

Registration Date:	06 December 2023	Application No:	P/20369/000
Officer:	Martin Cowie	Ward:	Herschel Park
Applicant:	Mr Kaushal, Modage Ltd, 2 nd floor, Amba House, 15 College Road, Harrow, HA1 1BA	Application Type:	Major
		13 Week Date:	06 March 2024
Agent:	Mr Karran Corpaul, The White House Design Ltd, 7 Whittle Parkway, Slough, SL1 6DQ		
Location:	Car Park R/O, 198, High Street, Slough, SL1 1BN		
Proposal:	Full application for the redevelopment of the existing site comprising of the erection of an 11 storey residential block comprising 28 residential units with associated parking, gate, cycle provision and waste storage.		

Recommendation: Delegated to the Planning Group Manager for Refusal



1.0 SUMMARY OF RECOMMENDATION

1.1 Having considered the relevant policies set out below, and comments that have been received from internal and external consultees, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for refusal for the following reasons:

1. The application does not propose any affordable housing or infrastructure contributions contrary to Core Policies 4 and 10 of the Core Strategy, Part 2 of the Slough Developer Guide, and the requirements of the National Planning Policy Framework 2023.
2. By reason of its layout, design, scale, and height, the proposed building would represent an overdevelopment of the site, appear obtrusive, and harm the character and appearance of the surrounding area including the setting of heritage assets contrary to Policy EN1 and EN17 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
3. By reason of its layout, design, scale and height, and failure to assess sunlight/daylight, noise and wind related impacts, the proposed development would harm the residential and visual amenities of future occupiers of the proposed development and fail to comply with, Local Plan Policy H14, Emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
4. By reason of its layout, design, scale and height, and failure to assess sunlight/daylight, noise and wind related impacts, the proposed development would harm the residential and visual amenities of future occupiers of developments approved on adjacent sites and fail to comply with Core Policy 8 of the Core Strategy, Local Plan Policy EN1, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
5. The proposal would prejudice the redevelopment of adjoining sites, preventing the comprehensive planning of the area and the effective use of land and fails to comply with Policy H9 of the Local Plan Slough March 2004, Core Policy 1 of the Core Strategy, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
6. The application does not include a drainage strategy to demonstrate how surface water would be effectively drained from the site in accordance with national and local published standards. The proposal would therefore fail to comply with Core Policy 8 of the Core Strategy, the standards set out within the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016, the Government's Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015, and the requirements of the National Planning Policy Framework 2023.

7. No energy strategy has been provided to demonstrate whether the development is capable of delivering the minimum required carbon emission target would be met set out in the Developer Guide. The submitted plans do not propose or make allowance to accommodate renewable energy measures in order to meet the required carbon emission target. Due the insufficient information submitted with the application, the proposal therefore has therefore failed to demonstrate compliance with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023 and the Developer Guide Part 2.
8. The application makes no provision for replacement off-street servicing for the existing commercial use to the rear of the site which would have a detrimental impact of highway safety and the commercial viability of the High Street. The proposal would not comply Core Policies 1 and 7 of the Core Strategy, Local Plan Policies S1 and T2, and is also contrary to the National Planning Policy Framework 2023.
9. The application does not include adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway. The development if permitted would lead to the stationing of vehicles on Herschel Street and/or vehicles reversing onto or off the highway to the detriment of public and highway safety. Double yellow lines and yellow kerb blips are present on the kerbs which restrict/ban the loading and unloading of vehicles. The proposal is contrary to Slough Local Plan Policy T2 Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to the National Planning Policy Framework 2023.
10. The development does not provide adequate cycle parking in accordance with adopted Slough Borough Council standards and therefore does not comply with the Council's Integrated Transport Strategy and is contrary to Slough Local Plan Policy T8, Slough Core Strategy Core Policy 7 and is also contrary to the National Planning Policy Framework 2023.
11. In the absence of an appropriate Fire Statement, the applicant has failed to demonstrate how the development can be laid out to incorporate adequate fire safety provisions. The proposal has therefore failed to demonstrate the proposal has been designed with fire safety in mind and would fail to comply with the requirements of Planning Gateway One.
12. The site is located within the 5.6 km development impact zone for the Burnham Beeches Special Area of Conservation as proposed within the evidence base carried out in the Footprint Ecology Report dated 2019. No information has been submitted to demonstrate that no likely significant effect would occur as a result of the development or to assist the competent authority in carrying out the appropriate assessment. In addition, the application does not propose net gains in biodiversity. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core

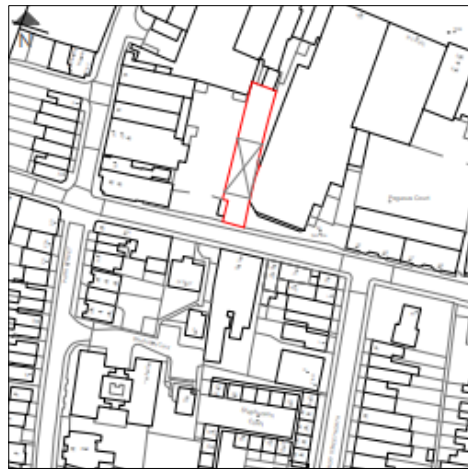
Strategy, the requirements of the National Planning Policy Framework, and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended).

- 1.2 This application is to be determined at Planning Committee as it is an application for a major development comprising more than 10 dwellings.

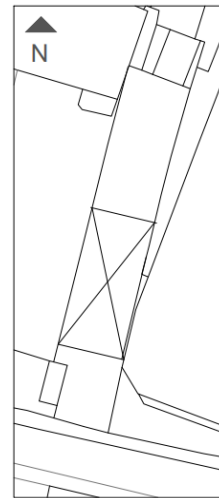
PART A: BACKGROUND

2.0 Proposal

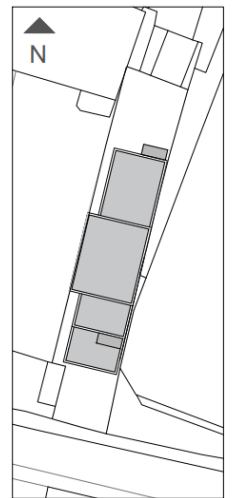
- 2.1 The planning application proposes the redevelopment of the site comprising the erection of an 11-storey residential block accommodating 28 residential units with associated parking, gate, cycle provision and waste storage.
- 2.2 The proposed building would have a frontage onto Herschel Street, set-back at 4-storeys and extend over most of the site to the rear at 10 and 11-storeys. The ground floor would effectively form an undercroft area, accommodating pedestrian and vehicular access, 5 parking spaces and refuse and cycle stores. The building would also be served by one staircore and lift.



Location plan



Existing block plan



Proposed block plan

- 2.3 The floors above would provide the following mix of flatted accommodation:

- 6 x 1bed 1person studio flats
- 9 x 1bed 2 person flats
- 13 x 2bed 2person flats

- 2.4 Each flat would incorporate some external amenity space by way of balcony or roof terrace and be dual aspect with outlook to the north, west and south. No windows feature in the east elevation of the building. The diagrams below show the proposed ground floor layout and several upper floors.



The application is accompanied by the following documents:

- Floor plans, elevations
- Design and Access Statement
- Fire Statement

2.5

3.0 **Application Site**

3.1

The site is a narrow plot of land to the rear of a 3-storey commercial property at 198 High Street. The land measures only 0.046 ha (463m²) and forms a car parking area with access and servicing from Herschel Street. The application documents state that the car park accommodates 26 spaces and serves surrounding buildings. The land is partly fenced along its frontage and western boundary and displays parking signs including one relating the “Star Karahi” restaurant which is on the opposite side of Herschel Street.



Photograph of site from Herschel Street looking east

- 3.2 On the eastern side of the site are the former BHS premises at 204-206 High Street, which has permission for a mixed-use development comprising replacement flexible retail space at ground floor level, flexible commercial floorspace at first floor fronting the High Street and 78 residential dwellings within 3 buildings at podium level across the site with heights of 5, 11 and 4 storeys. for a total of 89 no. 1 and 2-bedroom units within 3 buildings at podium level across the site with heights of 5, 13 and 4 storeys (see Relevant Planning History below).



Aerial photograph of site (red outline)

- 3.3 Immediately to the west of the site is a car park associated with the uses at Park Street and the High Street including 2 and 3-storey commercial premises.



Photograph of 198 High Street (Admiral) and adjoining property

3.4

Adjoining the site on its north-eastern boundary is a larger commercial building forming part 190-192 High Street. This property has received permission recently consent for a major redevelopment comprising the construction of a three-storey roof extension and conversion of the first and second floors to provide 46 residential units and re-provision of 2 commercial units at ground floor and associated facilities (see Relevant Planning History below).



Aerial photograph of site (red outline)

3.5

The site is located within the designated Town Centre of Slough on the southern edge of the High Street. The surrounding urban townscape is characterised by buildings of varying scale, style and age, transport infrastructure and public realm. The land uses are predominantly retail and commercial to the north of the site and residential to the south of the site.

3.6 The site is not within a Conservation Area, nor does it contain any statutory listed buildings, but there are three Locally Listed properties nearby. The Locally Listed buildings at Nos. 194-198 and 200-202 High Street are situated to the immediate north of the site on the High Street frontage and the Herschel Arms Public House sits on the other side of Herschel Street.

