received.

Thames Water

5.9 No comments received.

Consultation

PART B: PLANNING APPRAISAL

6 Policy Background

6.1 National Planning Policy Framework (2021) and National Planning Policy Guidance: Paragraph 11 of the NPPF states that decisions should apply the presumption in favour of sustainable development which means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 6); or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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

- Core Policy 1 - Spatial Vision and Strategic Objectives for Slough
- 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

6.3 The Adopted Local Plan for Slough 2004 (Saved Policies)

- EMP2 Criteria for Business Developments
- H14 Amenity Space
- EN1 Standard of Design
- EN3 Landscaping
- EN5 Design and Crime
- EN17 Locally Listed Buildings
- T2 Parking
- T8 Cycling Network and Facilities

6.4 Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4 2010

6.5 Emerging Local Plan Policy

The Draft Centre of Slough Regeneration Framework (Aug 2020) was presented to Members at the Planning Committee meeting of 9 September 2020 and was subsequently determined to be adopted as an evidence document for the forthcoming Slough Local Plan. The Framework promotes the redevelopment of the Queensmere and Observatory shopping centres in a way which “rediscovers the High Street” and makes it the focal point. This means that new retail and leisure uses should front onto the High Street rather than looking inwards. It also proposes to create a new pedestrian street which links the High Street to the station via Mackenzie Square and Brunel Way. This will help to break down the barrier that is currently formed by amount of traffic on the A4 Wellington Street and start to knit the centre back together. The Framework sets out the broad principles for how the centre should look in terms of building heights, street patterns, key linkages and design quality.

The Proposed Spatial Strategy was published in November 2020 and builds on the work done for the Regeneration Framework and sets out a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough.

The Spatial Strategy involves making sufficient provision to meet housing, employment and other needs whilst at the same time conserving the natural, built and historic environment. Although it identifies broad residential areas, it does not contain any specific planning policies at this stage. Therefore the documents holds

little weight as it currently stands, and the material weight of policies would strengthen the closer the Local Plan is to adoption. It can be used to inform planning decisions but does not have the weight of planning policy.

6.6 The Planning Assessment will cover the following elements:

- Principle of the Proposed Changes
- Housing
- Design and Impact on Streetscene and Townscape
- Impact on Residential Amenity
- Highways, Access and Refuse
- Environmental Impacts

7 Planning Assessment

Principle of the Proposed Changes

7.1 The application relates to the addition of 11 homes within Blocks A and B of the original application. The table below shows the overall changes from the original application P/02683/013 and the proposed amendments of this S73 application P/02683/015:

Original Application	S73 Application
45 x 1 bed, 33 x 2 bed = Total of 78 units	51 x 1 bed, 38 x 2 bed = Total of 89 units
Flexible retail space (Class A1, A2, A3 uses) at ground floor level (593 sqm NIA) and 548 sqm (NIA).	One large commercial unit flexible Class E use (1,161 sqm NIA)
Flexible commercial floorspace at first floor fronting the High Street for either B1 (offices) or Class D2 (gym) uses	3 private accommodation units with balconies fronting the High Street
3 buildings at podium level across the site with heights of 5, 11 and 4 storeys	3 buildings at podium level across the site with heights of 5, 13 and 4 storeys
Cycle, waste and recycling storage facilities at ground floor level to the west of the site for 78 units	Increased cycle, waste and recycling storage facilities at ground floor level to the rear of the site for 89 units
Shared amenity space at first floor podium level	Shared amenity space at first floor podium level and addition of 2 roof terraces on the 11 th floor
	Amendments to layout increase staircase from Block A to High Street moved and lift to be removed

- 7.2 The procedure in Section 73 of the Town and Country Planning Act 1990 permits a developer to apply for planning permission to carry out development already authorised by an extant planning permission without complying with one or more of the conditions of that permission. If planning permission is granted, the developer obtains a new planning permission for the same development as before, but subject to different conditions.
- 7.3 The s73's powers are solely to be used to alter/remove the conditions attached to an application in order to generate a new planning permission. A s96 application was made under P/02683/014 (approved 9th August 2021) to vary the former description of development and move specific information to the existing conditions to enable a subsequent s73 application to vary these conditions. This is in line with the process adopted by Local Planning Authorities since the *Finney v Welsh Ministers* [2019] EWCA Civ 1868 ("Finney case").
- 7.4 Officers consider that the provision of additional residential units, including the proposed additional storeys to Block B, changes in appearance to Block A and flexible Class E space comprise material changes to the approved development and therefore, it is necessary to amend the approved plans and modify the wording of the relevant planning conditions to facilitate the changes to the development. Officers consider that the scale and nature of the amendments to the approved development are non-fundamental or significant in context with the overall permitted development. The appropriateness of the changes will be assessed further in the planning assessment below.
- 7.5 In conclusion, Section 73 of the Town and Country Planning Act 1990 does not provide scope to impose conditions that are so fundamentally different that they could not have been imposed on the original planning permission. Based on the information provided, it is considered that the conditions as proposed to be varied, could have been imposed on the original planning permission, do not involve changes to or raise any inconsistency with the description of development (as amended by way of s96A under ref: P/02683/014), and that such variations do not lead to a fundamental alteration of the original planning permission. The proposed variations to the conditions therefore fall within the scope of Section 73 of the Act.

Residential Uses

- 7.6 The National Planning Policy Framework 2021 encourages the effective and efficient use of land. These proposals involve the enlargement of the premises and the formation of additional residential accommodation. As such, the proposals comply with the overall thrust of the NPPF.
- 7.7 Core Strategy Policy 1 (CP1) sets the spatial strategy for the Borough and this requires all development to take place within the built up area, predominantly on previously developed land. The policy also requires the scale and density of the development to be related to the site's current or

proposed accessibility, character and surroundings. Core Policy 4 seeks high-density, non-family type housing to be located in the Town Centre. In the urban areas outside of the town centre, new residential development is expected to be predominantly family housing.

- 7.8 It is proposed to convert the Class B1/ D2 office/ gym space at first floor level within Block A into additional residential accommodation comprising three x 2 bed private residential units. It is acknowledged that the principle of the alteration was agreed for three x 2 bed affordable residential units. The benefits of additional housing would weigh in favour (in NPPF terms) and could contribute towards supporting the viability and vitality of the town centre by increasing footfall and sustaining the High Street shops and facilities. .
- 7.9 Having regard to the NPPF 2021 and the Local Development Plan, the principle of additional residential development in this location would be accepted on the condition that the scheme is of high quality and would provide an acceptable housing mix and affordable housing, which is assessed in the next section of this report.

