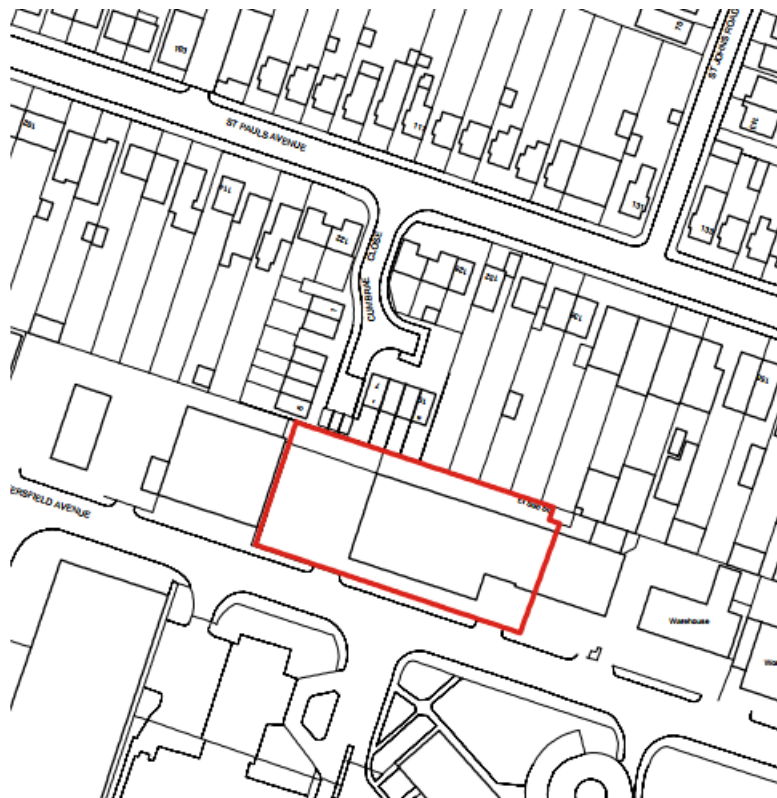


Registration Date:	15-Sep-2021	Application No:	P/19642/000
Officer:	Alex Harrison	Ward:	Central
Applicant:	Omega 10 Ltd	Application Type:	Major
		13 Week Date:	15 December 2021
Agent:	Eleanor Smith, Danks Badnell Architects Ltd Danks Badnell Architects Ltd, Kings Stables, 3 - 4 Osborne Mews, Windsor, SL4 3DE		
Location:	Grace House, Petersfield Avenue, Slough, Slough, SL2 5EA		
Proposal:	Demolition of the existing B8 commercial building, and the construction of a 5 storey building, with semi-basement parking to provide 50 no. residential apartments.		

Recommendation: Delegate to the Planning Manager for approval



1.0

SUMMARY OF RECOMMENDATION

1.1 Having considered the relevant policies of the Development Plan, 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:

1. The satisfactory completion of a Section 106 Agreement to secure financial contributions towards mitigation against impacts on Burnham Beeches, and a requirement for a two stage review of viability of the development; and
2. The satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act.
3. No new issues being raised from consultation responses from Natural England and the Health and Safety Executive.
4. Finalising conditions and any other minor changes;

OR

B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 1 April 2023, unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

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

PART A: BACKGROUND

2.0 Proposal

2.1 Planning permission is sought to demolish the existing building on the site and redevelop to provide a building to provide 50 flats. The building will sit at the southern frontage of the site and principally face onto Petersfield Avenue. The building will be a single block with varying heights ranging from 3 to 5 storeys with the fifth storey set back. The proposed building will

be faced in brickwork with flat roof covered by a membrane. Windows and doors will be powder-coated aluminium.

2.2 The proposed units will be providing in the following housing mix:

- 22no – 1 bed flats
- 28no – 2 bed flats

2.3 Access is proposed at the southeast corner of the site which will lead to a basement car park that provides 47 vehicle spaces for the development and 60 cycle parking spaces. The basement area also provides access and turning for delivery vehicles.

2.5 The application was originally submitted with the following technical content:

- Daylight/Sunlight Report
- Planning Statement
- Noise Assessment
- Design and Access Statement
- Flood Risk Assessment/Drainage Strategy
- Transport Statement
- Refurbishment Survey
- Energy and Sustainability Survey
- Regulations Compliance Report
- Sales and Marketing Report

Following the submission of amended plans the following further documents were submitted:

- Financial Viability Report
- Additional Highways Information
- Habitat Regulations Assessment
- Additional Noise Information
- Addendum Daylight/Sunlight Report

3.0 Application Site

3.1 The application site is an existing employment site located on the northern side of Petersfield Avenue. It contains a single commercial building and associated curtilage. The building is not detached and is physically attached to a neighboring building to the immediate east of the site. The application building and neighboring building read as one unit.

3.2 The building is a steel framed structure with steel cladding that creates a horizontal emphasis to the elevations. The roof takes the form of multiple shallow pitches which is hidden from view by a parapet created by the cladding, giving it the appearance of a flat roof structure. The western part of

the site is a yard area enclosed by a mixture of timber fencing and steel palisade fencing. There are 2 existing vehicle access points off Petersfield Avenue to the site.

- 3.3 The building is currently occupied and is in commercial use. The applicant advises that the building is being used as an office use and the yard are is being used for car sales. The photographs submitted with the application show there is also some element of storage taking place in the building. It is therefore clear that the site is in full use and fully occupied.
- 3.4 The site sits as part of a wider industrial area with a mix of commercial uses operating. To the immediate west of the site is a completed residential redevelopment known as BMW House. Other than this, sites to the east, west and south of the site are generally in industrial/employment use.
- 3.5 To the north of the site are existing residential units which form part of the predominant character to the north of the site. Also noteworthy is that approximately 130m to the east of the site lies the former Akzo Nobel site which is currently beginning redevelopment for uses including residential.

4.0 Site History

- 4.1 There is no planning history on the site. Prior to the submission of this application the applicant sought pre-application advice from the Council under Ref: PreApp/1407 for a proposal to provide 56 units at the site.
- 4.2 In the wider area a number of schemes adjacent to or close to the site have gained consent in recent years.

BMW House (Immediately Adjacent to the West)

P/00988/015

Demolition of the existing B8 and B1 office and warehouse and the construction of a part 4, part 3 and part 2 no. storey residential building comprising of 24 no apartments, with a semi basement car park.

Approved: 14 March 2018.

P/00988/016

Construction of an additional storey on top of existing apartment building. New floor to provide 4no. additional apartments comprising 3no. 1 bed apartments and 1no. 2 bed apartment, and associated parking.

Approved: 2 May 2019.

Thomas House (further to the west)

P/02028/008

Demolition of the existing building (Use Class B2) and construction of a 5 storey building with lower ground parking, to accommodate 18 residential units (Use Class C3) with associated works.

Approve subject to S106

Former Akzo Nobel site (to the east)

P/00072/108

Approval of reserved matters following the outline approval reference P/00072/096 dated 19th November 2020 for the mixed use development of land at the former Akzonobel Decorative Paints facility, Wexham Road, Slough SL2 5DB. Reserved matters application for full details of access (internal site arrangements), appearance, layout, scale, and landscaping for the first phase of the approved commercial floorspace, comprising data centre use (including ancillary office space and associated plant and infrastructure provision); car parking, landscaping and vehicular and pedestrian access.

Approved 12/10/2021

P/00072/096

Outline planning application (to include matter of principal points of access), to be implemented in phases, for mixed use development comprising:

- a) Demolition of existing buildings and structures and preparatory works (including remediation) and access from Wexham Road;
- b) up to 1,000 residential dwellings (Use Class C3); along with flexible commercial uses including all or some of the following use classes A1 (Shops), A2 (Financial and Professional Services), A3 (Food and Drink), D1 (Non-residential Institutions) and D2 (Assembly and Leisure); car parking; new public spaces, landscaping; vehicular and pedestrian access; and
- c) the provision of commercial floorspace including all or some of the following use classes B2 (General Industry), B8 (Storage or Distribution) and sui generis data centre (including ancillary office space and associated plant and infrastructure provision); car parking, landscaping and vehicular and pedestrian access.

(Matters of Scale, Layout, Appearance, and Landscaping to be dealt with by reserved matters).