3.7 No. 200-202 comprises a three-storey red brick building with mobile phone repair shops on the commercial frontage. No.194-196 comprises a three-storey red brick building with an optician on the commercial frontage and No. 198 comprises a three-storey white painted brick building with a betting shop on the High Street. The Herschel Arms Public House forms an attractive single and two-storey Victorian building extending prominently along this part of Herschel Street to its corner with Park Street.

4.0 **Relevant Site History**

4.1 Application Site:

No History.

198 High Street

P/01909/016 Use of shop as amusements centre with ancillary retail sales and snack bar

Approved with Conditions 24 August 1993

190-192, High Street

P/03079/018 Construction of a three-storey roof extension and conversion of the first and second floor to provide 46 residential units (Use Class C3); re-provision of 2 commercial units (Use Class E) at ground floor; associated cycle parking, refuse storage; roof garden; new residential access to the front (north) elevation; and upgrades to the high street façade.

Approved with Conditions and Informatives – 22 June 2023.

[Case Officer Note: Not Implemented and Extant].

P/03079/017 Redevelopment of the site to provide a part six, part eight storey building to form 63 residential units (Use Class C3); re-provision of 2 commercial units (Use Class E); associated cycle parking, refuse storage; roof garden; new residential access to the front (north) elevation; and upgrades to the high street façade.

Approved with Conditions and Informatives - 18 August 2022.

[Case Officer Note: Implemented].

204-206, High Street

P/02683/015 An application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 2 (Approved Drawing Numbers), Condition 5 (Approved Uses), Condition 6 (Hours of Operation) and Condition 36 (Fire Safety) of planning permission P/02683/013 for the Demolition and Redevelopment of the existing site for a mixed use development (granted 4th March 2020) namely for various material amendments including addition of 2 'floors' to the top of Block B to create an 11th and 12th floor and an additional 8 x 1 bed flats; use of the first floor of Block A for 3 x 2 bed residential units; flexible Class E space throughout the ground floor commercial unit; amendment to the commercial High St side entrance to form a residential entrance; increasing the number or cycle parking spaces and waste provision; and removal of the flexible office/gym space at first floor of Block A.

Approved with Conditions and Informatives – 21 February 2022.

P/02683/013 Demolition and Redevelopment of the existing site for a mixed-use development comprising replacement flexible retail space (Class A1, A2, A3 uses) at ground floor level, flexible commercial floorspace at first floor fronting the High Street for either B1 (offices) or Class D2 (gym) uses and 78 residential dwellings within 3 buildings at podium level across the site with heights of 5, 11 and 4 storeys. Shared amenity space provided at first floor podium level, with cycle, waste and recycling storage facilities at ground floor level, and provision of two accessible car parking spaces (for the residential uses), loading and drop off facilities and servicing area within ground floor level with access from Herschel Street.

Approved with Conditions and Informatives – 04 March 2019.

[Case Officer Note: Implemented].

5.0 **Neighbour Notification**

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) the application as submitted was advertised as a major application in the 23/02/2024 edition of The Slough Express, four site notices were displayed outside the site on 12/12/2023.

5.2

The following comments objecting to the proposed development have been received from the Applicant of the QM OPA (Outline Planning Application) and owner of the Queensmere and Observatory Shopping Centres:

- The scale, height, bulk, and mass of the proposed building is significant, and substantially larger than any of the existing buildings within the immediate area, which is predominantly low rise. It is considered that the proposed scale, height, bulk and mass of the proposed building would appear out of place in this part of the town centre and within the wider street scene.
- Furthermore, the proposed building sits on a very small plot of just 463sqm. Accordingly, the proposals for 28 new residential units on such a small plot of land are considered overdevelopment of the Site.
- No consideration has been given to the approved scheme at No. 204-206 High Street nor any detail provided on how the Proposed Development will respond to this boundary. The Applicant is required to ensure that the Proposed Development does not stifle the development of this adjacent site.
- As a result of limited site area, the ground floor frontage of the development would consist of access gates and a door into the residential ground floor lobby, set back from road, with cycle parking and refuse storage at the rear. It is considered that this arrangement would result in a dead frontage within the town centre and would detract from the street scene. It is also possible that the proposed setback from the edge of the road would encourage opportunities for antisocial behaviour with limited natural surveillance.
- The planning application does not provide for any affordable housing within the Proposed Development and no viability assessment has been provided in support of this.
- The Applicant should be asked to consider whether the Proposed Development could incorporate one or two 3-bedroom family units to provide a more varied and appropriate unit mix.
- Secondary legislation under the Building Safety Act took effect from 1 October 2023. This requires buildings of over 18m or seven-storeys, in height, to provide a second staircase. The submitted elevation drawings appear to show that the proposed building will be 11-storeys and will exceed 30m in height. However, the submitted plans appear to show only one staircase. The Applicant is required to amend the proposals to allow a second staircase for fire safety purposes.
- Officers should request that the Applicant undertakes an assessment of the existing car park which should be submitted in support of the application.
- The Applicant should be asked to provide a Daylight and Sunlight Assessment to accompany the planning application.

[Case Officer Note: the above concerns are assessed within the relevant parts of the planning assessment below].

6.0 **Consultations**

6.1 Local Highway Authority Officer:

Existing Car Parking:

- SBC Transport Officers made a site visit where 12 cars were observed parked on site at approximately 1:04pm. Signs stated that car parking is only for the Communities Business on Slough High Street. The planning application does not confirm where the car parking for the existing retail unit and flats above the retail unit would be re-provided. The removal of car parking would displace cars associated with the existing residents, staff and customers of the existing flats and dwellings and cause them to park in other locations in public car parks such as Observatory Shopping Centre, Hatfield Road public car park or Herschel Street Car Park or in public car parking spaces on the surrounding road network where there is minimal capacity.

It is likely that the existing car parking could be accommodated within these public car parks and it is noted that SBC allow Nil. Parking provision for retail land use or residential land use within the Town Centre Area.

Site Layout:

- The application does not include swept path analysis which demonstrates that a large car measuring 5.079m in length can ingress/egress each parking space. SBC requires spaces bounded by a physical feature such as a fence or a wall to be widened by 300mm. This is because where spaces are not bounded by another space, drivers cannot open their car door over the adjacent space.

Electric Vehicle Parking:

- The planning application does not propose any Electric Vehicle Charging points for the proposed dwellings. Five electric charging points would be required by Slough's standards given five car parking spaces are proposed on site.

The Slough Low Emissions Strategy (2018 – 2025) requires the provision of EV Charging Points for new dwellings with allocated parking. The National Planning Policy Framework Paragraph 112 requires applications for development to: 'Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations'.

Cycle Parking:

- SBC Transport Officers would recommend refusal of the planning application because the proposed cycle store is not large enough to provide 1 secure and

covered cycle parking space per dwelling in accordance with the requirements of the Slough Local Plan. The requirements for cycle parking are set out within the Slough Developer's Guide – Part 3: Highways and Transport.

The proposed store (shown on Drawing No. KKC/HS/2023/A2) is not large enough to store 28 bicycles, as claimed by the Design and Access Statement. The bike store is only 2.49m wide. This does not provide suitable space for both cycle racks (1.8m long) and manoeuvring of bicycles in/out of the racks.

The store is only 6.57m in length, which is not long enough to provide enough racks for 28 bicycles. Two tier cycle racks are most space efficient and are 700mm wide each (400mm rack plus 300mm gaps). Therefore only 9 double cycle racks providing 18 cycle parking spaces could fit within a store 6.57m long; although there would not be enough room to manoeuvre bikes in/out of the racks.

Deliveries, Servicing and Refuse Collection:

- The application does not provide space for loading, unloading and turning of service vehicles clear of the public highway. This is required to avoid the stationing of service vehicles on the highway and vehicles reversing onto or off the highway to the detriment of public and highway safety. The application would therefore result in delivery vehicles waiting on Herschel Street whilst they make deliveries to the proposed dwellings and restrict the free flow of traffic. The proposed 28 dwellings would generate deliveries from Royal Mail, Online Food Shopping, Takeaways, Amazon parcel deliveries and occasional removals vehicles when residents move in/out of the proposed dwellings.

SBC Transport Officers require planning applications to include swept path analysis which demonstrates there is suitable turning space within the site for a Luton Box Van (7.5 Tonnes) and a Mercedes Sprinter L3 H2 315CDI RWD which is 6.96m long.

Deliveries and Servicing – Existing Retail Units and Dwellings:

- In developing the existing car park, the proposed development would also remove the loading/unloading area for the existing flats and retail unit at 198 Slough High Street. This would result in delivery vehicles associated with both the existing and proposed uses stationed on the public highway, blocking the free-flow of traffic to the detriment of highway safety.

Bin Storage – Drag Distances:

- The proposed bin store is located 30 metres from the public highway. This significantly exceeds SBC's maximum 10 metre drag distance for EuroBins. This maximum drag distance is specified within the Slough Developers Guide. The documents submitted do not make clear how bins will be presented for collection

at the kerbside. SBC collection operatives will not enter private property in order to collect/remove bins.

Summary and Conclusions:

- The Local Highways Authority would recommend refusal of the planning application for the reasons set out below:

Deliveries and Servicing - The applicant has not included adequate provision within the site for the loading, unloading, and manoeuvring of service vehicles clear of the highway. The development, if permitted would lead to the stationing of vehicles on Herschel Street and/or vehicles reversing onto or off of the highway to the detriment of public and highway safety. Double yellow lines and yellow kerb blips are present on the kerbs which restrict/ban the loading and unloading of vehicles. The development is contrary to Slough Local Plan Policy T2 Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to Paragraph 116 of the National Planning Policy Framework.