Non Residential Uses

- 7.10 In addition to the NPPF defining commercial uses and a 'Main Town Centre Use, Policy EMP1 of Slough Borough Council's saved Local Plan policies strongly encourages employment generating use to locate within Slough Town Centre. EMP2 of the saved Local Plan policies and Core Policies 1 and 5 of the Core Strategy require proposals for new business developments to be of a high quality preserve or enhance the variety of local uses and be of a scale that is appropriate to its location.
- 7.11 The approved planning permission secured a flexible range of uses which could be accommodated within the ground floor commercial space. These uses were formalised through condition 5 attached to the planning permission. Since the scheme was approved, the Use Classes Order (2020) has been updated. Most of the approved uses (Class A1-A3 and B1) which are relevant to the scheme have now been placed within the new Class E use in order to increase the flexibility of commercial units and thereby enhance the viability and vitality of Town Centres.
- 7.12 Changing the approved uses to Class E is acceptable provided that only specific elements of Class E will occupy the unit. This amendment will not result in a physical change, aside from allowing for further flexibility including c) professional services, d) indoor sport, recreation or fitness, e) Medical or health services and f) Creche, day nursery or day centres. The recommendation would remove the ability for the ground floor units to change to Class E part g) use which includes office, research and development or industrial to ensure the uses are not harmful to the amenities of the residential uses in the area and would not give rise to unacceptable environmental impacts. The changes to the condition would prevent oermitted development Schedule 2, Part 3 Class MA (General Permitted Development) (England) Order 2015 (Updated 2021) to change Class E to Class C3 (residential) to take place.

- 7.13 The change will update the application to refer to the latest Use Class Order. A more flexible approach in terms of uses and floor space and layout would bring benefits of bringing back the site into town centre uses within an appropriate floorplate.
- 7.14 Further to the above changes, Condition 5 of the approved application will be updated in order to accommodate the alteration to the use class of the commercial unit. In addition, Condition 6 of the approved application will also be updated in order to refer to the updated class within the hours of use.
- 7.15 Overall, each of the proposed uses are deemed to be acceptable in principle and constitute non-fundamental amendments to the approved development subject to variation. The design form, housing mix, tenure and arrangement of the proposed uses are each addressed in the following sections.

Housing

Housing Mix

- 7.16 Core Strategy Policy 4 requires high-density housing to be located in Slough town centre. The policy also states that in the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure. The supporting text states that there should be a wide choice and mix of housing to meet local needs.
- 7.17 Affordable Housing (Section 106); Developer's Guide Part 5 requires 5% of homes to be wheelchair standard on all developments of 25 or more dwellings.
- 7.18 The scheme proposes a total of 89 residential flats which comprises 51no. 1 bed units (57%) and 38no. 2 bed units (43%). 6 (7%) of the flats are wheelchair accessible units. An extract from the DAS highlighting the flat types is provided below.

SUMMARY

		Flat Type	
		1B2P	2B3P
BLOCK A		0	12
	PERCENTAGE MIX	0%	100%
	SUB-TOTAL	12	
BLOCK B		45	20
	PERCENTAGE MIX	69%	31%
	SUB-TOTAL	65	
BLOCK C		6	6
	PERCENTAGE MIX	50%	50%
	SUB-TOTAL	12	
		1B	2B
ALL BLOCKS	TOTAL UNIT TYPES	51	38
	PERCENTAGE MIX	57%	43%
	TOTAL	89	
SITE AREA		0.2435	Ha
SITE DENSITY		887	HR per Ha
NUMBER WCH UNITS		6	
PERCENTAGE WCH UNITS		7%	
NO. RESI. CYCLE SPACES		89	

- 7.19 The proposed amendment would provide a slightly higher percentage of 1 bed units from the consented scheme which comprised 43 no. 1 bed units (55%) and 35 no. 2 bed units (45%). Acknowledging the physical constraints on the site and that the location is generally less suitable for family units, given the lack of car parking and external garden spaces, the typology of housing is acceptable.
- 7.20 All proposed flats meet and exceed the minimum floor areas set out within Nationally Described Space Standards (2015) and Part 4 of the Slough Developer's Guide, which is 39sqm for a 1 bedroom dwelling and 61sqm for a 2 bedroom dwelling. The additional 1 bedroom flats on the 11th and 12th floor of Block B are all proposed 50sqm with 7.1sqm of balcony space. The additional 2 bedroom flats on the first floor of Block A are proposed between 73sqm and 83sqm with between 73sqm and 26.7sqm of amenity space. All flats benefit from dual aspect arrangements.

Affordable Housing

- 7.21 Core Policy 4 of the Core Strategy requires all sites of 15 or more dwellings (gross) to provide between 30% and 40% of the dwellings as social rented accommodation along with other forms of affordable housing.

- 7.22 The original consented scheme included provision for 12% affordable housing (9 x 2 bed units) which is below the Council's target of between 30-40%. The applicant contended that the development could not support additional affordable housing on the site and had provided a comprehensive Financial Viability Assessment as prepared by Turner Morum to demonstrate the economics (March 2019).
- 7.23 A Financial Viability Assessment has also been provided with this S73 application prepared by Turner Morum (August 2021), as the proposal seeks to propose 11 additional units which would reduce the affordable housing provision to 10% as a proportion. The applicant proposes to retain the same quantum of affordable housing which is secured under the s106 agreement. The same planning obligations would apply to this revised planning permission, if granted consent.
- 7.24 Turner Morum (TM) conclude that whilst the amended scheme includes 11 more residential units, it is unviable when the provision of 9 shared ownership units is provided (10% provision overall). TM conclude that the amended scheme generates a deficit when both a 12% (-£1.58m) and 10% (-£1.35m) affordable housing contribution is considered. Despite this, TM advises that the applicant is willing to proceed with the previously agreed affordable housing offer of 9 shared ownership units.
- 7.25 The Council has sought technical advice from BPS (Independent Surveyors) and is of the view that with 10% affordable housing as proposed in the amended scheme, a surplus of £83,300 can be achieved from the original consented scheme. The Council conclude overall that the surplus figure is less than 0.5% GDV and noting minimal changes to the appraisal inputs, this could reduce the surplus further. BPS advise that the scheme's viability may not justifiably support additional affordable dwellings, as the surplus is nominal and could change as a result of uncertainties within build costs.
- 7.26 Officers have considered the above housing provisions as part of the planning balance, noting that the combination of the height addition and provision of housing does not affect the level of positive weight in the balance, afforded to the previous scheme. Therefore, it is considered that there is evidence which indicates that the current proposals cannot viably sustain additional on-site provision of affordable housing above 10%, and sufficient evidence has been provided to demonstrate this position. The reduction in percentage of the affordable housing provisions does not give rise to any further material planning considerations. Therefore, the amendment to the affordable housing percentage can be considered in the context of this s73 application which seeks to amend planning conditions.