Approved 19/11/2020

5.0 Neighbour Notification

5.1 Due to the development being a major application, in accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), site notices were displayed outside the site on 21/09/2021. The application was advertised in the 08/10/2021 edition of The Slough Express.

5.2 No letters from neighbouring residents have been received.

6.0 Consultations

6.1 Transport and Highways

Vehicle Access

SBC Highways and Transport have no objection to the proposed vehicular access for the proposed development.

The Transport Statement outlines that a new 4.8m wide site access is proposed off Petersfield Avenue, 4 metres east of the existing access. The TS states that the access would take the form of a hybrid dropped kerb / crossover arrangement with 3m junction radii provided. Petersfield Avenue is subject to a 30mph speed limit.

Publicly available collision data indicates that no personal injury accidents have been recorded on Petersfield in proximity to the existing or proposed access during the last 5 years.

It is proposed to provide an automatic roller shutter on the access road, approximately 8m from the back of the footway to secure access to the car park. The set back of 8m would allow a delivery van measuring 6m – 7m to wait clear of the public highway whilst the shutters open.

Pedestrian Access

The TS outlines in paragraph 4.2.6 that two pedestrian entrances are proposed with one directly onto the footway and one adjacent to the car park access.

Access by Sustainable Travel Modes

The site is considered accessible by sustainable travel modes, offering some potential to live without reliance on the private car. From the proposed development, Slough Railway Station is located approximately 750 metres away (9 minutes' walk and 3 minutes cycle), Slough Bus Station is 850 metres (10 minutes' walk, 3 minutes cycle) and Slough High Street is located 1200m (17 minutes' walk / 7 minutes cycle). Tesco Extra is approximately 1100 metres from the site (14 minutes' walk / 6 minutes cycle) and Sainsbury's is also approximately 1100 metres from the site (13 minutes' walk / 5 minutes cycle).

The nearest bus stops to the site are 250m from the site on Wexham Road and 750m from the site on Stoke Road.

A walking distance of 400 metres (and 200m within town centres) is deemed a reasonable walking distance by the Chartered Institute of

Highways and Transport (CIHT) within their document: *'Planning for Walking and Cycling, 2015'*.

The Chartered Institute of Highways and Transportation also advises that: *'Walking neighbourhoods typically characterised as having a range of facilities within 10 minutes' walking distance (Around 800 metres)*' and that people will walk up to 800 metres to access a railway station, reflecting it's greater perceived quality and the importance of rail services.

Trip Generation

SBC Highways and Transport have no objection to the planning application on the basis of the site's forecast vehicular trip generation.

The TS forecasts that the redevelopment would cause an overall reduction in the number of vehicle trips generated by this site. A net reduction of 14 trips is forecast during the AM Peak Hour, 8 trips during the PM Peak Hour and 74 trips over the course of a 12-hour day (0700 – 1900).

The forecast within the TS of the site's vehicular trip generation is based upon survey data contained within the TRICS database, the national database for trip generation surveys.

The TS includes a calculation of the site's existing trip generation as a second hand car dealership and a commercial warehouse to understand the likely net increase in vehicle trips generated.

The TS calculates that the existing site would generate 26 two-way vehicle trips during the AM Peak Hour (0800 – 0900) and 20 two-way vehicle trips during the PM Peak Hour (1700 – 1800) and calculates that during a 12 hour day (0700 – 1900) the site would generate 184 two-way vehicle trips.

The TS estimates that the proposed development would generate 12 two-way vehicle trips during the AM Peak Hour (0800 – 0900) and 12 two-way trips during the PM Peak Hour (1700 – 1800). Over the course of a 12-hour day (0700 – 1900) the development is forecast to generate 110 two-way vehicle trips.

Car Parking

SBC Highways and Transport have no objection to the number of parking spaces proposed for the proposed development. 47 car parking spaces are proposed for the development, providing 0.94 parking spaces per dwelling.

The Slough Borough Council Parking Standards would require 77 car parking spaces if the parking standards for a Rest of Town Centre area are applied to this quantity of development. The standards are provided in the table below:

SBC Car Parking Standards (Rest of Town Centre)
--

	Spaces per Dwelling	Car Parking Spaces Required
1-Bedroom x22	1.25	28
2-Bedroom x28	1.75	49
Total Required Spaces		77

Source: Slough Developers Guide – Part 3: Highways and Transport (2008).

The provision of 0.94 spaces per dwelling in this location, provides 61% of the 77 required by the Slough Parking Standards.

However, the provision of a reduced parking ratio could be considered consistent with Slough Planning Policy (Core Policy 7) which allows scope to consent developments with low parking ratios in accessible locations within walking distance of Slough Railway Station and Slough Town Centre.

The reduced parking ratio would also be consistent with parking ratios at nearby developments previously consented by Slough Borough Council. Slough Borough Council have previously consented low parking ratios on Petersfield Avenue and Mill Street. Beacon House with a parking ratio of 0.42 spaces for 118 dwellings (P/06964/016), 23-25 Mill Street with a parking ratio of 0.53 spaces for 55 dwellings (P/05806/007) and Thomas House with a parking ratio of 1 space per dwelling for 18 dwellings (P/02028/008).

Disabled/Accessible Car Parking

At the request of SBC Highways and Transport, an amended site plan has been provided displaying 4 car parking spaces designed to an accessible standard with a 1200mm access strip surrounding each space in accordance with the requirements of the DfT Guidance Document: Inclusive Mobility (2021).

This means 8.5% of the 47 parking spaces provided would be designed and marked for disabled use which exceeds industry best practice for 5% of parking spaces to be designed to an accessible standard.

Site Layout

The TS states that swept path analysis has been provided which demonstrates that a large estate car measuring 4.845m long can ingress and egress the proposed car park, manoeuvring in and out of parking spaces and leaving the car park. The swept path analysis is provided in Appendix 7 of the Transport Statement.

EV Parking

The TS states in paragraph 4.3.1 that all 47 parking spaces within the proposed development would be fitted with an EV Charger.

The provision of 1 EV Charger per dwelling is considered compliant with the requirements of the Slough Low Emissions Strategy (2018 – 2025) which requires the provision of 1 EV Charger per dwelling where parking spaces are allocated to dwellings.

SBC Highways and Transport have no objection to the proposed number of EV Chargers and recommend that the specification for the charging points is secured by planning condition.

Cycle Parking

SBC Highways and Transport are satisfied with the cycle parking proposed for the proposed development.

The TS outlines that a secure cycle store is proposed in the basement car parking with parking standards provided for approximately 60 bicycles, providing more than 1 bicycle space per dwelling. The proposed site plan displays a lift measuring 1.81m x 1.6m and 2.4m diagonally which would be able to accommodate a bicycle.

The applicant has amended the proposed site plan to display 2 Sheffield Stands along the site frontage to provide short-stay visitor cycle parking for 4 bicycles. The additional visitor cycle parking spaces are displayed on Danks Badnell Drawing No. 17/32/10A, titled '*Proposed Ground Floor Plan*', dated August 2021.

The Slough Developers Guide – Part 3: Highways and Transport requires the provision of visitor cycle parking for flatted developments of more than 10 dwellings.

Deliveries, Servicing and Refuse Collection

SBC Highways and Transport have no objection to the proposed development due to the proposed delivery and servicing arrangements.

Swept path analysis has been provided which demonstrates that the proposed site layout provides enough manoeuvring room for a Mercedes Sprinter Traveliner Van (Long High Roof) to ingress/egress the proposed development in a forward gear. This is demonstrated on Proposed Servicing Plan Floorplan (Danks Badnell Drawing No. 17/32/19C, titled '*Proposed Servicing Floorplan*' dated November 2021). The Proposed Servicing Plan floorplan has also been amended to confirm that the undercroft parking area will have minimum overhead clearance of 2.7m which will allow high delivery vans to ingress/egress the proposed development.

Therefore, the proposed site layout has been designed to accommodate delivery vehicles and these could be accommodated clear of the public highway to ensure that delivery vehicles do not block the freeflow of traffic on Petersfield Avenue.

A bin store is proposed on the ground floor of the proposed development 6 metres from the carriageway of Petersfield Avenue.

It is recommended that a Delivery and Servicing Plan is secured by Condition and that deliveries shall be conditioned to be undertaken in accordance with the Delivery Servicing Plan.