Cycle Parking - The development fails to provide cycle parking in accordance with adopted Slough Borough Council standards and therefore does not comply with the Council's Integrated Transport Strategy and is contrary to Slough Local Plan Policy T8, Slough Core Strategy Core Policy 7 and is also contrary to Paragraph 116 of the NPPF.

6.2 Environmental Quality Officer:

- An air quality assessment will not be required for this development, because the proposal includes a reduction in vehicle trips due to reduced parking, and the development is located on a minor road, therefore exposure to poor air quality is not likely. In line with the Low Emission Strategy, the applicant will be required to implement Type 1 mitigation which includes provision of EV charging, submission of a CEMP which considers dust and noise controls and meets emission standards for construction vehicles (Euro VI) and NRMM controls in line with Table 10.

All heating systems will also need to meet the emission standards laid out in table 7 of the LES Technical Report.

In regards to noise, I expect an assessment will be required due to the surrounding commercial uses which may cause disturbance during deliveries etc, and there seem to be some food outlets nearby which can have noise generating plant. Odour may also be an issue due to ducting fumes. I would suggest you consult Resilience and Enforcement regarding the potential noise and odour issues as they are more related to nuisance.

6.3 Resilience and Enforcement Officer

- Limited information provided.

I would like to see a Noise Impact assessment of the site to measure existing background decibel levels in this area. I know there has been development of existing buildings in the locality over the last 2-3 years to repurpose them into flats.

Older existing noise assessments were used for these builds instead of conducting new measurements. Problems have since arisen due to using historic data which at the time wasn't going to be reflective of current levels and as the area has changed further in the last few years I would want to see a new noise assessment conducted with recent data. This assessment should measure noise levels at the closest noise receptors and at the site itself. This will help to cover expected noise levels during any demolition and building phases and what measures will be needed to preserve existing background noise levels during development. It will also help to assess what type of insulation and glazing the build will require to meet WHO guidelines of day and night time background levels.

A demolition / construction plan would need to be submitted to show what Measures they are implementing to prevent the rise of dust, noise and vibration from development works. The 'Currys Yard' as we call it car park adjacent to the build has restaurants with extractors venting to the rear. This may be a consideration as existing extractor vents will be aimed directly at this build which may give rise to odour complaints. At present this is not an issue as there are no sensitive receptors, however the plans show numerous directly adjacent windows overlooking this car park all of which relate to sleeping and living areas.

Using mapping the distance from the rear of the shops to the build appears to be around 20 metres. I would like to see the noise assessment to be able to comment if existing extractors and plant are going to be an issue decibel level wise.

A few other considerations. Will the bin and cycle stores in this plan be locked? This is to prevent against ASB and rough sleepers which Slough suffers from in The Town Centre. External doors / gates and locks need to be fit for purpose or this will attract rough sleeping which will need to be dealt with further down the line. It is much easier to design it out at this stage. The location of the bin stores in respect to the main road. Bin lorries I believe are only permitted to reverse a maximum of 12 metres under recommendations.

6.4 Waste and Environment Officer

- Drag distance would be the main issue here. While we do state a maximum of 10m, direct access is always preferred. From the proposed drawings a family car can access below the flats and to the rear, the RCV of course cannot, it appears the drag distance here would be a great deal more than 10m, even if there is sufficient room to reverse in onto the property completely.

28 flats require 3x 1100L residual and x 1100L recycling, it is difficult to tell the size of the proposed oddly shaped bin store. They state it is 12.6m which is just twice the size of the five containers, which leaves little if no room to manoeuvre the refuse and recycling bins around each and out of the store itself. Size, location of the store and the inevitable drag distance would not be suitable.

6.5 Contaminated Land Officer:

- Comments to be reported at Committee via Amendment Sheet.

6.6 Thames Water:

- No objection subject to appropriate conditions and informatives in relation to waste water, sewage and infrastructure.

6.7 Lead Local Flood Authority:

- We would advise that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

Our information requirements in support of an application are outlined in our document Local Standards and Guidance for Surface Water Drainage.

We cannot support the application until adequate surface water drainage information has been submitted.

6.8 Heritage Advisor:

- The application site is currently an area of hard surfaced car parking to the rear of 198 High Street. This part of Herschel Street lacks a defined character but development along the street tends to be 2 / 3-storeys with gaps between buildings. It differs in character to the High Street which features taller, adjoining buildings of various periods of construction, as is typical of most High Streets.

The application submission does not look sufficiently detailed for such a large scale / tall building.

The Locally Listed Nos. 194-198 and 200-202 High Street are situated to the immediate north of the site, fronting the High Street. The Locally Listed Herschel Arms Public House on Herschel Street is located on the south side of Herschel Street and occupies a corner position to Park Street, it lies almost opposite the application site. These are non-designated heritage assets (as per the NPPF), and included on Slough's list of 'locally important' buildings (as set out in Appendix 6 of the Slough Local Plan, adopted March 2004). The Locally Listed Nos. 194-198 and 200-202 High Street are situated to the immediate north of the site, fronting the High Street. These are non-designated heritage assets (as per the NPPF), and included on Slough's list of 'locally important' buildings (as set

out in Appendix 6 of the Slough Local Plan, adopted March 2004).

A heritage asset is defined as “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing) (Annex 2: Glossary, National Planning Policy Framework).

The Herschel Arms public house is a modest 2-storey 19th century public house and has an attractive elevation to Herschel Street. Nos. 200-202 comprise a three-storey red brick Victorian building with gables and pinacles to the roof and an inset central balcony. No 198 is a gable fronted painted brick property. Nos. 194 - 196 is a late 19th century brick building with large window openings to the upper floors. These buildings make a positive contribution towards the street scene. Whilst these properties will not be directly impacted, the setting of these non-designated heritage assets should be considered within the application submission. Concerns are raised, in particular, in relation to the setting of the Herschel Arms public house - the new development will have an uncomfortably overbearing relationship with this property, and others along the south side of Herschel Street.

It is not clear from the plans if the proposed development will be a visible element within the High Street 'street scene' but it will be from other local roads, particularly Herschel Street / Park Road. BEAMS take the view the proposed residential block will be an incongruous element within its immediate locality due to its height and fail to respond / relate to its surroundings.

The plans lack detail and do not look to provide a building with any particular design merit. Materials are referred to as being 'brick' but it is not clear how this translates to the elevation plans which are black / grey.

The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Slough Policy EN1 is also relevant here.

Whilst BEAMS has some concerns over potential impacts upon the setting of the locally listed properties referred to above, significant concerns are raised over the scale and design of the proposed development in its current form (and in conjunction with the lack of detail provided within the application).

6.9 Berkshire Archaeology:

- Having reviewed the application and site details, do not believe archaeological mitigation to be required in this instance.

6.10 Natural England:

- Response to be reported at Committee.

6.11 Health and Safety Executive (Planning Gateway One):

- The associated documents have been reviewed and I can confirm that the application does not include a fire statement form. However, the attached document on LPA's website, named "Fire Statement", is a "Fire Safety Strategy". The Fire Statement and the Fire Strategy are separate documents performing distinct functions and satisfying different legal requirements.

Therefore, we would require a completed fire statement in order to carry out an assessment for this application.

We aim to respond to enquiries within 28 calendar days from receipt of the fire statement.

From 1 August 2021, developers have a statutory obligation to submit a fire statement setting out fire safety considerations specific to the development with a relevant application for planning permission for development which involves one or more relevant buildings. Further information can be found here: Planning application and fire statement forms: templates - GOV.UK (www.gov.uk)

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

National Planning Policy Framework and National Planning Policy Guidance:

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 5: Delivering a sufficient supply of homes

Chapter 6: Building a strong, competitive economy

Chapter 7: Ensuring the vitality of town centres

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed and beautiful places

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Chapter 16: Conserving and enhancing the historic environment

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

Core Policy 1 – Spatial Strategy

Core Policy 3 – Housing Distribution

Core Policy 4 – Type of Housing

Core Policy 7 – Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural and Built Environment

Core Policy 10 – Infrastructure

Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Policies)

EN1 – Standard of Design
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
EN17 – Locally listed buildings
H9 – Comprehensive Planning
H14 – Amenity Space
T2 – Parking Restraint
T8 – Cycle Network and Facilities
S1 – Retail hierarchy

Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document - November 2010
- Slough Borough Council Developer's Guide Parts 1-4 - November 2008, January 2016, December 2017, November 2018
- Slough Flood risk and surface water drainage Planning guidance - January 2016
- Proposals Map - 2010
- Nationally Described Space Standards May 2016 (as amended)
- Slough Low Emission Strategy - 2018 - 2025
- Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems - March 2015
- The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended)
- Footprint Ecology report 'Impacts of urban development at Burnham Beeches SAC and options for mitigation: update of evidence and potential housing growth, 2019'

Slough Local Development Plan and the National Planning Policy Framework:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The revised version of the National Planning Policy Framework (NPPF) was published on 19th December 2023.

The National Planning Policy Framework 2023 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 2023, the Local Planning Authority cannot 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 2023 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 2023 which has been used together with other material planning considerations to assess this planning application.