Design & Impact on Streetscene and Local Townscape

- 7.27 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for

people. Development should function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development and provide for an appropriate mix of uses, respond to local character and history, create safe and accessible environments which are visually attractive.

7.28 Saved Policy EN1 requires development proposals to reflect a high standard of design and must be compatible with, and/or improve the surroundings in terms of layout, scale, height, architectural style and materials. Policy CP1 of the Core Strategy states that the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of use will not be allowed in locations that lack the necessary supporting infrastructure, facilities or services or where access by sustainable means of travel by public transport, cycling and walking are limited. Policy CP8 of the Core Strategy states that all development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change.

7.29 Policy CP8 defines High Quality Design as to:

- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;
- b) Respect its location and surroundings;
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.

Policy CP8 requires that the design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.

Layout

7.30 The ground floor layout of the commercial unit is proposed to be slightly increased from 1,141sqm NIA to 1,161sqm NIA. The commercial refuse store and refuse store 1 have been relocated from the western side of the site to the rear of the site, which is considered to be a simpler solution meaning that all stores can now be accessed from the loading bay on collection day without needing relocation.

7.31 The layout of the residential accommodation largely remains as per the consented scheme, with additional units in Block B and Block A. The flat units within Block A will match the layouts in the storeys above. The stairs leading from podium level down to the High Street have been reconfigured following these changes to Block A. There were previously two lifts proposed in Block A, and the amendments propose the lift to the west of the site to be removed. The gate on to the High Street will provide access for residents from the west side of the site, rather than residents entering from Herschel Street.

- 7.32 Within Block B, all additional proposed units are dual aspect. These additional levels are not an exact continuation of the layout of the storeys below. There are predominantly 6 flats of each floor and on the additional 2 floors, there will be 4 flats and two roof terraces. The roof terraces will be for the sole use of residents of Block B.
- 7.33 In light of the above, it is considered that the layout of the proposed development represents a more efficient use of the land on the ground floor and the additional units benefit from the opportunities on the primary frontages north and south, noting its linear shape.

Scale, Massing, Height

- 7.34 The proposed amendments would not change the scale, massing or height of Blocks A or C and predominantly proposes changes to the height of Block B. On the original application, height was taken of the central building Block B and Herschel Street blocks, from the original submitted scheme which comprised a 14 storey central building to the consented proposed 11 storey central building. This S73 application proposes an amendment to increase the central building Block B to 13 storeys, adding an additional 8 x 1 bedroom units.
- 7.35 It is considered that the additional proposed two storeys to Block B would be classed as full height storeys, as each floor has an internal height of approximately 2.5m, matching the floors below. The additional two storeys are set back from the floors below at Block B and would appear to be smaller in massing as a crowned addition.
- 7.36 The mass of Block B is focused centrally in the site. The revised building would still have a strong presence in selected views along the High Street and from the residential areas to the south. Given the two storey residential areas to the south, it is considered that the height of the building would result in some visual obtrusion when viewed from residential properties in Herschel Street, Victoria Street, Hencroft Street and Alpha Street North by virtue of introducing a taller element in an otherwise clear skyline. It is considered that this element of the development, in the current urban context would therefore read as a new tall building in an otherwise low-rise immediate context, however, the principle of this was accepted for the original application and the change in height of the central height would be visually minor when viewed from the surrounding area.
- 7.37 In addition, considering the cumulative impact of new developments such as 226 - 228 High Street at the Herschel Street to Alpha Street junction, officers consider that the increase in height would not result in further harm to visual amenities, which is further discussed in the Townscape section of this report.
- 7.38 Officers consider that the design of the additional two storeys which is reduced in massing from the floors below would better articulate the

upper floors of the development, and would create added visual interest to the skyline.

- 7.39 It is considered that the additional 2 storeys would only result in localised impacts on the surrounding area, which officers consider would be very modest, contained and outweighed by the public benefits of the scheme, in terms of contributing to the regeneration of the site and wider Town Centre area with regards to relevant planning policy and material considerations. The increased scale of development proposed reflects the emerging character of the Town Centre and can be suitably accommodated within the depth of the site. The proposed amended height and massing are therefore considered to be in accordance with Policy EN1 of the Saved Local Plan Policies and Core Policy 8 of the Core Strategy.

Material and Façade Treatment

- 7.40 The main façade changes are proposed to Block A, where 3 additional units are proposed with balconies to the High Street. 198 High Street and reinforces the line of the High Street. The brickwork will maintain the surface interest and will be similar to the adjacent historic buildings.
- 7.41 The double-height frame in reddish brick which surrounds the ground and first floor windows has been adapted to suit new fenestration. Balconies are introduced on first floor as a result of the proposed amendment from the commercial provision on the first floor to residential on the first floor.
- 7.42 The level at which the light grey brick transitions into the reddish brick has been maintained. Officers consider that this ensures continuity with the adjacent building, Planning Officers consider that the general principle of the High Street elevation is intact considering the changes to Block A.



7.43 With regards to Block B, the principles of the consented scheme will be maintained, as the taller blocks will be finished in a light coloured brick and the shorter elements will have a reddish brick finish. The additional two floors at the top of the central building articulate the roof line and add further visual interest to the development.

7.44 With regards to Block C, the elevation facing Herschel Street will not materially change from the consented scheme.

Townscape

7.45 Lichfields have prepared a Townscape and Visual Impact Assessment (TVIA) Addendum which sets out a detailed analysis of the site context, identifying a series of current emerging townscape character areas upon which the impacts of the application scheme are assessed.

7.46 The following summarises the proposed amended scheme's effects on each of the Townscape Character Areas:

- Slough Town Centre TCA: Minor Beneficial
- Residential TCA: Negligible to Minor Adverse
- Heart of Slough TA: Negligible
- Wellington Street Road and Rail Corridor TCA: Negligible

This confirms that the proposed changes would only have a negligible to minor adverse impact to the residential TCA, predominantly from the area south of Herschel Street given the difference in scale and character. However, it is considered there is little change from the original application, which also concluded there to be a negligible to minor adverse impact to the residential TCA and given the cumulative effect of

new developments, this would not be significantly detrimental to the townscape of the area.