Summary and Conclusions

I can confirm that SBC Highways and Transport have no objection to the proposed development based on highways and transport grounds. If approval of the application is recommended to planning committee then it is recommended that any approval is subject to conditions and informatives

6.2 Thames Water

Waste Comments

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer.

Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the

proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Water Comments

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development” The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Thames Water requests that following informative be attached to any planning approval. The storage for fuels, oils or other chemicals shall be contained within a bund capable of holding 110% of the total capacity. The hook up/discharge points should be within the bunded area. Reason - to ensure that water resources are not put at risk from leaks or spillages.

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide ‘working near our assets’ to ensure your workings are in line with the

necessary processes you need to follow if you're considering working above or near our pipes or other structures.

Supplementary Comments

Surface water comments are based on a maximum of 3.9l/s flow rate of discharging surface water. No foul discharge connection point found in the documents or whether it is proposed to connect via gravity or pump.

6.3 Landscape/Tree Officer

Raised no objections.

6.4 Environmental Quality

Air Quality Comments

In line with the Low Emission Strategy Technical Guidance, the development is classified as having a minor air quality impact as the development consists of an additional 27 parking spaces (47 in total) and unlikely to affect the nearby Air Quality Management Area (AQMA 4) due an expected reduction in trip generation.

As such, the scheme requires the integration of Type 1 mitigation measures, contained in the LES Planning Guidance and summarised below:

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As all parking spaces proposed are to have access to electric vehicle charging facilities as part of the scheme, the required provision has been met.
- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works. It must include details of noise and dust mitigation.
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report.
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in Table 7 of the LES Technical Report

Environmental Noise Comments

Noise Survey

A noise assessment has been prepared by ACCON UK Limited in support of this application. The assessment has been informed by a noise survey

conducted from 22nd-23rd June 2021, with two monitoring positions, representative of the front façade (MP1) and the rear of the development. Although this monitoring survey coincides with the pandemic, traffic levels are expected to have recovered sufficiently for the assessment to be considered adequately representative of background road traffic noise.

It was identified during the survey period that the dominant noise source at the site was HGV traffic on Petersfield Avenue, as expected due to the industrial nature of the surrounding area.

The results of the monitoring survey indicate that noise levels across the development site (corrected to free-field) are between 54 and 58dB LAeq16h, and 44 and 47dB LAeq8h (during day and night, respectively). Based on this information, a combined façade sound reduction of 24dB(A) is recommended in the report to meet internal noise level criteria, achievable with a double glazed window system (4mm/16mm/6mm).

Commercial Noise

Although traffic levels are likely to have increased to near pre-pandemic levels, it is not clear whether nearby commercial and industrial uses were operating at full capacity, at reduced levels or not operating at all, during the time of the survey, so it is not possible to determine whether the surveying period adequately represents these nearby operations.

Of particular significance is the HGV movements. Section 6.1.1 states that “from analysis of audio recordings on site, it has been determined that [HGV activities] only occur during the daytime hours”. However, the nearby trans-shipping development has permission to operate during the night (up to 10 vehicle movements) and it was noted in that application that Petersfield Avenue has 24 hour HGV traffic associated with other commercial sites. It may be the case that the noise survey conducted in support of this Grace House application was undertaken at a time where activity was low or nearby commercial sites were not operating, and as such, commercial activity has not been adequately monitored and the assessment does not support a worst case scenario approach. Detail of usual nearby commercial operations, and the commercial and industrial operations at the time of the noise survey specifically is therefore required. If businesses are no longer operating which would have typically resulted in a noise impact, this should also be specified. To adequately represent commercial and industrial noise sources, it is recommended that additional spot check measurements are undertaken to inform the glazing specification, particularly at the HGV access point to the trans-shipping area, to ensure that this noise source will not cause disturbance to future occupants of the development.

In regards to day time noise impact, in line with BS 4142, the noise of nearby reversing alarms and HGV movements is expected to cause an adverse impact on the proposed development, as noise levels are 8dB above background levels. However, the report indicates that as the noise survey included noise from commercial sources and that the noise levels could be mitigated, the report does not consider commercial noise to cause a

significant impact on the proposed residential receptors. The Council would consider the 8dB above background levels as significant and advise that a stronger specification of glazing is applied to mitigate against this noise level.

As HGV movements during the night time period are likely, it is advised that a BS 4142 assessment is also considered in regards to night time noise impact, to ensure that future occupants are adequately protected from noise disturbance, particularly residential units which are closest to the trans-shipping access point.

The Design and Access and Planning Statement argues that “the planning approval granted for the Trans-Shipment area accepted that the development would not have material impact upon future residential development”. However, the monitoring period for the trans-shipping area application recorded much higher noise levels and assumed that any residential development that came forward would mitigate against these high noise levels. The noise assessment for Grace House presents much lower noise levels, suggesting that nearby commercial activity is likely to cause a noise impact.

In previous assessments undertaken on Petersfield Avenue, the noise associated with nearby garage operations has been described as significant, however there is no mention of garage operations described in the assessment. Nor is there any mention of commercial plant operating in the area. Clarification is sought on whether commercial uses of this nature are expected to operate when the development is occupied, and specifically, whether the tyre centre will continue operating, as it is noted on the drawings that a section of this unit is to remain. Clarification is also sought on whether there is any mechanical plant in the area which could potentially cause disturbance to future occupants of the development.

External Amenity

External amenity is provided in the form of balconies to each unit. Balconies which face Petersfield Avenue experience noise levels 3dB above the recommended threshold level, based on the noise survey results. It is advised that the spot check measurements recommended in these comments are used to also confirm suitability of the front facing balconies, however it is noted that balconies can be used at the occupants discretion and exposure to this noise source can be controlled. Balconies on the rear façade meet the external amenity noise level target and are therefore acceptable.

Ventilation

A review of ventilation and overheating risk has been considered. To ventilate the units via openable windows, internal noise levels at the front façade are unlikely to be achieved. As such, a continuous mechanical extract system is recommended. Clarification is sought as to which ventilation system is proposed, as the Design and Access and Planning Statement

mentions that “the proposed apartments will have a System 4 MVHR system”, which contradicts what is presented in the noise report.

Due to the screening affects caused by the development, openable windows for ventilation purposes at the rear of the development is acceptable and therefore mechanical ventilation is not required for these units.

Design Principles

Although the applicant has considered good design principles by orientating the majority of bedrooms towards the rear of the property where noise levels are lower, there are still a number of bedrooms which face onto Petersfield Avenue and as such, would be more sensitive to noise disturbance during the night. These rooms would need higher specification of glazing, informed by the spot check measurements discussed above, to ensure that internal noise levels can be achieved.

Summary

In summary, it is expected that nearby commercial uses will operate during the night, which may affect the development’s compliance with internal noise level requirements if not adequately mitigated. The report suggests that no HGV activity was recorded during the night time survey period, suggesting that commercial activity has not been well represented. It is also not clear if there are other commercial noise sources which have been omitted from the assessment (garage use and mechanical plant) which could result in noise impacts to future occupants.

As such, the following clarifications are requested:

- Which commercial or industrial uses typically operate nearby the development
- Which commercial or industrial uses were operating at the time of the survey
- Whether there is any mechanical plant which has potential to cause noise disturbance to future occupants
- Which mechanical ventilation system is proposed to ventilate the front facing units
- Whether there are any other commercial activities (e.g. garage or tyre centre) that has potential to cause noise disturbance to future occupants

Recommendations are as follows:

- Additional spot check measurements are undertaken of any identified commercial or industrial noise sources (e.g. HGV movements, particularly in relation to the trans-shipping area access point, mechanical plant or garage activity) to inform the glazing specification of the development

- Completion of a BS 4142 assessment in regards to night time noise impact

Following the submission of requested additional information.

I can confirm that I am happy with the submitted content and my original concerns have been resolved. I will however require 2 conditions:

1. For the applicant to submit full details of the chosen glazing to demonstrate compliance with the 28dB sound reduction index
2. For submission details of the ventilation scheme, showing ducting and extract locations away from roads (preferably rear of building or roof level), and evidence of ventilation break out/extract noise compliant with internal noise limits (i.e. not exceeding 30dB in bedrooms).

6.5 Lead Local Flood Authority

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

- Correspondence
- Design, Access and Planning Statement
- Drawings / Plans
- Flood Risk Assessment and SWD Strategy
- Topographical Survey

The general principles for the surface water drainage proposals are acceptable; we would recommend that further information on the proposals be submitted as part of a more detailed design phase.