Emerging Preferred Spatial Strategy for the Local Plan for Slough

The emerging Spatial Strategy has then been developed using some basic 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. One of the principles of the Emerging Preferred Spatial Strategy is to deliver major comprehensive redevelopment within the “Square Mile” in the centre of Slough.

A number of strategic housing sites are identified in the spatial strategy. This site was not identified as a strategic housing site, however the site does fall within the High Street where Spatial Strategy proposes regeneration to rediscover the High Street and make it the focal point of the centre. The major change that is likely to happen is the redevelopment of the northern side of the High Street within the Queensmere and Observatory Shopping centre sites. Smaller scale changes are proposed to other sites in the town centre, including the application site. These are detailed in the Draft Centre of Slough Regeneration Framework (Aug 2020) and the Centre of Slough Interim Planning Framework 2019.

The Draft Centre of Slough Regeneration Framework:

In March 2020 Slough Borough Council commissioned Urban Initiatives Studio to prepare a Regeneration Framework for Slough’s Square Mile. This sets the Council’s vision and spatial framework for development in the town over the next 15 years. The Regeneration Framework is aligned with a number of other Council strategies. These include the Transport Vision adopted in 2019; the Inclusive Growth Strategy; the Climate Change Strategy and the Council’s Five-Year Plan.

The Draft Centre of Slough Regeneration Framework (Aug 2020) was presented to Members at the Planning Committee meeting of 9 September 2020 and was subsequently determined to be adopted as an evidence document for the forthcoming Slough Local Plan.

The Draft Centre of Slough Regeneration Framework identifies potential for 7,400 new homes across a 'Square Mile' which encompasses and extends beyond the defined Town Centre. Figure 3.2 sets out proposed land uses in the Square Mile. The site subject to this planning application is identified as appropriate for mixed-use up to the High Street frontage and residential to the rear. The adjoining sites including 204-208 High Street are similarly identified.

Figure 3.3 sets out potential building heights across the Framework area. The site subject to this planning application and adjoining sites are identified as being suitable for moderate scale development along the High Street frontage (4-5 storeys).

Figure 3.3 indicates that tall buildings (8-14-storeys) are proposed to areas adjoining the application to the north and northwest. The justification for tall buildings in these locations is to help enhance the legibility of the centre, marking an important location within the town's structure, and reinforcing a point of arrival or indicating the primacy of a particular use (e.g. the railway station).

Centre of Slough Interim Planning Framework 2019:

The Council is promoting "major comprehensive redevelopment within the Centre of Slough" as part of its wider growth agenda. This Interim Planning Framework is produced by the Local Planning Authority's Policy Team and is the first step in producing a Centre of Slough Framework Master Plan.

The Framework does not replace any of the existing policies in the Local Plan, Core Strategy or Site Allocations DPD. It does, however, provide a land use framework that future work can be hung upon. It can be used to inform planning decisions but does not have the weight of planning policy. The Framework was considered at Planning Committee on the 31st July 2019 and members endorsed the approach taken in the strategy

A key part of this strategy is to promote major housing and employment development in and around the centre which is aimed at providing much needed accommodation and supporting the town centre economy.

The Interim Framework encourages comprehensive development to ensure good quality design and optimise the scale of development on the site whilst respecting its surroundings. Some small sites can be redeveloped individually if there is a comprehensive masterplan to co-ordinate design and ensure piecemeal development does not disadvantage reasonable redevelopment of the next-door sites.

The application site and adjoining sites are identified within one of the Areas of Change as shown on Figure D – Residential Areas. Within these areas are specific

identified sites including 204-206 High Street next to the application site or areas for potential redevelopment. The identified sites and areas have been chosen for a variety of reasons. They have regeneration benefits such as the ability to improve image of the town and level of activity. They have scope for large scale development which can optimise the number of homes built. They are considered to be likely to come forward and practical to develop, taking into account ownership and viability. They can also help to support the Council strategic objectives such as promoting viable public transport and walking routes.

Figure D – Location for New Tall Buildings does not identify the site (nor adjoining sites) for Medium or High-rise Buildings.

The site is therefore identified as being potentially available for redevelopment to include housing and as a site that could contribute towards new homes in the town centre sought by the Centre of Slough Framework.

In addition, it is worth noting that the Framework also highlights that proposed developments on sites extending from the High Street to Herschel Street must be designed to enable a transition in height to be made reflecting the characteristics of the areas surrounding the site; visual amenity is a key consideration. The Framework does not promote tall buildings in this area and the proximity of distinctive small scale heritage development south of the area (Herschel Village) limits opportunities for large buildings nearby.

The Framework also states that the design of any proposed development must ensure that the amenities of the occupiers of current and future properties are protected and that many of the sites on the south side are narrow and it will be necessary in a number of circumstances for the promoters of specific sites to work together, particularly in relation to rear servicing and to optimise redevelopment opportunities.

7.1 The planning considerations for this proposal are:

- Principle of development and land use
- Emerging policy
- Supply of housing
- Impact on the character and appearance of the area
- Impact on heritage assets
- Impact on amenity of neighbouring occupiers
- Comprehensive development
- Living conditions for future occupiers of the development
- Highways/transport and parking
- Air quality
- Sustainable design and construction
- Surface water drainage
- Fire Safety
- Affordable housing and Infrastructure
- Equalities considerations

8.0 **Principle of development and land use**

- 8.1 The National Planning Policy Framework 2023 seeks to support the role that town centres play at the heart of local communities. Planning should promote the long-term vitality and viability of town centre by taking a positive approach to their growth, management and adaptation. The National Planning Policy Framework requires local planning policies to allow a suitable mix of uses which including housing within town centres.
- 8.2 Core Policies 1 and 4 of the Core Strategy seeks high density flatted development to be located within the town centre and urban areas. Local Plan Policy S1 resists development that would adversely affect the Slough Town Centre shopping centre. Core Policy 1 requires high density housing development in the town centre to be comprehensively planned in order to deliver maximum social, environmental and economic benefits to the wider community. Local Plan Policy H9 requires a comprehensive approach to be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised.
- 8.3 The provision of flats in the town centre is therefore in compliance with the local development plan and the National Planning Framework provided they do not have detrimental impact vitality and viability of the Town Centre.
- 8.4 Whilst the residential use of the site may be acceptable in principle, having regard to its size, the nature/status of adjoining sites, and the character and appearance of the surrounding area, the proposed development is considered unacceptable in principle and to represent a gross overdevelopment inappropriate to its existing and emerging settings. The application comprehensively fails to demonstrate how a residential development could be delivered that is well-designed and respects neighbouring property, including the continued servicing of the commercial unit fronting the High Street, and associated redevelopment opportunities and safeguards the residential and visual amenities of the surrounding area.
- 8.5 The application proposes a large building on a small and narrow plot, and significantly higher than most buildings in the immediate vicinity. Its footprint would occupy most of the site, and consequently it would present extensive flank elevations to the site boundary. Its western elevation, providing the main outlook for the proposed accommodation, would feature numerous habitable room windows facing directly onto the adjoining car park whilst a substantial blank wall would form its eastern boundary. The building would be sited close to the rear of the Locally Listed building at 198 High Street and at 10-storeys here would tower over the traditional 3-storey property and adjoining Locally Listed buildings. The front of the building would essentially mirror its back, but differ slightly in presenting a part 4, part 10 storey facade onto Herschel Street and exposing an undercroft area at ground floor with no active frontage.

8.6 It should be noted that the application is not supported by a detailed design analysis, townscape assessment, sunlight/daylight, heritage statement, fire safety or wind study. Therefore, without these technical reports, officers are not in a position to conclude the impact in relation to these matters.

8.7 Critically, the application does not show how the development would relate to potential and committed redevelopment opportunities on adjoining sites and in particular, the adjacent car park and the consented schemes at 190-192 High Street and 204-206 High Street (see Relevant Site History above). Given its proximity, scale, and design, it is considered that the proposed building would hinder the ability of bringing forward appropriate redevelopment of the neighbouring car park and associated property and severely impact the schemes granted at 190-192 and 204-206 High Street. In particular, the proposed building would adversely affect the residential and visual amenities of future occupiers of these permitted developments, and harm the character and appearance of the surrounding area.

8.8 In addition, the proposals make no provision in relation to servicing arrangements for the High Street commercial property to the rear of the site. Servicing on the High Street would not be acceptable due loading restrictions in place (no loading at any time). The lack of appropriate servicing arrangements would affect the free flow of traffic and compromise highway safety. It would also make the commercial use less attractive for future users and uses that may require more servicing (e.g. restaurant or food store) and adversely affect the town centre shopping centre.

9.0 **Emerging Policy:**

9.1 *Emerging Preferred Spatial Strategy for the Local Plan for Slough:*

9.2 This site is located the High Street where major regeneration is proposed to rediscover the High Street and make it the focal point of the centre. The major change that is likely to happen is the redevelopment of the Queensmere and Observatory Shopping centres on the northern side of the High Street which are existing site allocations within the current development plan.

9.3 Outside of these allocations, smaller scale potential changes are highlighted in other areas within the Town Centre, including the application site. The Draft Centre of Slough Regeneration Framework (Aug 2020) identifies the application site as being mixed-use to the High Street frontage, and residential at the rear. The proposed land use complies with the Emerging Preferred Spatial Strategy for the Local Plan for Slough.