- 7.47 The TVIA includes a series of verified views of the Site, including Accurate Visual Representations of views in either rendered or wireframe form. It was agreed with the applicants at the pre-application stage that 4 of the original 15 representative viewpoints would need to be considered from the surrounding area, as the original TVIA dated December 2018 assessed a scheme that was 15 storeys in height, which was then reduced in height during the determination period.
- 7.48 The assessment includes the following viewpoints and the cumulative townscape effects taking into consideration :
- View 1 - High Street (entrance to Observatory Shopping Centre) – moderate beneficial as no. 226-228 High Street will provide screening
 - View 2 - Herschel Street adjacent to Alpha Street junction – moderate beneficial as no. 226-228 High Street would screen the majority of the built form of Block B
 - View 5 - Herschel Street adjacent to Victoria Street junction- minor neutral as there are no visible cumulative schemes that would affect the visibility of the proposed scheme from this view location.
 - View 7 - Albert Street (south of St.Mary's Church)- minor adverse as there are no visible cumulative schemes that would affect the visibility of the proposed scheme from this view location.
- 7.49 The proposed development would not have an overall detrimental impact upon the character and appearance of the surrounding area or buildings. Officers consider that any localised impacts on the surrounding area would be modest, contained and outweighed by the public benefits of the scheme, in terms of contributing to the regeneration of the site and wider Town Centre area with regards to relevant planning policy and material considerations.
- 7.50 It is considered that the proposed development would result in a high degree of change as it would have a greater visibility than the existing building. Officers consider that the development as amended, including the increase in height on Block B by two storeys would cause some further minor adverse effects to the townscape character areas and to visual receptors to result from the development. It is acknowledged that from some views as assessed in the TVIA Addendum, that there would be some beneficial cumulative impacts when taking into consideration future development. The High Street elevation of Block A is broadly consistent with the approved scheme as the ground floor commercial unit and first floor residential accommodation are defined within the streetscene with a double height frontage which extends to match the roofline of the adjacent Locally Listed Building and is sensitive to the building's ridge height and line.
- 7.51 In conclusion, the design and resulting appearance of the development is considered to be acceptable, on balance, noting that the proposals result in some harm to the local townscape character by virtue of the scale and

height of the central building and its relationship with the immediately neighbouring low rise buildings, however the additional 2 storeys to Block B does not result in any significant harm than the consented scheme. The scheme, as amended, would therefore be considered to constitute an acceptable design and an appropriate form of development on this site.

- 7.52 Notwithstanding this, it is recognised that the scale, massing and height has been optimised to enable a sustainable mix of uses and delivery of housing with adequate servicing, delivery and parking provisions. In conclusion, it is the Councils view that the level of harm to the townscape is not significant enough to warrant a refusal on townscape grounds, on balance. It is considered that the development is capable of achieving a sufficient level of compatibility with the surrounding townscape which, over time, would address the criteria in the Local Plan Saved Policy EN1, Core Strategy Policy 8 and Core Strategy Policy 9 and the NPPF which seeks to deliver well designed places.

Future Development

- 7.53 In conclusion, it is considered that the proposed amendments would safeguard the potential to develop adjoining sites and may not unreasonably prejudice or restrict schemes coming forward in the future, either on a standalone piecemeal basis or a comprehensive basis whereby specific sites are assembled and brought forward together.

Impacts on Residential Amenity

- 7.54 EN1 of the Local Plan and Core Policy 8 of the Core Strategy requires new development proposals to reflect a high standard of design and to be compatible with and/ or improve the surroundings in terms of the relationship to nearby properties. The NPPF at paragraph 130 sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. In considering the proposals, officers have had due regard for the impacts on the amenity and living conditions of residents residing within adjoining and adjacent dwellings in the High Street, Herschel Street, Alpha Street, Hencroft Street, Victoria Street and Park Street with regards to the impact on cumulative levels of daylight, sunlight, overshadowing and privacy as a result of the proposed amendments.
- 7.55 The daylight, sunlight and overshadowing addendum has been submitted by the applicant to assess the effects of the proposals on the daylight and sunlight levels to adjoining occupiers. The technical analysis has confirmed that the daylight availability to the great majority of neighbouring buildings would be retained in accordance with the BRE recommendations. The Report confirms that 98.61% of habitable rooms would receive daylight in accordance with BRE recommended values which is considered to demonstrate a very high level of compliance, noting the urban town centre context. The proposed increase in height to

Block B would not significantly worsen the daylight conditions within neighbouring buildings any further than the consented scheme.

- 7.56 Sunlight availability to neighbouring residential properties that face within 90° of south demonstrates that BRE's recommended values would be satisfied in the majority of the locations. Within the consented scheme at 190-192 High Street, 18 windows would fall below the BRE recommendation for annual sunlight and 19 windows would fall short of the winter sunlight recommendation out of a total of 74 windows tested. To the first and second floor windows in 198-200 High Street which were already assessed in the consented application as being likely to comprise bathrooms or kitchens, and are less reliant on access to sunlight. The properties are also served by a second aspect with windows which would be BRE compliant in respect of daylight levels. There is one window at 16 Park Road which would have the winter sunlight reduced from 1% to 0%, however the difference would be unnoticeable to the occupants. Overall, the quantity of sunlight to proposed amenity areas is good and would satisfy BRE recommended values.
- 7.57 In relation to overshadowing, the results confirm that the BRE recommendation of two hours of sunlight on 50% of the area on 21 March would be satisfied for the High Street. There are no material differences in the results from the report in the consented scheme and the submission of the amended plans.
- 7.58 With regards to the distances between the new development blocks and existing facing buildings is considered to be typical of central urban infill developments and this would not change from the consented scheme. There are no residential windows within the properties on High Street and so the additional 3 units and associated balconies will not result in any overlooking.

Crime

- 7.59 Paragraph 91 of the NPPF requires planning decisions to promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. These objectives are consistent with Core Strategy Policies 8 and 12, and Local Plan Policy EN5 which requires development proposals to be designed to reduce the potential for criminal activity and anti-social behaviour.
- 7.60 This has been addressed within the scheme which provides secure entrances, separation of cycle storage with the commercial servicing areas, and a separation of the commercial first floor with the residential components which ensure there will be no conflicts between the different uses. The provisions incorporated into the scheme were assessed by the Crime Prevention Design Advisor as being acceptable for the original scheme and the proposed amendments will maintain the level of safety and security of the dwellings. The active frontages of the first floor accommodation on the High Street would increase natural surveillance.