6.6 Contaminated Land Officer

No comments received and should they be received an update on the Amendment Sheet will be provided.

6.7 Natural England

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment (HRA) is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity.

We agree with the conclusion of the HRA Screening (dated 05/04/2022) that an Appropriate Assessment is required. Natural England requires further information regarding the mitigation strategy in order to assess whether the impacts from the development can be mitigated.

We provided feedback (dated 14/05/2021) to Slough Borough Council on the draft mitigation strategy which outlined what is required to get the

strategy to a stage where we can be certain it will mitigate the impacts of new development coming forward within the Borough.

7.0 Policy Background

7.1 Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The current version of the National Planning Policy Framework (NPPF) was published on 20th July 2021. Significant weight should be attached to the policies and guidance contained within the NPPF particularly where the policies and guidance within the Development Plan are out-of-date or silent on a particular matter. Relevant paragraphs of the NPPF are outlined below. However, before doing so officers first identify the relevant policies in the Development Plan which is the starting-point of an assessment of the application consistent with the statutory test in section 38(6) as above. The weight to be attached to the key Development Plan policies, and an assessment of the proposal against them, is set out within this report.

The National Planning Policy Framework 2021 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2021, the Local Planning Authority can not demonstrate a Five Year Land Supply. Therefore, when applying Development Plan Policies in relation to the distribution of housing, regard will be given to the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2021 and refined in case law.

The weight of the harm and benefits are scaled as follows:

- Limited
- Moderate
- Considerable
- Substantial

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

7.2 National Planning Policy Framework 2021:

- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 5. Delivering a sufficient supply of homes
- Chapter 6: Building a Strong Competitive Economy
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 11. Making effective use of land
- Chapter 12. Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Slough Local Development Framework Core Strategy 2006-2026
Development Plan Document policies 2008:

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

Local Plan for Slough March 2004 policies (saved policies 2010):

- Policy H14 - Amenity space
- EN1 (Standards of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- EN17 (Locally Listed Buildings)
- H13 (Backland/Infill Development)
- H14 (Amenity Space)
- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)
- T9 (Bus Network and Facilities)
- OSC17 (Loss of Community, Leisure or Religious Facilities)

Other Relevant Documents/Statements

- Slough Borough Council Developer's Guide Parts 1-4
- Slough Local Development Framework Proposals Map (2010)
- Technical Housing Standards – nationally described space standards.
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017

The site is not an allocated site in the Slough Local Development Framework Site Allocations Development Plan Document

7.3 Emerging Preferred Spatial Strategy for the Local Plan for Slough

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

This site is not allocated for development within the emerging Spatial Strategy. Protecting the built and natural environment of Slough's suburban areas is one of the key elements in the emerging Spatial Strategy.

7.4 National Planning Practice Guidance (NPPG)

The NPPG was first published in 2014 and is iterative web-based guidance that is designed to complement the NPPF across a range of topics.

7.5 Fire Safety Provisions - DLUHC Guidance - Fire safety and high-rise residential buildings (from 1 August 2021)

The Department for Levelling Up, Homes and Communities (DLUHC) has brought in changes to the planning system whereby HSE Gateway One are a statutory consultee on specified planning applications. The DLUHC Guidance states that the changes are intended to help ensure that applicants and decision-makers consider planning issues relevant to fire safety, bringing forward thinking on fire safety matters as they relate to land use planning to the earliest possible stage in the development process and result in better schemes which fully integrate thinking on fire safety.

7.6 The Proposed Spatial Strategy (Nov 2020)

Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This set out

a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough.

The consultation document contained a revised Local Plan Vision which supports the Council's vision for Slough as a place where people want to "work, rest, play and stay."

It should be noted that the consultation document for the Proposed Spatial Strategy does not contain any specific planning policies or allocate any sites. It made it clear that the existing planning policy framework for Slough would remain in force until replaced by new Local Plan policies in the future. Nevertheless, it sets out the most up to date statement of the Council's position with regards to strategic planning issues.

7.7 Equality Act

In addition, Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. In coming to a recommendation, officers have considered the equalities impacts on protected groups in the context of the development proposals as set out in Section 24 of this report.

7.8 Written Ministerial Statement (2021) – First Homes

The WMS (2021) states that First Homes should account for at least 25 per cent of affordable housing units delivered through planning obligations, which is a material consideration for decision making from 28th June 2021. First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes.

Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;
 - b) are sold to a person or persons meeting the First Homes eligibility criteria;
 - c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer;
- and,

d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

The transitional arrangements set out in the Written Material Statement and Planning Practice Guidance confirm that the First Homes requirement will not apply to sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021 or applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022.

7.9 Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive.

Since 31st December 2020, the UK requirements for Habitat Regulations Assessments is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world.

HRA employs the precautionary principle and Reg 102 ensures that where a project is 'likely to have a significant effect' (LSE), it can only be approved if it can be ascertained that it 'will not adversely affect the integrity of the European site'. Burnham Beeches is designated a SAC under this Directive which is located to the north of Slough.

The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC)

7.10 Buckinghamshire SPD Burnham Beeches Special Area of Conservation

Buckinghamshire Council adopted (in November 2020) a Supplementary Planning Document (Burnham Beeches Special Area of Conservation – strategic Access Management and Monitoring Strategy) which requires developers to make a financial contribution per dwelling for mitigation irrespective of dwelling type or size in a zone between 0.5km and 5.6km from Burnham Beeches. The threshold, in terms of the size of development, when a contribution will apply is understood to be for schemes of 100 net additional homes.

7.11 Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the 1990 Act imposes a general duty on the Council as respects listed buildings in the exercise of its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.0 **Planning Considerations**

8.1 The planning considerations for this proposal are:

- Principle of Development
- Supply of housing
- Design and impact on the character and appearance of the area
- Heritage Impact
- Impacts on neighbouring residential amenity
- Impacts on amenity of future occupiers of the development
- Transport, Highways and parking
- Drainage
- Contamination
- Landscape
- Energy and Sustainability
- Air Quality
- Affordable Housing and Infrastructure
- Habitat Impacts
- Crime Prevention
- Equalities Considerations
- Neighbour representations
- Presumption in favour of sustainable development

9.0 **Principle of Development**

- 9.1 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built-up area, predominately on previously developed land. The policy seeks to ensure high density housing is located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the sites current or proposed accessibility, character and surroundings.
- 9.2 Core Policy 4 again emphasises that high density housing should be located in the Town Centre area and that outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area. The site is not identified as a development site within the Slough Local Development Framework Site Allocation Document DPD.
- 9.3 The site falls outside of the town centre area but is within the urban area relatively close to the town centre. Core Policy 4 states that in urban areas outside of 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. Hence Core Policy 4 does not rule out flats within the urban areas of the town, subject to the sites context location and availability of services.
- 9.4 However, the site is within a protected employment area. Core Strategy Policy 5 (Employment) sets out that there will be no loss of sites to non-employment generating uses, especially where this would reduce the range of jobs available. The proposal would result in the loss of 380 sq.m. of employment floorspace, and it therefore represents an exception to policy which must be given significant weight in the planning balance. The application states that:

The existing building requires major refurbishment to bring it back into a lettable standard for B2 use, and is in a condition likely to prove unacceptable to the commercial leasehold market, especially due to its location away from the Slough Trading Estate, poor vehicular access for large vehicles and limited size of the unit.

Due to the extent of refurbishment works required this is not considered a viable option and the client now seeks an alternative long term financial solution, especially as the business currently operating from the premises do not own the building and their lease is due to finish by the of the year.

In addition they have advised our client that they will not be renewing the lease. This is likely due to the poor standard of accommodation within the building, its size and location. It is extremely unlikely that any new tenant would take on a lease without a major refurbishment and building improvements.