9.4 In terms of scale however, the application proposes an 11-storey building. This conflicts with Draft Centre of Slough Regeneration Framework which in Figure 4.3 earmarks potential building heights for this site at 4-5-storeys.

- 9.5 *Centre of Slough Interim Planning Framework 2019:*
- 9.6 The application site and adjoining sites are identified within one of the Areas of Change as shown on Figure D – Residential Areas. Within these areas are specific identified sites including 204-206 High Street next to the application site or areas for potential redevelopment. The identified sites and areas have been chosen for a variety of reasons. They have regeneration benefits such as the ability to improve image of the town and level of activity. They have scope for large scale development which can optimise the number of homes built.
- 9.7 Figure D – Location for New Tall Buildings does not identify the site (nor adjoining sites) for ‘Medium or High-rise Buildings’. Medium-rise means about 10 storeys for the purposes of the Framework.
- 9.8 The site is therefore identified as being potentially available for redevelopment to include housing and as a site that could contribute towards new homes in the town centre sought by the Centre of Slough Framework.
- 9.9 The proposed 11-storey building however is a medium to high-rise building and this would conflict with scale of development on this site sought by the Interim Planning Framework.
- 9.10 *Conclusion:*
- The proposed land use would comply with the relevant emerging policies. However, the height of the proposed development would exceed the proposed building heights proposed by the Emerging Preferred Spatial Strategy for the Local Plan for Slough and the Centre of Slough Interim Planning Framework 2019. Limited negative weight is applied to 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 28 residential units would make a contribution to the supply of housing, and given that that the tilted balance is engaged, this contribution would in principle attracts positive weight in the planning balance although tempered given the quality of the development, over-provision of smaller flats and lack of affordable housing.

10.4 *Housing mix:*

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

	1-bed	2-bed	3-bed	4-bed
Market	5	19	57	20

10.6 The proposal would include 6 x studio flats; 9 x 1 bed flats; 13 x 2 bed units which do not reflect the proportions in the Local Housing Needs Assessment. As such the proposal would not fully comply with the housing mix requirements of Core Policy 4, and the requirements of the National Planning Policy framework. This tempers the weight allocated to the benefit of providing housing.

10.7 The submission makes no provision for affordable housing and Core Policy 4 requires between 30% and 40% on-site provision. The scheme’s lack of affordable housing weighs heavily against the scheme which substantially tempers the benefits further.

10.8 Having regard to the above, the proposal would result in a moderate benefit toward the supply of housing. Accordingly moderate positive weight is applied in the planning balance.

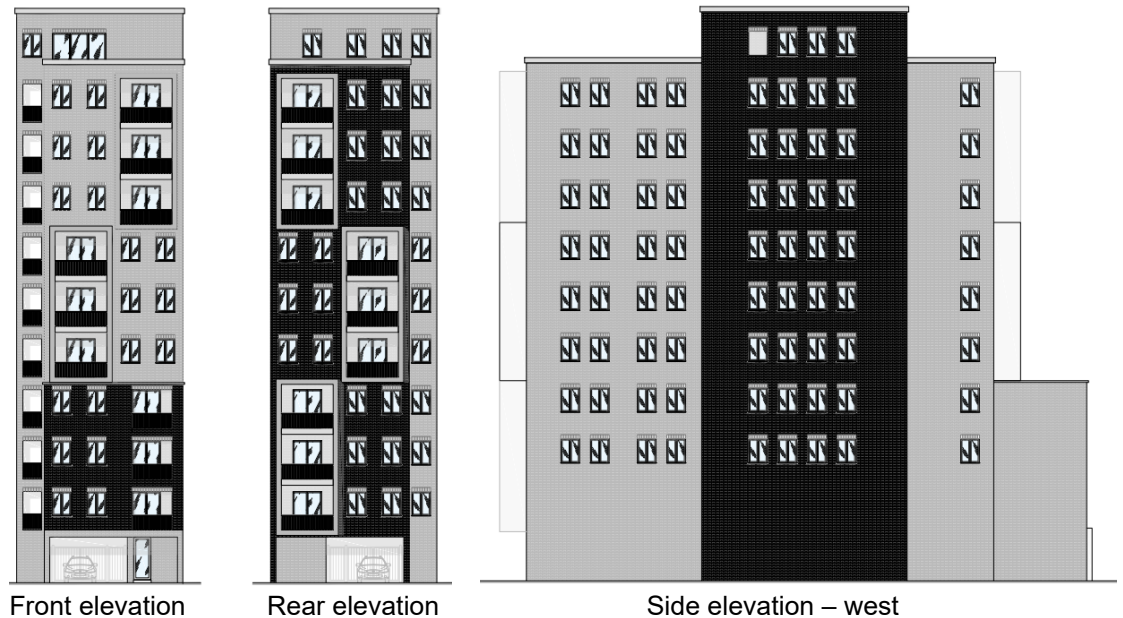
11.0 **Impact on the character and appearance of the area**

11.1 Policy EN1 of the Adopted Local Plan for Slough and Core Policy 8 of the Core Strategy require development to be of a high standard of design which respects, is compatible with and/or improves and the character and appearance of the surrounding area. Chapter 12 of the National Planning Policy Framework states “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”.

11.2 Paragraph 139 of the National Planning Policy Framework requires development that is not well designed to be refused, especially where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to development which reflects local design policies and government guidance on design; and / or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 11.3 The National Design Guide 2021 acknowledges that well-designed places do not need to copy their surroundings in every way. However, the National Design Guide advises that well designed new development is based on a clear understanding of the architecture prevalent in the area, including the local vernacular to inform the form and scale of new development.
- 11.4 The National Design Guide states that well-designed tall buildings play a positive urban design role in the built form. They act as landmarks, emphasising important places and making a positive contribution to views and the skyline. Proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views, and sight lines; composition - how they meet the ground and the sky.
- 11.5 The application provides no information about the built form and character of the local area and how the proposed development relates to its context. The design, scale and height of the proposed development is neither informed by nor respects its setting and therefore substantial harm is identified in relation to the planning balance.
- Layout and design:*
- 11.6
- 11.7 The site forms a narrow plot of land sandwiched between an existing car park and the former BHS store building to the rear of a High Street property with an access off Herschel Street. It measures nearly 50m deep by approximately 9m at its widest point. The application proposes a multi-storey building with a footprint that would extend across most of the site. The front of the building would be set-back from Herschel Street by approximately 8m, and to the rear the building would sit approximately 10m behind a Locally Listed property on the High Street.
- 11.8 The ground floor would comprise an undercroft providing vehicular access to the rear of the site, 5 car parking spaces, a pedestrian entrance, single stair/lift core and refuse and cycle stores. The main entrance into the building would be set back within the undercroft approximately 18m from Herschel Street and behind 2 parking spaces.
- 11.9 The proposed building would therefore neither provide an attractive nor active frontage onto Herschel Street and raises concerns in respect to pedestrian safety and security. In addition, insufficient provision is made for servicing both the proposed building and the existing property at 198 High Street to the rear which would have implications for highway safety, local amenity, and the viability of the High Street commercial unit.
- 11.10 The residential accommodation on the upper floors would be stacked around the core centred on the east side of the proposed building. The proposed flats would be dual aspect with outlook to the west and either north or south. They would be served by a balcony, except the top floor flat which would have access to a roof terrace.

Proposed elevations:



11.11

In addition to the block and floor plans, the application includes only 3 elevations indicating how the north (rear), south (front) and west facing sides of the proposed building would appear. The east elevation is not provided. The application form states only that the proposed materials and finishes will be brick. The plans lack detail and present an unattractive building with no architectural merit. The external design of the building is contrived and appears to be based only on its layout and accommodation requirements, rather than its context.

11.12

The front of the building would present a part 4, part 10-storey elevation front onto Herschel Street revealing an opening at ground floor level forming part of the undercroft. This façade would feature habitable room window openings at all upper floor levels, broken by the 4th floor set-back, and recessed and projecting balconies. The 10-storey elevation to the rear facing the High Street to the north is similar but would not include a set-back. The elevation to the west against the adjoining car park would be predominately 10-storeys but it would also incorporate a projecting 11-storey element extending to the boundary and feature a series of habitable room windows across each floor above ground level. It should be noted however, that the elevation submitted does not, mistakenly show these windows at first floor level. As no east elevation is shown, it is assumed based on the floor plans that this will essentially present a large, flat, and blank brick wall facing the former BHS site.

11.13

The application presents no rationale for the design of the proposed development apart from highlighting the need for this type of accommodation in the town centre. Nor is any information provided in respect to how the proposed development would

sit and appear in relation to neighbouring sites and property and the wider townscape.

Notwithstanding this, fundamentally due to the nature and constraints of the site, the layout and design of the proposed development is poorly conceived and would not deliver an acceptable scheme. It would present an imposing and unsightly building that would dominate the streetscene and be highly visible from the surrounding area. The development would neither respect its existing nor emerging setting, the latter defined by recently permitted schemes locally and would have a detrimental impact on the visual and functional amenities of the town centre and the character and appearance of the surrounding area.