Highways, Access and Refuse

- 7.61 Paragraph 104 of the NPPF 2021 states that in assessing specific applications for development, it should be ensured that opportunities to promote walking, cycling and public transport use are identified and pursued and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taking into account including appropriate opportunities for avoiding and mitigating any adverse effects.
- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) Safe and suitable access to the site can be achieved for all users; and
 - c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree
- 7.62 Paragraph 111 of the NPPF 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. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8.
- 7.63 Paragraph 112 of the NPPF 2021 states that development should give priority first to pedestrian and cycle movements and second to public transport. Applications should create places that are safe, secure and attractive, allow for the delivery of goods, access by service and emergency vehicles and charging of plug-in vehicles.
- 7.64 A Transport Statement Addendum has been prepared by RSK outlining a travel plan, servicing/ waste management plan and fully assesses the impact of the scheme on trip generation in the Town Centre. Given site's sustainable location within the town centre and combined with the easy access to alternative public transport modes in vicinity of the site, it is considered that a car free development would be acceptable.
- 7.65 The Highways Officer was consulted and a response was received on 1st October 2021 confirming there are no significant changes proposed to the application that was approved at the October 2019 planning committee. The most significant changes to the proposal from a Highways and transport perspective are in the following areas;
- Pedestrian Access
- 7.66 It is noted that the pedestrian access to elements of the proposed building have been provided from the High Street elevation, this was previously for the commercial access and for fire escape purposes only. The access off the High Street now serves some of the residential units as well as serving as a fire escape. It is considered that this is an

improvement and it provides a more active frontage to the high street with some units gaining access off the High Street rather than from Hershel Street. Although this means all cyclist access is now from Hershel Street, this does not have any highways or transport implications.

Commercial Access

- 7.67 The Commercial Unit has access to the rear service yard where it would be getting it's deliveries from and having refuse collected from. This is considered to be acceptable.

Cycle Parking

- 7.68 The configuration and layout of cycle parking for this development has been altered with this proposal and the number of cycle parking spaces being provided is adequate. The changes in layout have meant that there is a reduction of Sheffield stands and increase in 2 tier cycle parking for the cycle parking being provided to both blocks B and C. In the absence of any individual cycle lockers, Highways Officers recommend that a reasonable mix of Sheffield stands should be provided to compliment the 2-tier cycle parking, which are not always easy for all users to utilize. Therefore, there must be a reasonable provision of Sheffield stands within the secure cycle stores for less able bodied persons or those with limited mobility to use as these provisions encourage the maximum cyclist uptake. In order to satisfy the local highway authority, the minimum number of Sheffield stand cycle parking spaces for block B must be increased back to 9 as per the previously consented scheme and a provision of Sheffield stands must be introduced for the Block A cycle parking, it is suggested that 4no cycle parking spaces using Sheffield stands. Furthermore the cycle store for block B appears to be very congested for the 60no cycle parking spaces shown, and may need to be sub divided for enhanced security and to encourage maximum usage.
- 7.69 12no cycle parking spaces have been shown for the commercial units with 4no per unit however these have been shown in a single location and without sufficient details on the type of cycle parking. As this cycle store could serve more than one individual commercial unit, the cycle parking must be secured and segregated between the individual users. Highways Officers query whether such an arrangement can be provided in this location and have asked the applicant to provide further information on this aspect to ensure the cycle parking for the various commercial units can be securely segregated.
- 7.70 Although Officers are satisfied with the numbers of cycle parking, the applicant is advised to provide further details on the cycle parking as well as on the cycle stores themselves to ensure Highways Officers are satisfied that they can operate safely and effectively, giving residents secure and convenient cycle parking facilities. These details to be secured by way of pre-commencement conditions or by submitting a modified plan detailing the above amendments.

Refuse

- 7.71 The revised proposal does not significantly change the refuse collection arrangements from the approved scheme, save for the relocation of the refuse store for Block A. The relocation of the block A refuse store means that the management company no longer needs to move bins on collection day and that they can be collected directly from the bin stores which improves the situation logistically.
- 7.72 The commercial refuse bins are now in a location where they better suit the amended layout for the occupiers of these units whilst also being more convenient for waste collection purposes which is considered to be acceptable. The capacities of the refuse bin allocation has not changed nor has the floor area of the commercial units. However, Highways Officers note the bin stores may need to be increased in size to avoid bins being stored in the servicing area. It would be preferred if further details of the refuse storage and collections were provided within the refuse strategy as per the condition.
- 7.73 The Highways officer raises some concern with the carrying distances for residents from block A and it is not clear that the route for them to carry their bins from the stairwells or lift cores will be suitable. Officers do not consider the amendments to the layout substantially change the approved layout although it is noted slight revisions to reduce carrying distances would comprise an improvement.
- 7.74 Given the above, further details on the refuse management strategy will be required which can be secured by pre-commencement condition.

Servicing

- 7.75 There have been no notable changes to the servicing arrangements or their operation and as such we have no further comments on this matter.

Summary

- 7.76 The amended proposal is not vastly different from the approved scheme and therefore there are no objections to this scheme from a highway's perspective. Additional information has been requested by the Highway's officers including on commercial access, the refuse management strategy and the design and layout of the cycle storage/ parking. It is considered that the additional information requested on the refuse management strategy can be sufficiently addressed through the existing pre-occupation condition 7 (bin storage) that will remain as per the original application.

Environmental Impacts

Noise and Air Pollution

- 7.77 Core Policy 8 states that development should not give rise to unacceptable levels of pollution including noise and air pollution and should not be located in noisy environments unless the development includes appropriate mitigation measures to limit the adverse effects on occupiers.
- 7.78 A letter dated 8th July 2021 from the noise consultant states that the changes are unlikely to make any material changes to the noise assessment and that the original noise survey is likely to be representative of the current noise climate of the site and therefore the applicants have not repeated the noise survey and any subsequent mitigation would remain valid.
- 7.79 It is considered that the proposed amendments would be in accordance with the information assessed from the original consented scheme. Subject to sufficient information being provided to satisfy the same environmental conditions secured under the previous planning permission, and revised conditions as proposed in this current application, that the policy requirements of Core Policy 8 and the guidance in the NPPF would be met.

Flood Risk and Water

- 7.80 Core Policy 8 relates to flood risk and sets out that new development will only be permitted where it is safe and it can be demonstrated that there is minimal risk of flooding to the development. A Sustainable Urban Drainage Strategy has been prepared which considers various drainage techniques for the site, which shows little difference from the consented application.
- 7.81 The LLFA have stated that the proposed changes will not affect the conditions previously set for foul/ surface water drainage to comply with Core Policy 8 and the NPPF i.e. they can remain outstanding.