- 9.5 No evidence has been submitted to show that any marketing either of the building or the site for employment purposes has been undertaken. The application includes an unquantified assertion that the building is passed its expected lifetime and is not a viable option as a rental unit. There is no consideration of an employment use redevelopment given the designation of the site as a safeguarded. It is noted that there are other sites on Petersfield Avenue that have had permission for a residential redevelopment. Notably, BMW House (P/00988/015), to the immediate west of the site has been implemented and occupied. Thomas House has previously been resolved by Members to approve for residential development at the Committee meeting of June 2021 (P/02028/008). Lastly, the Akzo Nobel site to the east is coming forward for development (P/00072/108). These decisions and circumstances are material considerations in respect of the principle of development.
- 9.6 The site would be classified as previously developed land in accordance with the NPPF and para 199 states that planning decision should promote an effective use of land in meeting the need for homes, making as much use as possible of previously developed land.
- 9.7 Some consideration should be given to Council document Slough Regeneration Framework 2020. This document highlights this site and others on Petersfield Avenue as being suitable for residential redevelopment. The Framework is not a planning policy; it has been accepted by Members to be used to inform the production of future policy for the new Local Plan. The document does form a material consideration but, to be clear, it is not a planning policy document and should not be given significant weight.
- 9.8 In light of the points above, it is considered that this site is an opportunity to continue a residential belt on the north side of Petersfield Avenue that would contribute to a streetscene enhancement in this area that reflects the Council's intentions for the redevelopment of this area. It is noted that this is not a position that would override the direct conflict with adopted policy as a result of the loss of safeguarded employment land and one that should be considered as part of the planning balance.

10.0 Supply of Housing

- 10.1 The extant Core Strategy covers the 20 year plan period between 2006 and 2026. Core Policy 3 sets out that a minimum of 6,250 new dwellings will be provided in Slough over the plan period, which equates to an average of 313 dwellings per annum. Core Policy 3 states that proposals for new development should not result in the net loss of any existing housing.
- 10.2 Slough Borough Council is in the process of preparing a new Local Plan for Slough which covers the 20 year plan period between 2016 and 2036. The Council's Housing Delivery Action Plan (July 2019) confirms that the objectively assessed housing need for the plan period is 893 dwellings per

annum (dated April 2019). The emerging targets are for the delivery of near 20,000 new homes over the plan period in order to ensure this strategic target is achieved and exceeded to allow for additional population increases over the lifetime of the Local Plan.

10.3 Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework, the Local Planning Authority cannot demonstrate a Five Year Land Supply. The proposal for 50 residential units would make a contribution to the supply of housing, which could be built-out relatively quickly in spite of there being viability issues due to the lease of the commercial use of the building expiring. Given that that the tilted balance is engaged, this contribution would in principle attracts positive weight in the planning balance.

10.4 In terms of housing mix, the recommended housing mix for Eastern Berks and South Bucks Housing Market Area is defined in the Strategic Housing Market Assessment (SHMA) February 2016.

	1 bed	2 bed	3 bed	4 bed
Market	5-10%	25-30%	40-45%	20-25%
Affordable	35-40%	25-30%	25-30%	5-10%
All dwellings	15%	30%	35%	20%

10.5 This housing mix for the scheme proposed is as follows:

- 22no – 1 bed flats – 44%
- 28no – 2 bed flats – 56%

10.6 Some flexibility can be exercised in relation to the table above depending on the location of development and the characteristics of the surroundings. In this instance it is considered that a scheme to provide a mix of predominantly 1 and 2 bed units is not in line with Core Policy 4 which seeks out of town centre sites to comprise family housing. However it is closely located to the town centre and other services and a number of other high density schemes have been allowed and implemented in the area. A larger proportion of 2 bed units than 1 bed units is considered to be positive although it is noted that there are only 6 more 2-beds than 1-bed units which limits the extent to which this is a positive ratio. In this instance the housing mix, in principle is not considered to be inappropriate or harmful at this location.

11.0 Design and Impact on Appearance and Character of the area

11.1 Policy EN1 of the Local Plan outlines that development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of scale, height, massing,

layout, siting, building form and design, architectural style, materials, access points, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water course. Poor designs which are not in keeping with their surroundings and schemes that overdevelop the site will not be permitted.

11.2 Core Strategy Policy 8 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. Core Policy 8 outlines:

'All development will:

- 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.'*

11.3 The proposed development will occupy the majority of the site and result in the creation of a development of flats that has three main parts. At the western part of the site the proposal takes the form of a 5 storey building before a central element drops to three storeys. At the eastern part of the site the building again rises back to 5 storeys in height, as shown below:



11.4 It is acknowledged that the scale of the proposals is reduced in the middle area primarily for reasons relating to neighbouring amenity impacts, however it also serves to break up the provides a variation in scale in the wider streetscene. This is seen as a positive aspect as the cumulative consideration with BMW House and the potential development at Thomas House means the streetscene was faced with a somewhat monotone character of 5 storeys and the dip in scale is therefore considered to positively add to this character as a result.

11.5 The façade of the development is reflective of the existing residential block at BMW House. The proposal will have a direct relationship with this and the scheme as designed is comparable in terms of the character of window openings and the incorporation of a mixture of integrated and projecting

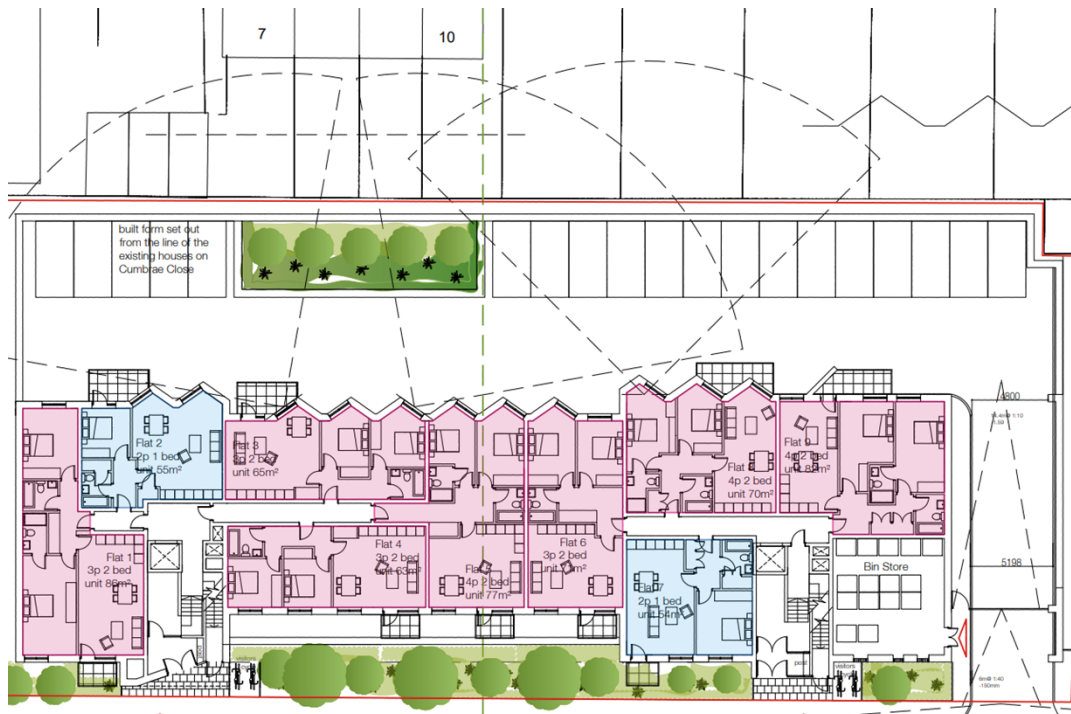
balconies. The proposal also incorporates a set back at the majority of the 5th storey which is consistent with the neighbouring site.

- 11.6 The rear elevation has also incorporated a number of design aspects from its neighbour. Most notably is the inclusion of projecting elements that allow for angular window placements which are included to mitigate overlooking and privacy issues to neighbouring sites. There is consistency with the external façade treatment to the rear as well.
- 11.7 The depth of building at the site is also reflective of the depth of the building at BMW House which creates a gap between the proposal and land to the north of the site. It means the proposal is reflective of the depth of recent development in the area and ensures that it does not dominate the site.
- 11.8 The proposed development provides streetscene improvements to the site and enhances the frontage from the public realm. The inclusion of soft landscaping adjacent to the footway is also positive. The proposal would enhance the visual interest of the site over the existing circumstances. The relationship with BMW House is also such that it would provide visual continuance across the two sites which creates a positive impact on the streetscene as well.
- 11.9 As stated the existing building is not detached and is immediately adjoined to the site on the west, Slough Tyres. The applicant has advised that the proposals will include the making good and construction of a side wall for this unit and would ensure it is to adversely affected during demolition. This would be necessary as part of the scheme and it is therefore considered reasonable to include conditions that will require the approval and implementation of works to ensure the neighbouring building is not left without a side and to ensure is of a suitable acoustic standard to ensure there are no harmful noise impacts from the neighboring use. This would amount to works off site and would therefore require a Grampian style condition to secure it.
- 11.10 On the basis of the considerations above the proposal would respect the scale and form of residential development adjacent to the site and would not be out of character or overly prominent as a result. The scheme is considered to be acceptable in light of policies EN1 and EN2 of the Local Plan for Slough March 2004 and Core Policy P8 of the Local Development Framework Core Strategy 2008 and the requirements of the NPPF. The impact will be appropriately weighted as part of the planning balance.