- 11.14 For all these concerns, the proposed layout and design of the development would conflict with the requirements Policy EN1 and of the Local Plan for Slough March 2004, Core Policy 8 of Core Strategy and the requirements of the National Planning Policy Framework 2023. This will be weighed negatively when assessing the impact on the character and appearance of the area in the concluding section below.
- 11.15 *Scale, Massing and Height:*
- 11.16 The application proposes a large building on a small plot of land in the town centre. As indicated above, the overall design of the building and its scale, mass, and height in particular, pay little regard to the constraints of the site, the condition of adjacent land and the character of the wider area. With the exception of a 4-storey element seeking to address its Herschel Street frontage, the building would present a part-10, and 11-storey structure covering most of its plot and dominate buildings in the immediate vicinity. These comprise of mainly 2, 3 and 4-storey commercial buildings neighbouring the site, and low-rise residential property to the south. Given its scale, bulk, height and rectangular form, the proposed building would significantly overdevelop the site, appear out of context, prejudice neighbouring development opportunities and consequently seriously harm character and appearance of the surrounding area.
- 11.17 Similar concerns apply in relation to how the proposed development would sit against the consented schemes recently approved at 190-192, High Street and 204-206 High Street and noted in the Relevant Site History above. These planning permissions are important material considerations in the determination of the current application.
- 11.18 Two planning consents have been granted for the site at 190-192 High Street. The first proposed in part, the redevelopment of the existing commercial building to provide a part 6, part 8-storey building extending to the rear of the site and adjacent the north-west corner of the application site. The second proposed in part, the conversion and a 3-storey extension to the existing commercial building extending to the rear of the site in the same manner.

Approved developments at 190-192 High Street:



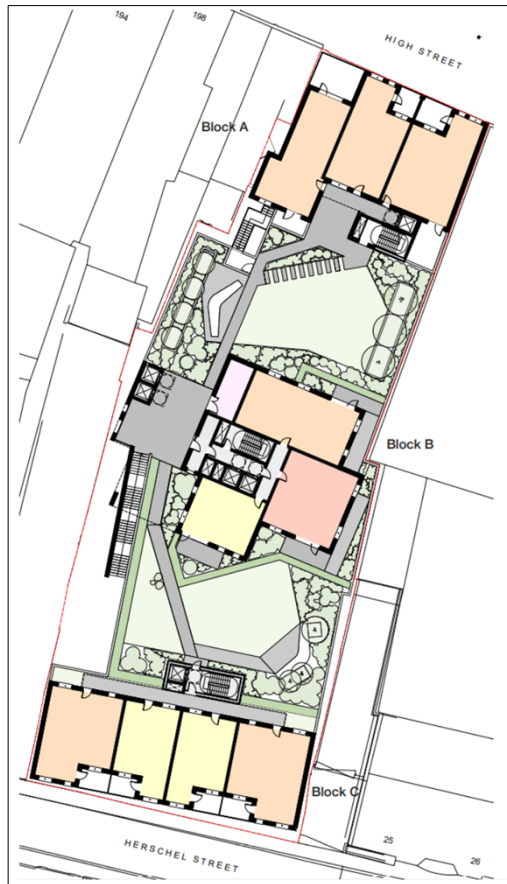
1st permission – view from Herschel St.



2nd permission – view from Herschel St.

- 11.19 Both permissions granted multi-storey residential buildings facing onto the car-park to the rear, close to the current application site. The current application proposes a taller structure which would extend at a right angle from the south-east corner of these approved buildings towards Herschel Street. Having regard to the position, scale, and appearance of the consented schemes at 190-192 High Street, it is considered that the proposed building by reason of its siting and design would significantly compromise their quality, amenity and setting, and harm the character and appearance of the surrounding area.
- 11.20 The site at 204-206 High Street (the former BHS property), has also been subject to two recent planning permissions. The first proposed in part, 78 residential dwellings within 3 buildings at podium level across the site at heights of 5, 11 and 4-storeys. The second proposed a series of amendments to this scheme including an increase the height of the tallest block from 11 to 13-storeys to accommodate an additional 8 homes and the use of the first floor of the 5-storey block 3 additional homes.
- 11.21 The 4-storey block would front onto Herschel Street, the 11/13-storey block would occupy the centre of the site and the 5-storey block would sit facing the High Street. Each block would provide their main outlook to the north and south and be separated at first floor level by a landscaped podium deck. The smaller blocks would present respective active ground floor frontages to Herschel Street and the High Street.
- 11.22 The proposed building, subject to the current application would be sited along the boundary with the neighbouring site at 204-206 and present a substantial 10 and 11-storey blank facing wall against the approved neighbouring blocks. Effectively the building would completely enclose the landscaped podium between the tallest and lowest blocks.

Approved developments at 204-206 High Street:



First floor plan



Upper floor plan



Aerial view of development looking east

11.23



Aerial view of development looking west

11.24 As with the other adjoining site discussed above, having regard to the position, scale, and appearance of the consented schemes at 204-206 High Street, it is considered that the proposed building by reason of its siting and design would significantly compromise their quality, amenity, and setting, and again harm the character and appearance of the surrounding area.

11.25 Whilst these recent consented schemes, and that in respect to 204-206 particularly set a precedent for taller buildings in this part of the town centre, they relate to larger sites, accommodating old buildings with a frontage onto the High Street. In the case of 204-206 High Street, the site is also identified as a specific development

opportunity in emerging local policy, namely the Centre of Slough Interim Planning Framework 2019. This envisages that well designed taller buildings within the planned locations will enhance the legibility of the Town Centre and define its character and identity.

- 11.26 The applications associated with these sites also considered how their respective proposals would affect potential neighbouring development opportunities. This approach assists in preventing pockets of land becoming sterilised and encourages more comprehensive and complementary change in the town centre. In addition, the applications included relevant studies assessing a range of impacts covering design, townscape, transport, and residential amenity.
- 11.27 The current application therefore differs from recent approvals in the surrounding area in several important ways which prevent it being considered acceptable. As detailed in previous sections, it does not consider neighbouring development opportunities, nor does it include the necessary information to be able to properly assess the proposals and their local impact. Notwithstanding this, it should be noted to further emphasise the concerns with the current scheme, that when assessing the planning application for the BHS site, it was still concluded the High Street building would have a negative impact on the setting High Street by reason of its scale, height, and massing in relation to the neighbouring properties and therefore weighed negatively in the planning balance. The application concerning 204-206 High Street was approved on balance. A similar approach is being undertaken with this current application whereby appropriate negative weight, because of the scale and height of the proposed building will be applied to the planning balance.
- 11.28 Based on the considerations outlined, the proposed scale, massing and height of the proposed development would conflict with the requirements Policy EN1, EN2 and H13 of the Local Plan for Slough March 2004, Core Policy 8 of the Core Strategy the guidance contained within the National Design Guide and the requirements of the National Planning Policy Framework 2023. This will be weighed negatively when assessing the impact on the character and appearance of the area in the concluding section below.
- 11.29 *Conclusion:*
- 11.30 By reason of its layout, design, massing and height, the proposed building would be inappropriate, unduly dominant, and out of scale with neighbouring property. It would not address key boundaries including Herschel Street, prejudice adjoining development opportunities and seriously compromise the legibility and identity of the Town Centre and its skyline. The proposal is fundamentally ill-conceived and poorly designed and represents an overdevelopment to the detriment of the character and appearance of the surrounding area. Consequently, it would fail to comply with Policy EN1 of the Local Plan for Slough March 2004, Core Policy 8 of The Core Strategy the guidance contained within the National Design Guide, and the requirements of the National Planning Policy Framework 2023. Given the extent of the conflicts with Local development plan policies, government guidance, and the degree of harm that would

be caused in relation to the site and surrounding area, substantial negative weight will be applied to the planning balance.

12.0 **Impact on Heritage Assets**

12.1 The site is located close to the following heritage assets:

- Locally Listed building at Nos. 194-198 and 200-202 High Street just to the north of the site and the Herschel Arms Public House.
- Grade II Listed Rose and Crown Public House located at the end of the High Street to the east, several hundred metres away.
- Grade II Listed Church of Our Lady Immaculate and St. Ethelbert and Presbytery situated several hundred metres to the north-west of the site at the other end of the High Street.

12.2 In addition to the above, given height of the proposal, the building would be visible from a number of other heritage assets within and outside of the borough, including the Grade I listed Windsor Castle.

12.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seeks special regard to the desirability of preserving a listed building or its setting.

12.4 Chapter 16 of the NPPF seeks to conserve and enhance the historic environment; and paragraph 205 requires local planning authorities to afford great weight to the asset's conservation, irrespective of whether the potential harm is substantial harm, total loss or less than substantial harm.

12.5 Paragraph 200 of the NPPF requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

12.6 No information has been submitted to describe the significance of the heritage assets affected which is required by the NPPF.

12.7 Local Core Policy 9 (Natural and Built Environment), development will not be permitted unless it enhances and protects the historic environment. In relation to Locally Listed Buildings specifically, Policy EN17 states that special consideration will be given, in the exercise of the development control function, to the retention, enhancement and appropriate refurbishment of locally listed buildings together with their setting.

12.8 Due to the distance between the site and the Grade II Listed Rose and Crown Public House and the fact there is tall development surrounding the 2-storey public house already, it is not considered that the proposal would harm its setting or significance. Again, given the distance and the position of the Curve and intervening development it is unlikely there would be any visual relationship between the site and the Grade II Listed St Ethelbert's Church and Presbytery and no adverse impact upon their

setting. The proposal would be visible from a number of other heritage assets within and outside of the borough, including the Grade I listed Windsor Castle. Given the lack of information provided with the application it is not possible to quantify whether there would be any level of harm as defined by the NPPF.