Sustainability and Energy

- 7.82 Requirements relating to sustainability are set out in Core Policy 8. This expects all development within the Borough to be of a high quality design, improve the quality of the environment and address the impact of climate change. The policy sets out a number of sustainable design principles that are expected to be addressed within proposals for new development.
- 7.83 The Energy Statement and Sustainability Statement do not show a change from the consented development which was designed to target a 15% reduction from 'regulated emissions' as per the Building Regulations Part L and that the ground floor and first floor may achieve 'Very Good'

BREEAM rating including all mandatory requirements in accordance with Core Policy 8 and the NPPF 2021.

Fire Safety

- 7.84 The fire strategy for the original proposed development would not change substantially considering the proposed amendments to the layout. This has been carefully considered given the constrained nature of the site. Buildings A and B are accessed via the first floor podium and given the extended travel distances from the fire service access points, these blocks will be fitted with sprinkler systems. Further to this, a fire service refuge area has been allocated to the entrance level of Block B. The circulation core to building C continues to ground floor level, ensuring that travel distances from the fire appliance to the base of stair are compliant. The commercial and retail areas will each be provided with sprinkler systems and fire escapes to the high Street frontage and rear exits to the service yard and Herschel Street. The Council's Building Control Officer has been consulted in respect of Fire Safety issues and has provided no comment on the application. Notwithstanding this, it is considered that a planning condition could be secured which requires the development to be carried out in accordance with the measures set out in the Fire Strategy.
- 7.85 It is concluded that a satisfactory standard of residential accommodation could be provided within the development subject to the quality of construction, materials and fittings within the building.

Ecology

- 7.86 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. Saved Policy EN22 sets out that special account will be taken of nature conservation interest when determining proposals for development which would be detrimental to land which contains features of ecological importance. Ecological appraisals are required where proposed development is likely to threaten any nature conservation interest.
- 7.87 An updated Ecological Constraints and Preliminary Roost Assessment Report has been provided with the S73 application, dated July 2021.
- 7.88 Subject to conditions, that were imposed on the original application and would still apply, the proposals the scheme is capable of achieving compliance with Core Policy 9 and saved Policy EN22 and other relevant national planning policies and industry guidance with respect to ecology. Overall, there are no overriding ecological constraints to the development of the site.

Section 106

- 7.89 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.
- 7.90 The developer has entered into a Section 106 Agreement for the consented scheme, including planning obligations for affordable housing, an off-site EV Car Club, recreation, education, safeguard Herschel Street, travel plans and employment and training initiatives.
- 7.91 As a result of the additional 11 units as proposed in the s73 application, the s106 contributions are required to be updated from the original consented scheme, including open space (£300 per dwelling) and education contributions (51 x 1 bed £903 per dwelling and 38 x 2 bed (£4,828 per dwelling)).

	Original Scheme	Amended Scheme
Car Club	£50,000	£50,000
Open Space/ Recreation	£23,330	£26,700
Education	£180,055	£229,517
Total S106	£253,385	£306,217

- 7.92 Based on the information assessed to date, such changes to the 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.

PART C: RECOMMENDATION

PART D: CONDITIONS

1. Time Limit

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

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

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

Ground Floor Plan HSL P100 S2-P12
First Floor Plan HSL P101 S2-P8
Second Floor Plan HSL P102 S2-P6
Third Floor Plan HSL P103 S2-P6
Fourth Floor Plan HSL P104 S2-P7
Fifth Floor Plan HSL P105 S2-P7
Sixth Floor Plan HSL P106 S2-P6
Seventh Floor Plan HSL P107 S2-P6
Eighth Floor Plan HSL P108 S2-P8
Ninth Floor Plan HSL P109 S2-P8
Tenth Floor Plan HSL P110 S2-P8
Roof Plan AHSL P114 S2-P9
High Street Elevation HSL P200 S2-P7
Herschel Street Elevation HSL P201 S2-P7
Section AA, BB & CC HSL P300 S2-P6
Section DD & EE HSL P301 S2-P6
Section FF HSL P302 S2-P6
Section GG HSL P303 S2-P5
Section HH HSL P304 S2-P8

REASON: For the avoidance of doubt, 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 to comply Policy EN1 of The Local Adopted Plan for Slough 2004, Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

Condition varied to include latest submitted drawings

3. Details and Samples of materials

The proposed development shall be carried out in accordance with the following materials:

- Rega by Vandersanden or similar with light grey mortar joint
- Ivahoe Cream by Ibstock or similar with light brown mortar joint-
- White glazed brick with light grey mortar joint
- The proposed powder coated window framing system sample and balcony panels/balustrades is to comprise RAL 7006 (Champagne)

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, Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

4. Architectural details

No development shall commence above ground floor level until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of windows (including surroundings and reveals), down pipes, gutters, edging details to flat roofs, lift over-runs, balustrades and balconies have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

REASON: To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

5. Approved Uses

Notwithstanding the information in the approved plans and subject to the provisions within the relevant conditions set out in this planning permission, the following specified land uses are permitted within the specified floorspace:

Notwithstanding the information in the approved plans and subject to the provisions within the relevant conditions set out in this planning permission, the following specified land uses under Class E (Commercial) are permitted within the specified floorspace:

- a) retail, other than hot food;
- b) food and drink;
- c) professional services;
- d) indoor sport, recreation or fitness;
- e) Medical or health services; and
- f) Creche, day nursery or day centre.

As set out in Class E, Part 3, Schedule 2 of the General Permitted Development Order 2015 (as amended) or the provisions of the relevant Class/Part upon implementation, this permission benefits from a period during which changes of use of the above specified floorspace between uses Class E as set out in the description of development may take place without the need for further planning permissions. Permitted development under Class MA, Part 3, Schedule 2, (General Permitted Development) (England) Order 2015 to change Class E to Class C3 (residential) are removed. This flexibility is for a period of ten years from the date of the approval.

Reason: To ensure the uses are compatible with the adjoining land uses and to ensure that the amenity of occupiers residing in surrounding residential

properties would be safeguarded in accordance with policies EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1, 5 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

Condition varied to refer to latest Class Use Order.

6. Hours of Operation

(A) The Class E uses hereby permitted shall operate only between 0700 hours and 2300 hours, on weekdays and on Saturdays and on 0700 hours to 2230 hours on Sundays and Bank Holidays.

Reason: To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Policy EMP2 and OSC15 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 6 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2021).

Condition varied to refer to latest Class Use Order.