13.0 Impact on neighbouring amenity

- 13.1 Policy 8 of the Core Strategy requires that the design of all new development should respect the amenities of adjoining occupiers.
- 13.2 There are no neighbouring residents to the east and south of the site.

- 13.3 To the west is the recently developed BMW House. This building has no side windows that are affected by the application proposal. The relationship between the two buildings means there would be no adverse impact on outlook from the windows of this neighbouring site as well. No windows are proposed that would look directly into the adjacent site and as a result it is considered that there are no adverse impact on the amenity of residents at BMW house.
- 13.4 To the north, the site abuts a number of rear private gardens associated with dwellings on St Pauls Avenue and Cumbrae Close. The proposal provides separation distances of 50+m from the rear of dwellings on St Pauls Avenue and 23m from dwellings on Cumbrae Close. The distance between windows is therefore considered to be sufficient to ensure there would be no significant adverse impacts on amenity through outlook into neighbouring windows.
- 13.5 The north facing windows on the proposal will look out towards the gardens of dwellings on St Pauls Avenue and Cumbrae Close. The design of the proposal is such that there is a distance of 14 metres from the north facing windows to the northern boundary. For the neighbouring dwellings to the north it means there would be some degree of overlooking to the rear gardens. The nature of the scheme is such that there would be no impacts from ground or first floor windows. Considerations are therefore had from second floor upwards. The initial concerns were raised over the design of the scheme and overlooking impacts to the north and the plans have been amended to address these. In general terms windows on the northern elevation have been angled so that the outlook is not direct to the north. This design as adopted at BMW house to the immediate west. It serves to significantly reduce overlooking impacts to the north, forcing outlook away from the nearest affected gardens. Most of these windows also serve bedrooms which have less occupancy rates than living rooms which means there is lesser frequency of potential outlooks as well. The result of this is that there is considered to be lesser impacts of overlooking to gardens to the north. In any case the dwellings on St Pauls Avenue are largely screened by planting on the neighbouring side which, if retained screen any perceived impacts and any outlooks are to the end of what are larger burgage style garden plots. There are smaller gardens to the dwellings on Cumbrae Close and windows have been amended to not directly look to these. Furthermore there is soft landscaping proposed at this common boundary area to establish a screen.
- 13.6 As a result it is considered that the amended plans have addressed initial concerns regarding overlooking to the extent that there is no significant adverse impact.



13.7 The building is larger scale than the existing and would be south of the garden areas previously mentioned. The scale of the proposal is such that there would be some visual impact, but it is not considered to be overbearing due to the separation distances and there would be no significant adverse impact through loss of light or overshadowing either.

13.5 As a result of the above assessment, the proposal is considered to be acceptable in light of Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan. This will be considered as part of the planning balance.

14.0 Living conditions for future occupiers of the development

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

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

14.3 It is noted that all the units meet and exceed the requirements of the national space standards for residential units which creates a good level of space for residents. All units are provided with their own terrace or balcony giving private amenity space for all residents. There is no communal amenity space.

14.4 The application is accompanied with a noise assessment that concludes that high performance glazing and mechanical ventilation system will be

required to achieve appropriate internal noise levels for the scheme. No objection is raised by the Environmental Quality Officer and the details can be secured by condition. There is no direct reference relating to noise transmission through the floors of the building however the construction would need to meet Building Regulations standards and therefore, as a new building, there are no concerns in principle in this respect.

- 14.5 Concerns were raised over the fact that the daylight/sunlight assessment that was submitted with the application showed that a number of the proposed units would have a significant shortfall in natural light. This was primarily due to certain windows being of northern orientation and also directly under projecting balconies. Daylight/Sunlight assessments are undertaken in accordance with BRE Guidelines and should be regarded as such. This is acknowledged and it is true that failing to meet the guidelines fully does not, in itself amount to a reason to refuse planning permission. However, it is reasonable to consider the daylight/sunlight impacts on its merits. In this instance the original submission was considered to fail to provide suitable amenity levels for occupiers through lack of natural light to the extent that it would be a significant adverse impact. The applicant was invited to address this through amended plans.
- 14.6 The applicant revisited the scheme and submitted amended plans along with an amended daylight/sunlight assessment. The changes to windows and balcony designs, through angled outlooks, internal layout changes and reduced balcony sizes, were such that the extent of daylight to habitable rooms within the scheme has improved to the extent that it can be considered acceptable levels be provided throughout.
- 14.7 Based on the above considerations the proposal is considered to provide a suitable level of amenity for all occupiers of the development and the scheme is therefore acceptable in light of the goals of the NPPF, Core Policy 4 of Council's Core Strategy, and Policies EN1 and EN2 of the Adopted Local Plan.

15.0 Highways and Parking

- 15.1 The National Planning Policy Framework states that planning should seek to development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan policies T2 and T8. Paragraph 111 of the National Planning Policy Framework states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

- 15.2 The proposal has been reviewed by the Highways Officer. No objection is raised to the parking provision proposed. The site is considered to be a sustainable location with services readily accessible by foot and there being a close location of public transport. The proposal provides 47 parking space on the site at a ratio of 0.94 spaces per dwelling. There is a shortfall of 30 spaces when considering the proposal against the parking standards. However the parking ratio is comparable to nearby development and greater than other consented further out on Stoke Road.
- 15.3 The parking proposals also includes EV charging points for each space which is a benefit and a higher provision than is required in policy terms. Four disabled parking spaces are also proposed as part of the overall provision. In terms of cycle parking, secure space is proposed for 60 cycle parking spaces which equates to more than 1per dwelling which is acceptable.
- 15.4 The proposed new access and basement gradient are considered to be acceptable and can be accessed by service vehicles as well as cars. The location of the access is such that it will not affect the existing business access for Akzo Nobel to the south and there is no commercial/residential clash as a result.
- 15.5 The proposed bin store is located at ground floor level fronting onto Petersfield Avenue which means that waste collected without issue.
- 15.6 To conclude the under provision of parking spaces is noted and is unfortunate although the provision is comparable to nearby developments and greater than others further afield. However the site is considered to be in a sustainable location with easy access to services for future residents on foot, by cycle or by public transport. The scheme is considered to be acceptable in other highway aspects and no objections are raised as a result.

16.0 Drainage

- 16.1 The site is located within flood zone 1 and therefore flood risk is minimal. The application is accompanied with a drainage strategy.
- 16.2 The Lead Local Flood Authority and Thames Water have reviewed the application and have raised no objection in respect of surface drainage proposals and flood risk.
- 16.3 No objection was raised by the LLFA subject to a condition being included that required the approval of further details. This condition is seen as reasonable and necessary.

16.0 Contamination

- 16.1 Core Policy 8 (Sustainability and the Environment) of the SBC's Core Strategy Document states that development shall not 'cause contamination

or deterioration in land, soil or water quality' nor shall development occur on polluted land unless appropriate mitigation measures are employed.

16.2 No assessment of land conditions has been submitted as part of this application. The historic uses of the site suggest there could be a risk of contamination or hazardous conditions in principle.

16.3 Assessment of land conditions will be required before any development commences and therefore conditions are proposed to reflect this position. No objections are raised as a result.

17.0 **Landscape**

17.1 Landscaping principally takes the form of the provision of a soft frontage to Petersfield Avenue. This will serve to reduce the extent of hard frontage on the proposal, creating a softer edge that sits comfortably with the open amenity planting on the south side of the road In this location.

17.2 On the northern part of the site a landscaped area is proposed to provide a screen between the development and the neighbouring properties to the north. This will provide a softer divide between the two sites.

17.3 The Landscape Officer has reviewed the proposal and raises no objections and conditions have been proposed to ensure mitigation and management of the landscaping is secured.