- 12.9 In respect to the Locally Listed Buildings, these make a positive contribution towards the street scene and whilst these properties will not be directly impacted, the setting of these non-designated heritage assets should be considered within the application submission. It is not clear however from the plans if the proposed development would be a visible element within the High Street 'street scene' but it would be from other local roads, particularly Herschel Street and Park Road. The plans also lack detail and do not present a building with any design merit, as highlighted previously. It is considered that proposed residential block would be an incongruous element within its immediate locality due to its scale and height and would adversely affect the setting of the Locally Listed buildings close-by.
- 12.10 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people and this is reiterated in local Slough Policy EN1.
- 12.11 Having regard to the above considerations and in particular the scale and height of the proposed building and the absence of a heritage statement, the proposal has failed to demonstrate that it would preserve the setting of the identified heritage assets within the vicinity of the site and wider area. The proposal would therefore not comply with Core Policy 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework. Negative weight is applied to the planning balance.
- 13.0 **Impact on amenity of neighbouring occupiers**
- 13.1 The National Planning Policy Framework encourages new developments to be of a high-quality design that should provide a high standard of amenity for all existing and future occupiers of land and buildings. The National Design Guide 2021 advises that well-designed buildings relate positively to the private spaces around them. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policy EN1.
- 13.2 Having regard to the nature of the site, surrounding property and adjacent development opportunities, the proposed development would have a harmful impact on the amenity of existing and future occupiers. As highlighted previously, the proposals would redevelop an existing car park to the rear of a High Street commercial unit and no provision is made to replace the existing off-street or facilitate the continued servicing of the unit. The removal of car parking would displace cars to other locations on the surrounding road network and affect the free flow of traffic and highway safety, as would the lack of servicing arrangements. The latter would also make the commercial unit at 198 less attractive for future users and uses that may require more servicing (e.g. restaurant or food store).

- 13.3 As also noted earlier, given its poor design, scale, and height, the proposed building would be highly visible, and detrimental to the appearance of the streetscene and the visual amenities of commercial and residential occupiers in the surrounding area.
- 13.4 The neighbouring sites at 190-192 High Street and 204-206 High Street have been granted planning permissions for major redevelopments, which are currently being implemented. The proposed development would be located very close to the approved residential buildings on these adjoining sites and despite this, the application provides no information in relation to how they may be affected. Having regard to the design, height, and scale of the proposed building however, it is considered that it would cause serious harm to the residential and visual amenities of future occupants. The proposed building would appear overbearing, restrict outlook for neighbouring flats, cause overshadowing, loss of privacy, compromise levels of sunlight/daylight and create possible wind nuisance.
- 13.5 It should also be noted that given the scale of the proposed building and its undercroft, concerns are raised about safety and security in relation to potential anti-social and criminal behaviour and the impact of wind turbulence. Again, the application provides no information in respect to how these issues could be addressed.

13.6 *Conclusion:*

Having regard its layout, design, scale and height, and lack of supporting information accompanying the application, the proposed development would have a significant adverse impact on the amenity of existing and future neighbouring occupiers. The proposed development has failed to demonstrate compliance with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2023. Considerable negative weight is applied in the planning balance in respect to this matter.

14.0 **Comprehensive development**

- 14.1 Local Plan Policy H9 requires a comprehensive approach to be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised.
- 14.2 Core Policy 1 of the Core Strategy requires proposals for high density housing in the town centre to be comprehensively planned in order to deliver maximum social, environmental and economic benefits to the wider community.
- 14.3 Paragraph 123 of the National Planning Policy Framework requires planning decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

- 14.4 The application site forms a small and narrow car parking area sitting next a larger car-park to its west. This adjacent car-park and adjoining property is capable of accommodating a redevelopment opportunity. The proposed development however involves the construction of a large 11-storey building along the boundary with this neighbouring site. Its west-facing elevation would present a substantial and bland flank wall incorporating numerous habitable room windows overlooking the car-park. Such a configuration would prejudice the ability of bringing forward effective options for the redevelopment of the adjoining car-park site to enable a comprehensively planned approach and the efficient use of and in the town centre.
- 14.5 For these reasons, the proposal would fail to comply with Local Plan Policy H9, Core Policy 1 of the Core Strategy, and the requirements National Planning Policy Framework 2023. Some negative weight should be applied to the planning balance.
- 15.0 **Living conditions for future occupiers of the development**
- 15.1 Paragraph 135(f) of the National Planning Policy Framework requires developments to create places with a high standard of amenity for existing and future users.
- 15.2 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."
- 15.3 Local Plan Policy H14 seeks an appropriate level of external amenity space while having regard to:
- a) the type and size of dwelling and type of household likely to occupy the dwelling;
 - b) quality of proposed amenity space in terms of area, depth, orientation, privacy, attractiveness, usefulness and accessibility;
 - c) character of surrounding area in terms of size and type of amenity space for existing dwellings;
 - d) proximity to existing public open space and play facilities; and
 - e) provision and size of balconies.
- 15.4 *Natural light and outlook:*
- 15.5 All the proposed flats would be dual aspect with outlook to the west and north or south. Whilst their layouts would appear to allow for sufficient sunlight and daylight, there are instances where this is questionable. As the application does not include a sunlight/daylight assessment, it is not possible therefore to confirm whether the all the proposed dwellings would receive adequate natural light in accordance with BRE Guidelines.
- 15.6 *Internal space standards:*
- 15.7 The application states that the flats would meet the National Space Standards, and the plans appear to reflect this, however they do not indicate any storage space nor ceiling heights. Furthermore, no provision is made for wheelchair accessible

accommodation nor satisfactory cycle and refuse storage facilities. It should also be noted that only one staircase is proposed, contrary to the Building Safety Act.

15.8 *External amenity space:*

15.9 All the proposed flats have access to some on-site amenity space, in the form of a balcony or a roof terrace for the top-floor dwelling. The balconies vary in size and a number would be largely enclosed with limited outlook and impacted by the neighbouring development at 190-192 High Street, upon completion. Whilst it is acknowledged the site is within the town centre and close to Lascelles Park (approx. 0.5-mile walk) which may negate the need for communal amenity space, it does not negate nor mitigate the need to provide appropriate private amenity space and as such it is not considered that proposed external amenity space would fully comply with Local Plan Policy H14

15.10 Given the limited amount of on-site external amenity space, the proposal would likely put pressure on local parks such as Herschel Park, Lascelles Park, and Upton Park which would require mitigation due to the increased usage. In line with the Developers Guide SPD a financial contribution of £300 per dwelling should be sought through a Section 106 Agreement.

15.11 *Wind speed:*

15.12 The proposed building would be 11-storeys in height and may sit next to another large building at 190-192 High Street, should this be completed. Consequently, ground floor and the upper floor levels can be exposed to higher wind loads. This can affect pedestrian comfort levels and safety, the useability of balconies/roof terraces and can restrict the ability to open windows for ventilation. As no wind assessment has been submitted, it is not considered that the application has addressed these concerns.

15.13 *External noise:*

15.14 Given the town centre location, external noise can arise from neighbouring commercial uses, street activity, and external plant serving adjoining buildings. Noise levels can influence the building fabric and ventilation strategies including whether windows can be opened. As no noise assessment has been submitted, it is not possible to that the proposed development would satisfactorily address potential noise issues.

15.15 *Conclusion:*

15.16 The application fails to provide sufficient information to demonstrate that the proposed development would secure high-quality residential accommodation. It would therefore not comply with Core Policy 4 of the Core Strategy, Local Plan Policies EN1 and H14, and the requirements of the National Planning Policy Framework 2023 and attracts substantial negative weight in the planning balance.

16.0 **Crime Prevention**

16.1 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. This is also supported by Core Policy 12 Community Safety.

16.2 The proposed development would not present an active frontage onto Herschel Street at ground floor level. The development includes an undercroft area which would accommodate a gated vehicular access to the rear of the site, parking, a pedestrian entrance, refuse and cycle stores. This arrangement would appear unwelcoming, detract from the streetscene, have limited natural surveillance, and encourage opportunities for anti-social and criminal behaviour.

16.3 On this basis, the application raises serious concerns in relation to crime prevention and it is therefore not considered to comply with Policy EN5 of the adopted Local Plan. Considerable negative weight is applied on this matter in the planning balance.

17.0 **Highways and Parking**

17.1 The National Planning Policy Framework 2023 requires development to give priority first to pedestrian and cycle movements. Development should be designed to create safe and suitable access and layouts which minimise conflicts between traffic and pedestrians. The Framework also requires any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, to be cost effectively mitigated to an acceptable degree.

17.2 Core Policy 7 requires development proposals to improve road safety and reinforce the principles of the transport strategy as set out in the council's Local Transport Plan.

17.3 Local Plan Policy T2 requires the level of on-site parking provision for the private car will be restricted to a maximum level in accordance with the principles of the Integrated Transport Strategy. The Integrated Transport Strategy (Local Transport Plan) requires the application of the Local Development Framework parking standards to limit parking at new developments. Part 3 of the Developer's Guide SPD sets out the parking standards to be applied throughout the Borough.

17.4 Local Plan Policy T2 requires access to be made available for deliveries and emergency vehicles.

17.5 *Parking:*

17.6 The proposed development would involve the removal of the existing parking area on-site. Any displaced parking however could be accommodated in public car parking facilities in the area, including Herschel Street Multi-Storey Car Park, Buckingham

Gardens Car Park or Hatfield Road MSCP. These car parks are located 300m – 400m walk (5 minutes from the application site).