7. Bin storage

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

REASON: In the interests of visual amenity of the site and in the interests of highway safety and convenience in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

8. Cycle parking

The cycle parking racks and storage facilities within the development shall be provided in accordance with the approved plans. The cycle facilities shall be implemented prior to the occupation of the relevant part of the development and shall be retained thereafter at all times in the future for this purpose.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Policy T8 of The Adopted Local Plan for Slough 2004, to meet the objectives of the Slough Integrated Transport Strategy, Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

9. Lighting Scheme

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

REASON: To ensure that a satisfactory lighting scheme is implemented as part of the development in the interests of residential and visual amenity and in the interest of crime prevention to comply with the provisions of Policies EN1 and EN5 of The Adopted Local Plan for Slough 2004 and policy 12 of the adopted Core Strategy 2006-2026 and the National Planning Policy Framework (2019).

10. Boundary treatment, walls, fences and gates

Construction of the buildings above ground floor level shall not commence on site until details of the proposed boundary treatment including position, external appearance, height and materials of all boundary walls, fences and gates have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been implemented on site. It shall be retained at all time in the future.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

11. Landscaping Scheme

Prior to commencement of works relating to the ground floor courtyard or external spaces, a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of any new trees and shrubs, and details of hard-surfaces which shall include compliance with the surface water drainage mitigation as approved under condition 12 of this planning permission.

On substantial completion of the development, the approved scheme of hard

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

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004 and to ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policies 8 and 9 of the adopted Core Strategy 2006 - 2026 and the National Planning Policy Framework (2019).

12. Management & Maintenance of Surface Water Drainage Scheme

Prior to commencement of works, details of the Surface Water Drainage Plan and a Whole Life Management and Maintenance Scheme for these measures shall be submitted to and approved in writing by the Local Planning Authority. The Surface Water Drainage Scheme shall include the following:

- BRE 365 soakage tests to be undertaken to determine the soakage rate of the soil.
- Method of the treatment of the surface water.
- Information evidencing that the correct level of water treatment exists in the system is required in accordance with the Ciria SuDS Manual C753
- Whole Life Management and Maintenance Plan of the SUDs

The Surface Water Drainage measures and Whole Life Management and Maintenance Scheme shall be implemented in accordance with the approved details prior to first occupation of the development hereby permitted, and will thereafter be permanently retained and maintained.

Reason: To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Policies 8 and 9 of the adopted Core Strategy 2006 – 2026, the Council’s Development Plan Document – Developer’s Guide Part 4 Section 6 (2016) and the National Planning Policy Framework (2019).

13. Noise attenuation and ventilation

Prior to the commencement of any works above ground level, detailed specifications of the Mechanical Ventilation for the commercial ground and first floor units, the flats including the internal servicing/loading and parking areas and glazing systems shall be submitted to the local planning authority for approval in writing. The details will demonstrate that the glazing performance will have an Rw of 31-33 dB or more in accordance with BS 8233. The ventilation system must be designed to ensure that noise generated by the system, when combined with noise from external sources, does not exceed the following maximum noise levels, within internal rooms, in accordance with BS 8233 which are as follows:

- Bedrooms NR20
- Living Rooms NR25
- Bathrooms/kitchens NR30-35
- Corridors NR30-35

No dwelling or commercial ground/first floor unit shall be occupied until its attenuation and ventilation mitigation measures have been installed in accordance with the approved details. The approved mitigation measures shall be retained thereafter.

REASON: In the interest of safeguarding the living conditions of residents within the development and of staff/users within the commercial units and servicing, car parking and loading area, to reduce noise pollution and to ensure the satisfactory ventilation of rooms and internal areas when windows are closed, to comply with policy 8 of the Core Strategy 2006 - 2026 adopted 2008 and the National Planning Policy Framework (2019).

14. Designing out crime

No development above ground floor level shall commence until evidence has been provided to demonstrate how the applicant has used best endeavours to incorporate measures to comply with Secured by Design Gold Award. The evidence shall be submitted and approved in writing by the Local Planning Authority, prior to commencement of any development above ground. The development shall be carried out in accordance with the approved Secured by Design Application, and shall not be occupied or used until the Council acknowledged in writing that it has received written confirmation of compliance. The approved security measures shall be maintained and retained thereafter.

REASON: In order to minimise opportunities for crime and anti-social behaviour in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026 and the National Planning Policy Framework (2019).

15. Internal loading

Prior to first occupation of the relevant part of the development, the internal loading and turning provisions for the relevant part of the development shall be provided in accordance with approved plans and retained thereafter.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety on the local highway network in accordance with Policy T3 of The Adopted Local Plan for Slough 2004, Policies 7 and 10 of the adopted Core Strategy 2006-2026 and the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2019).

16. Sustainable Development

The proposed energy efficiency and low carbon measures incorporated within the development shall be carried out in accordance with the Energy Statement Update by RSK (dated September 2019) which calculates the reduction in annual CO2 emissions to 19.10 tonnes corresponding to a reduction across the site of 15% over Building Regulations 2013 Part L and associated Approved Documents.

No part of the Development shall be used or first occupied (other than for construction purposes) until it has been carried out in accordance with the approved details and shall be retained for the lifetime of the development.

REASON: In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008 and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

Energy Statement Compliance (Residential)

17. Within 3 months of final occupation of the residential dwellings within a Development block, evidence shall be submitted that the energy statement approved pursuant to Condition 16 above have been implemented in accordance with the approved details.

Reason: In the interests of energy conservation and reduction of CO2 emissions, in accordance with policies CP8 and the National Planning Policy Framework (2019).

Energy Statement Compliance (Non-residential)

18. Within 3 months of final occupation of the non-residential units within the Development, evidence shall be submitted that the energy statements approved pursuant to Condition 16 above have been implemented in accordance with the approved details.

Reason: In the interests of energy conservation and reduction of CO2 emissions, in accordance with policies CP8 and the National Planning Policy Framework (2019).

19. Green Roofs

Prior to the commencement of work on the relevant part of the buildings hereby approved, details of green roofs, including planting and maintenance schedules, and ecological enhancement measures for the development shall be submitted to and approved in writing by the Local Planning Authority. The green roofs shall be laid out on the relevant building, prior to first occupation within the relevant building in accordance with the details as approved. The green roofs shall be permanently retained thereafter.