18.0 **Energy and Sustainability**

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

18.2 The energy statement submitted with this application concludes that the proposed development will achieve an overall reduction in CO2 of approximately 36% against the baseline Building Regulations standard. This exceeds the policy requirements and is acceptable.

18.3 The assessment references using technologies such as PV Panels and Air Source Heat Pumps to make the referenced savings. The proposed development can accord with the Core strategy policies on energy and sustainable development in principle and conditions will be required to ensure the development is implemented with suitable measures to make the required emissions savings.

19.0 **Air Quality**

- 19.1 Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. Proposal should not result in unacceptable levels of air pollution. This is reflected in the National Planning Policy Framework which also goes on to require any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.
- 19.2 The Council has adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic, requiring electric charging points, and low emission boilers within new developments. The Low Emission Strategy is a material planning consideration but it does not form part of the current local development plan.
- 19.3 The application was not accompanied with an air quality assessment. The site is not located within an Air Quality Management Area and no objection is raised as a result. No objections are raised on the basis that the development will secure measures such as EV charging points and heating standards as well as a condition to include a Construction Management Plan that will mitigate air quality impacts during the construction phase.

20.0 **Affordable Housing and Infrastructure**

- 20.1 Core Policy 1 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.
- 20.2 Core Policy 10 states that where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.
- 20.3 The application is liable to affordable housing provision and financial contributions however the submission included a viability appraisal which concluded that the scheme would not be viable is required to provide infrastructure contributions and affordable housing in line with the Developer's Guide.

20.4 Without prejudice, in accordance with the Developers Guide, this scheme would, in principle, result in the following contributions being sought:

Affordable Housing

The application proposes 50 units and has been submitted stating there are viability issues. In accordance with the Developer's Guide there is an affordable housing requirement of 25% which equates to 6 units from this development.

This application proposes to provide 13 affordable housing units at ground floor level under shared ownership tenure.

Education

On the basis of the housing mix proposed, the following contributions towards education will be required:

1-bed units – 22no x £903	= £19,866
2+-bed units – 28no x £4,828	= £135,184

Total = £155,050

Recreation/Open Space

No communal amenity space is proposed and some units have no private space. The development is liable for a contribution of £750 per dwelling as a result.

This amounts to a total of £37,500

20.5 In respect of viability, the NPPF states, at para 58:

The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

20.6 The viability assessment has been considered by the Council's consultant. The applicant's position is that the scheme is not viable with the requirement to provide affordable housing and infrastructure contributions and none are proposed as a result.

20.7 The consultant has considered the appraisal and confirmed that the development would result in a significant deficit if implemented with the fully commitment of required contributions and affordable housing provision. It is also noted that the proposed development results in a significant deficit without any affordable housing/contributions as well.

- 20.8 The viability circumstances of the site mean that the Council is unable to secure any affordable housing or any development contributions. There is no planning reason to doubt the conclusions of the Council's consultant and therefore no contributions are sought. However it will be required that the applicant agrees to a review mechanism in a S106 agreement that would allow two opportunities reappraise of the site in the future to determine if viability has changed and therefore obligations could be secured. Such obligations have been secured in other proposals and is considered to be reasonable here.
- 20.9 Viability issues with development proposals cannot be considered to amount to an adverse impact. The Council would not be able to get contributions for infrastructure categories set out in para 20.4 and it is not reasonable to consider this circumstance to be an adverse impact in planning terms. It is reasonable to acknowledge that the scheme is unable to demonstrate benefits of the scheme through the provision of infrastructure contributions.

21.0 Habitats Impacts

- 21.1 In accordance with the Natural Environment and Rural Communities Act 2006 Local Planning Authorities have a statutory duty to show regard for conserving biodiversity in the exercise of all public functions.
- 21.2 Paragraph 180 of the NPPF 2021 states that when determining planning applications, if significant harm to biodiversity cannot be avoided or adequately mitigated or as a last resort compensated for then planning permission should be refused. It also states that opportunities to incorporate biodiversity improvements in and around the developments should be encouraged, especially where this can secure measurable net gains for biodiversity. Core Policy 9 of the Core Strategy relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.
- 21.3 Regulation 61 of The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended), requires the local planning authority to make an appropriate assessment of the implications of a particular proposal, alone or in combination with other plans or projects on any likely significant effect on a European Site designated under the Habitats Directive
- 21.4 Evidence put forward within the Footprint Ecology report 'Impacts of urban development at Burnham Beeches SAC and options for mitigation: update of evidence and potential housing growth, 2019' recognises that new housing within 5.6km of the Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure.

- 21.5 The site is located approximately 5.4 km (as the crow flies) from the Burnham Beeches Special Area of Conservation (SAC) and therefore falls within the potential 5.6 km development impact zone as proposed within the evidence base carried out by Footprint Ecology.
- 21.6 The Local Planning Authority are currently working with Natural England to produce a Supplementary Planning Document to support a tariff based mitigation strategy for all new housing applications within 5.6km of the SAC. However this is yet to be agreed, and therefore each application needs to be considered on its own merits.
- 21.7 The applicant has submitted a Habitat Regulations Assessment as part of the application. Natural England has considered the assessment but returned the view of an objection on the basis that the Council does not have an adopted mitigation strategy in place. The Council has a mitigation solution in place with a fee of £570 per dwelling towards enhancements and proposals at Upton Court Park. The applicant has agreed to pay this fee which amounts to a total of £28,500 and it can be secured through S106 agreement. The contribution is considered to be a benefit that can be given moderate positive weight due to the payment being a legislative requirement and the concerns of Natural England are considered to be addressed as a result.

22.0 Crime Prevention

- 22.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour. Core Policy 12 of the Core Strategy requires development to be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime.
- 22.2 The National Planning Policy Framework requires developments to be safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
- 22.3 The pedestrian access into the flats would be at the front of the building on and securely via the basement car park. This would provide a good level of natural surveillance a ground level. Given the size of the development, an internal security strategy would not be required.
- 22.4 Cycle storage would comprise an integral store at ground floor as would the store. Appropriately secure doors would be required.

- 22.5 Appropriate security lighting will be required within the site and this detail can be secured by condition. A condition is also required to demonstrate that the proposed development would achieve a secured by design accreditation.
- 22.6 Based on the above, and subject to conditions, the proposal would be in accordance with Local Plan Policy EN5; Core Policy 12 of the Core Strategy; and the requirements of the National Planning Policy Framework. Neutral weight should be applied in the planning balance.

23.0 Neighbour Representations

- 23.1 No neighbour objections have been received through the course of this application. The report has specifically addressed impacts on neighbouring residents as part of considerations.

24.0 Equalities Considerations

- 24.1 The Council is subject to the Public Sector Equality Duty in section 149 of the Equality Act 2010, which (amongst other things) requires the Council to have due regard to the need to eliminate discrimination/harassment/victimisation, advance equality of opportunity between people who share (and do not share) a protected characteristic and foster good relations between people who share (and do not share) a protected characteristic.
- 24.2 Having due regard to the need to advance equality of opportunity between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 24.3 Having due regard to the need to foster good relations between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) tackle prejudice; and (ii) promote understanding.
- 24.4 The protected characteristics referred to in the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The PSED is

a continuing duty to have regard to the objectives identified in the Act as opposed to requiring the Council to achieve any particular outcome.

- 24.5 Throughout this report, regard has been had to the needs of individuals with these protected characteristics, as required by the Act in order to understand the likely impact of the development proposal on them. Given that the duty is an ongoing one the Council will continue to have regard to it throughout the detailed design stage of this development proposal in due course.
- 24.6 The proposal would provide new residential accommodation. Given the size of the scheme, the local development plan does not require any wheelchair user dwellings and none have been proposed. Access from the public footway to the building is considered appropriate and units can be safely access directly from the disabled parking spaces at the basement via lifts.
- 24.7 In relation to the car parking provisions, 4no spaces proposed as disabled spaces and should as allocated for those requiring an accessible space which is considered appropriate.
- 24.8 If It is considered that there would be temporary (but limited) adverse impacts upon all individuals with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development eg: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction would have the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects. This could be secured by condition should the scheme be acceptable.
- 24.9 In conclusion, it is considered that the needs of individuals with protected characteristics have been fully considered by the Local Planning Authority exercising its public duty of care, in accordance with the 2010 Equality Act.