Reason: To ensure the provision of green roofs in the interests of sustainable urban drainage and habitat provision, in accordance with policies policy 8 of the Core Strategy 2008 and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

20. Construction Management Scheme

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives', visitors' and construction vehicles loading (to a minimum Euro 6/VI Standard), off-loading, parking and turning within the site and wheel cleaning facilities during the construction period, non-road mobile machinery (NRMM) controls to be in line

with Table 10 in the Low Emission Strategy (LES) guidance and that all heating systems (when the development is operational) shall meet the emission standards laid out in table 7 of the LES guidance. The Plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users and in the interests of air quality in accordance with policies 7 and 8 of the Core Strategy 2008 and the National Planning Policy Framework (2019).

21. Construction and Demolition Plan

No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations

The development shall be carried out in accordance with the approved scheme or otherwise, as agreed by the Local Planning Authority.

REASON: In the interests of the amenities of the area in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance set out in the National Planning Policy Framework (2019).

22. Phase 1 Desk Study and Preliminary Risk Assessment

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

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

23. 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.

24. Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health in accordance with Policy 8 of the Core Strategy 2008 and the National Planning Policy Framework (2019).

25. Watching Brief

The developer shall carry out a watching brief during site work and shall draw to the attention of the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development. In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority. None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority. In the event that no significant contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

Reason: To ensure that any ground and water contamination is identified and adequately assessed, and that remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use in accordance with Policy 8 of the Core Strategy 2008 and the National Planning Policy Framework (2019).

26. Piling

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent any potential to impact on local underground water and sewerage utility infrastructure ensure that any ground and water contamination is identified and adequately assessed, to safeguard the environment and to ensure that the development is suitable for the proposed use in accordance with Policies 8 and 9 of the Core Strategy 2008 and the National Planning Policy Framework (2019).

27. Foul drainage

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

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policies 8 and 9 of the Core Strategy 2008 and the National Planning Policy Framework (2019).

28. Impact Studies

Prior to commencement of development details of Impact Studies which identifies the existing water supply infrastructure in order to determine the magnitude of any new additional capacity required in the system and the location of a suitable connection point shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with Policies 8 and 9 of the Core Strategy 2008 and the National Planning Policy Framework (2019).

29. Car Parking Permit Restrictions

No occupier of the residential units with the exception of disabled persons that are registered blue badge holders, shall be entitled to a car parking permit or retain such a permit for any Controlled Parking Zone (CPZ) in the Borough. If such a permit is issued to a resident of the development, it shall be surrendered to the Council within seven days of receipt.

Reason: In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the level of on-street car parking stress in the area, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2019).

30. Car Park Permit Restriction Scheme

The development hereby permitted shall not be occupied until such time as a scheme has been submitted to and approved in writing by the local planning authority to ensure that all occupiers of the residential units as labelled on approved plans listed in condition 2 other than those with disabilities who are registered blue badge holders, have no entitlement to parking permits from the Council and to ensure that occupiers are informed, prior to occupation, of such restriction. The development shall not be occupied otherwise than in accordance with the approved scheme.

Reason: In order that the prospective occupiers of the new residential units are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the level of on-street car parking stress in the area, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2019).

31. Wheelchair User Dwellings and Adaptable Dwellings

A minimum of 5 units as labelled as Wheelchair Adaptable Homes as shown on the plans hereby approved shall be provided to Building Regulation requirement M4 (3) as Wheelchair User Dwellings.

All other remaining flats as shown on the plans hereby approved shall be provided to meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'.

Reason: To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policies 3, 4 and 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

32. Level Accesses/Thresholds

The ground floor entrance doors to the Development shall not be less than 1 metre wide and the threshold shall be at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the main lobbies.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

33. No Telecommunications Equipment

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that

Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

Reason: To ensure that the visual impact of telecommunication equipment can be considered in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

34. No other alterations to the buildings

No alterations shall be carried out to the external appearance of the development hereby approved, including the installation of air conditioning units, water tanks, ventilation fans or extraction equipment, not shown on the approved drawings.

Reason: To ensure a satisfactory external appearance and prevent harm to the street scene, and to safeguard the amenities of neighbouring residential occupiers, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2019).

35. Bat and Bird Boxes

Prior to occupation of any part of the development, details of a scheme for Bird Bat and Boxes shall be submitted to and approved in writing by the local planning authority. The scheme shall detail the location, design, size and material of the bat and bird boxes and elevations and plans shall be provided to identify the bat and bird boxes to the satisfaction of the local planning authority. The development shall be carried out in accordance with the scheme prior to any occupation of the development and shall be permanently retained and maintained thereafter.

REASON: To safeguard habitats for birds and to deliver net gains in biodiversity in accordance with the National Planning Policy Framework (2019).

36. Fire Safety

The development shall be implemented in accordance with the design guidance and measures set out in Chapters 3: Means of escape; 4 Fire safety systems, 5 Internal fire spread and fire resistance, 6 External fire spread, 7 Fire Service Access and 8 Management set out in BB7 Fire Strategy by Stephen Davy Peter Smith Architects (Dated December 2018).

Reason: To ensure that the Development contributes to the minimisation of potential fire risk in accordance with National Planning Policy Framework (2019).

Informatives

1. The decision notice issued on 04.03.2020 was issued in error. This was recalled and replaced with this decision notice dated 25.03.2020 which identifies the correct drawing numbers (for the first, ninth and tenth floor plans as stated in condition 2). This s73 will update the decision notice dated 25.03.2020.

Informative updated to reflect latest application.

2. In accordance with paragraphs 38 and 39 of the National Planning Policy Framework (2019), Slough Borough Council takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. Slough Borough Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case, the applicant entered into a Planning Performance Agreement with the Local Planning Authority and was informed of the issues arising from the proposal and given the opportunity to submit amendments or provide additional information in order to address those issues prior to determination. The applicant responded by submitting revised plans and additional technical information which was considered to be acceptable.
3. The applicant is advised that the decision notice should be read alongside a s106 Legal Agreement which contains Planning Obligations entered into in connection with the planning permission.
4. This notice DOES NOT convey any consent that you may require for Building Regulations. If you are unsure whether you need Building Regulations approval and before you start any work please contact Building Control Services independently on (01753) 875810 to check whether they require an application.
5. The applicant is advised that an application for advertisement consent is required for any signage, adverts or shopfront fascia displays.
6. The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.
7. No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.
8. 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.

9. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
10. 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.
11. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.
12. During the construction phase of the development hereby permitted the developer is asked to ensure contractors are engaged without reliance upon working unusual hours on site nor reliance upon unusual practices that are likely to cause a nuisance to nearby residents or road users. In general no work should be carried out on the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays. Car parking for construction workers and space for deliveries should be within the application site.
13. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
14. With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.
15. With regard to water supply it is the responsibility of the developer to ensure that there would be sufficient capacity for the future residents of the development. Prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.