25.0 Presumption in favour of sustainable development

- 25.1 The Council is currently unable to demonstrate a deliverable 5 year housing land supply. As a result Paragraph 11 of the NPPF is engaged. This means that sustainable development proposals should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

25.2 In consideration of whether or not development is sustainable, para 8 of the NPPF set out 3 objectives that should be met in order for a scheme to be considered sustainable development; the economic, social and environmental objective.

25.3 In the application of the appropriate balance, it is considered that there are significant benefits from

- The provision of 50 residential units in a sustainable location should be given significant weight.
- As confirmed through viability assessment, issues with the site means that the applicant is unable to demonstrate a benefit of affordable housing. While this is not an adverse impact, it is not one that is considered to be positive either.
- The mitigation payment towards Upton Court Park improvements is a positive aspect that can be given moderate weight due to the payment being a legislative requirement.
- The shortfall of parking provision is considered to be a neutral impact.
- The impact on habitats is noted as being significant but mitigation proposals have been agreed with and therefore this is considered to be a neutral impact.

25.4 In applying the planning balance, the significant benefits of housing provision are considered to outweigh the identified impacts and the proposal should be regarded as sustainable development.

26.0 PART C: RECOMMENDATION

26.1 Having considered the relevant policies set out above, comments from consultees as well as all relevant material considerations it is recommended the application be delegated to the planning manager for

A. Approval subject to:

1. The satisfactory completion of a Section 106 Agreement to secure financial contributions towards mitigation against impacts on Burnham Beeches, and a requirement for a two stage review of viability of the development; and
2. The satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act.

3. No new issues being raised from consultation responses from Natural England and the Health and Safety Executive.
4. Finalising conditions and any other minor changes;

OR

- B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 1 April 2023, unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

27.0 PART D: CONDITIONS

27.1 CONDITIONS:

1. Time Limit

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

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

2. Approved Plans

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

- (a) Drawing No 17/32/20A Rev A, Dated 08/2021, Recd On 07/09/2022
- (b) Drawing No 17/32/21A Rev A, Dated 08/2021, Recd On 07/09/2022
- (c) Drawing No 17/32/22A Rev A, Dated 08/2021, Recd On 07/09/2022
- (d) Drawing No 17/32/23A Rev A, Dated 08/2021, Recd On 07/09/2022
- (e) Drawing No 17/32/10B Rev B, Dated 08/2021, Recd On 01/08/2022
- (f) Drawing No 17/32/12A Rev A, Dated 08/2021, Recd On 01/08/2022
- (g) Drawing No 17/32/13A Rev A, Dated 08/2021, Recd On 01/08/2022
- (h) Drawing No 17/32/14A Rev A, Dated 08/2021, Recd On 01/08/2022
- (i) Drawing No 17/32/15A Rev A, Dated 08/2021, Recd On 01/08/2022
- (j) Drawing No 17/32/16A Rev A, Dated 08/2021, Recd On 01/08/2022
- (k) Drawing No. GAA-17030 20-02 Rev P06, Dated 04/02/2019, Recd On 04/02/2022
- (l) Drawing No. GAA-17030 20-03 Rev P06, Dated 04/02/2019, Recd On 04/02/2022
- (m) Drawing No. GAA-17030 20-04 Rev P06, Dated 04/02/2019, Recd On 04/02/2022

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

3. External Materials

No development above damp proof course level shall take place until details have been submitted to and approved in writing by the Local Planning Authority of external materials to be used on the development hereby approved and the development shall be carried out in accordance with the details approved.

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

4. External Lighting

None of the units hereby approved shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, location, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of the amenities of the area and to comply with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, December 2008.

5. Boundary Treatment

Prior to first occupation of the development hereby permitted, a suitable means of enclosure shall be submitted and approved by the Local Planning Authority. The approved boundary shall be fully installed prior to first occupation and maintained and retained at all times in the future.

REASON To safeguard the visual amenities of the locality and the privacy and amenity of adjoining properties, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

6. Secure By Design

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. The security measures to be implemented in compliance with this condition shall be submitted to and approved in writing by the Local Planning Authority and shall achieve the 'Secured by Design' accreditation awarded by Thames Valley Police. The approved details shall be implemented prior to first occupation of the proposed development.

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in The National Planning Policy Framework, 2012.

7. Energy proposals

Notwithstanding the details in the approved plans, not development outside of demolition and clearance works shall take place until details have been submitted to and approved in writing by the Local Planning Authority of proposals that confirm measures will be included to ensure that the development will achieve 15% lower than the Target Emission Rate (TER) of Building Regulations in terms of carbon emissions. The measures proposed details shall take account of the indicated measures in the submitted Energy and Sustainability Statement by Syntegra Consulting ref 21-8214, dated 07/2021 and the works shall then be carried out in accordance with the approved details.

REASON To provide a sustainability and energy efficient development and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

8. Measures to minimise effects of external noise on new dwellings

The development shall not be occupied until full details of the proposed window and door installations for protecting the future occupiers of the dwellings from noise generated from neighbouring buildings and the surrounding environment have been submitted to and approved by the Local Planning Authority. Any measures shall be carried out before any dwelling is occupied, and these measures shall be retained thereafter

REASON To ensure that the amenities of the future residents is not adversely affected by noise in accordance with paragraph W Part 3 of the GPDO 2015 (as amended) and the requirements of the National Planning Policy Framework 2018.

9. Glazing and Ventilation

Prior to the occupation of the units hereby approved, details of proposed glazing specifications and Mechanical Filtered Ventilation within each flat that has been identified for such mitigation in the details submitted pursuant to Condition 12 shall be submitted to and approved in writing by the Local Planning Authority

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

REASON: To ensure existing and future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2019.

10. Foul Water Drainage

No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network

upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

11. Soft and Hard landscaping

Soft and Hard landscaping for the amenity areas on site shall be provided in accordance with the following details:

- (a) Drawing number 389/01A, dated 05/08/21, received 15/09/2021;
- (b) Landscape Specification for Planting Design including Landscape Maintenance Strategy by Goodger Design Associates, dated 08/2021, received 15/09/2021

The approved scheme shall be carried out no later than the first planting season following completion of the development. Maintenance shall be undertaken in accordance with the undated Maintenance Plan Ref 9869-MP01 received 14/11/2019. 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.

12. Water Network

No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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

13. Phase 1 Desk Study

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.

14. Intrusive Investigation Method Statement

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

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

15. Quantitative Risk Assessment

Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

16. Remediation works

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and

approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

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

17. Bin Storage

No part of the development shall be occupied until bin storage has been provided in accordance with the approval plans and the standards set out in the Slough Developers Guide.

REASON: To ensure that adequate refuse storage is provided to serve the development

18. Access

No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Adopted Vehicle Crossover Policy.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

19. Layout

The scheme for parking, manoeuvring and the loading and unloading of vehicles shown on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

20. Electric Vehicle Parking

Prior to the first occupation of each unit, the residential car parking provision for the unit shall be provided, to include a 1 electric vehicle charge point per dwelling – and a total of 47 electric vehicle charging points. The residential electric vehicle charging points must have a 'Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure vehicle parking is provided and encourage up-take of electric vehicle use, 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

21. Construction Management Plan

Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

1. A site set up plan displaying vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries and wheel cleaning facilities during the construction period.
2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 0800 – 0900 and 1700 – 1800.
4. Extent of construction hoardings / fencing and details of security arrangements on site.
5. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
6. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.

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 vehicular traffic and pedestrian highway users in accordance with policies 7 and 8 of the Core Strategy 2008 and the requirements of the National Planning Policy Framework 2019.

22. Delivery and Servicing Plan

None of the dwellings hereby approved shall be occupied until a site servicing strategy and Delivery and Servicing Plan (DSP) for the development including vehicle tracking, shall be submitted to and approved in writing by the Council. The DSP shall detail the management of deliveries, emergency access, collection of waste and recyclables, silent reversing methods/ location of drop-off bays and vehicle movement in respect of the development. The approved measures shall be implemented and thereafter retained for the lifetime of the development.

REASON: In order to ensure that satisfactory provision is made for deliveries, drop-offs and refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, 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).

23. Cycle Parking

No development shall be begun until details of the cycle parking provision (including location, housing and cycle stand details) have been submitted to and

approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with these details prior to the occupation of the development and shall be retained at all times in the future for this purpose.

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

INFORMATIVE(S):

1. 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.

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.

The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.

The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

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.

Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 / Minor Highway Works Agreement with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.

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