17.7 *Servicing and deliveries:*

17.8 In developing the existing car park, the proposed development would remove the loading/unloading area for the existing property to the rear at 198 Slough High Street. This would result in delivery vehicles associated with both the existing and proposed uses stationed on the public highway, blocking the free-flow of traffic to the detriment of highway safety.

17.9 The application does not provide space for loading, unloading, and turning of service vehicles clear of the public highway. This is required to avoid service vehicles waiting on the highway and vehicles reversing onto or off the highway to the detriment of public and highway safety. The proposed development would therefore result in delivery vehicles waiting on Herschel Street whilst they make deliveries to the proposed dwellings and restrict the free flow of traffic.

17.10 The proposed bin store is located 30 metres from the public highway. This significantly exceeds SBC's maximum 10 metre drag distance for EuroBins, as specified in the Slough Developers Guide. The application does not make clear how bins will be presented for collection at the kerbside. SBC collection operatives would not enter private property in order to collect/remove bins.

17.11 *Cycle parking:*

17.12 The proposed cycle store would not be of a sufficient size to store 28 bicycles, as claimed by the Design and Access Statement. The store would only be 2.49m wide. This does not provide suitable space for both cycle racks (1.8m long) and manoeuvring of bicycles in/out of the racks. The development therefore fails to provide cycle parking in accordance with adopted Slough Borough Council standards.

17.13 *Conclusion:*

17.14 The application does not consider how existing parking on-site will be displaced, and does not provide replacement provision for the servicing the existing High Street commercial property. It also fails to accommodate appropriate arrangements in for servicing/deliveries, and cycle and refuse storage in relation to the proposed building. The application therefore fails to comply with Core Policy 7 of the Core Strategy, Local Plan Policy T2, and the requirements of the National Planning Policy Framework 2023. Considerable negative weight is applied to the planning balance in relation to this matter.

18.0 Air Quality

18.1 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.

- 18.2 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.
- 18.3 The application site is not fall within an Air Quality Management Area (AQMA). An Air Quality Assessment has not been submitted but it is not considered necessary as the proposed development would result in a reduction in vehicle trips due to reduced parking, and the site is located on a minor road, where exposure to poor air quality is unlikely to occur.
- 18.4 The proposed development would therefore comply with Core Policy 8 of the Core Strategy, The Slough Low Emissions Strategy, and the requirements of the National Planning Policy Framework 2023. Neutral weigh is applied in the planning balance.

19.0 Surface water drainage

- 19.1 Paragraph 167 of the National Planning Policy Framework requires local planning authorities when determining any planning applications to ensure that flood risk is not increased elsewhere. Paragraph 169 of the National Planning Policy Framework requires Major developments to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate. Advice from the lead local flood authority should be taken into account. Core Policy 8 of the Core Strategy and the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016 requires development to manage surface water arising from the site in a sustainable manner.
- 19.2 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development, (Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015).
- 19.3 The Lead Local Flood Authority has advised that there is insufficient information available to comment on the acceptability of surface water drainage arrangements in relation to the proposed development and therefore the application cannot be supported in this regard.
- 19.4 On this basis, the site and adjoining land would be at risk of surface water flooding. The proposal would therefore fail to comply with Core Policy 8 of the Core Strategy,

the standards set out within the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016, the Government's Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015, and the requirements of the National Planning Policy Framework. Substantial negative weight should be applied to the planning balance.

20.0 Sustainable Design and Construction

- 20.1 Core Policy 8 combined with the Developers Guide Part 2 and 4 requires developments of 50 or more dwellings to achieve better than Building Regulations (Part L1a 2013) in terms of carbon emissions. Specifically design to achieve 15% lower than the Target Emission Rate (TER) of Building Regs in terms of carbon emissions.
- 20.2 In addition, energy generation from low or zero carbon sources on site or nearby to generate the equivalent approximately 10% of the development's carbon emissions. This defined by the carbon emissions figure of 15% lower than TER as described above. This energy generation requirement can be applied flexibly for brownfield sites under 1 hectare if it is not practical to achieve 10%.
- 20.3 No details have been submitted to demonstrate how the above requirements would be achieved. As the proposal includes details of layout/design, the location of low carbon / renewable plant and associated strategy to demonstrate how the carbon emission target would be met should be included. Without this information at this stage, compliance with the carbon emission target may not be achievable if sufficient space on site has not been planned to appropriately accommodate the required equipment to meet the required carbon emission target. Such information could therefore not be secured by condition.
- 20.4 Based on the above, the proposal has failed to demonstrate compliance with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023. Considerable negative weight should be applied to the planning balance.

21.0 Fire Safety

- 21.1 As the proposal comprises more than two dwellings and exceeds seven-storeys in height, fire safety is a material planning consideration.
- 21.2 Following consultation with the Health and Safety Executive via Planning Gateway One, comments were received noting the absence of an appropriate Fire Statement,
- 21.3 Based on the above, the application has failed to demonstrate the proposal has been designed with fire safety in mind and would fail to comply with the fire safety requirements of Planning Gateway One. Substantial negative weight is applied to the planning balance.

22.0 Impact on biodiversity and ecology

- 22.1 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.
- 22.2 Paragraph 180 of the National Planning Policy Framework advises that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains in 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.
- 22.3 *On-site biodiversity and ecology:*
- 22.4 The site is an occupied development on brownfield land and given its condition no concerns are raised in respect to the loss of biodiversity / ecology. The site is exempt from statutory Biodiversity net gain requirements. However, no information has been submitted in relation to securing net gains in biodiversity as per the NPPF.
- 22.5 As the application does not propose net gains in biodiversity, the proposal would conflict with Core Policy 9 of the Core Strategy and Paragraph 174 of the National Planning Policy Framework.
- 22.6 *Off-site biodiversity and ecology:*
- 22.7 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.
- 22.8 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.
- 22.9 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.
- 22.10 Natural England has objected to the proposal on the basis that no significant effect on this SAC can be ruled out. No information has been submitted to demonstrate otherwise.
- 22.11 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.

22.12 No information has been submitted to demonstrate no likely significant effect on this SAC would occur as a result of the development. A Shadow Habitats Regulations Assessment would normally be requested pursuant to Paragraph 62(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) which would inform the competent local authority in coming to a view on the impacts on the SAC. However, without such information, and when considering the evidence set out in The Footprint Ecology Report together with the objection from Natural England, the Local Planning Authority cannot rule out a likely significant effect or carry out an Appropriate Assessment of the potential mitigation identified to address any adverse effects.

22.13 Based on the above, the proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework, The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended). Some negative weight is applied in the planning balance.

23.0 Affordable Housing and Infrastructure

23.1 Core Policy 4 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.

23.2 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.

23.3 *Education:*

As the proposal is for over 15 units, in accordance with Core Policy 10 and Part 2 of the Developer's Guide, the Education Authority has confirmed that Slough is still expanding all sectors, so contributions are required. A one-bedroom flat requires a contribution of £903 and a two-bedroom flat would require a contribution of £4,828. Based on the number of units and mix indicated on the submitted plans The total contribution amounts to the following:

13 no. 2 bed x £4,828 = £62,764

15 no. 1 Bed x £903 = £13,545

Total: = £76,309

The application makes no reference to securing this contribution.

23.4 *Recreation and Open Space:*

As the site is less than 2 hectares Local Plan Policy OSC5 confirms the level of financial contributions towards public open space and recreation will be sought at a level appropriate to the type of development and the availability of public open space in the vicinity of the development.

Given the limited amount of on-site external amenity space, the proposal would likely put pressure on local parks such as Herschel Park, Lascelles Park, and Upton Park which would require mitigation due to the increased usage. In line with the Developers Guide SPD a financial contribution of £300 per dwelling should be sought through a Section 106 Agreement.

23.5 *Transport:*

A car club contribution may be required however it is not possible to confirm this until further information in relation to the acceptability of the amount of parking on the site is confirmed.

23.6 *Affordable Housing:*

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

The application does not propose any affordable housing contrary therefore to Core Policy 4 of the Core Strategy, Part 2 of the Slough Developer Guide, and the requirements of the National Planning Policy Framework 2023. The lack of on-site affordable housing provision would temper the benefits of the proposal and would reduce positive weight afforded to the provision of housing in the planning balance.

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.
- 24.6 Throughout this report, regard has been given 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.
- 24.7 Whilst for instance, the proposed development would provide new residential units which are accessible by lift, it makes no provision for wheelchair accessible accommodation. The proposed development also fails to secure any affordable dwellings. In addition, given the lack of information presented in the application, it isn't possible to confirm that all the new homes will meet National Space Standards nor receive sufficient levels of sunlight/daylight. Furthermore, the proposed development does not secure any children's play space, make adequate provision for servicing, cycle and refuse storage and does not address concerns in relation to managing potential noise nuisance, highway safety and fire risk. These issues may impact individuals with protected characteristics more than others and therefore it is critical that proper regard is had to the nature of the development proposals.
- 24.8 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 e.g. people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors.
- 24.9 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.
- 24.10 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 Equality Act 2010.

Presumption in favour of sustainable development:

25.0 *Compliance with the local development plan:*

25.1 The report identifies that the proposal complies with ‘the type of housing’ part of Core Policy 1 of the Core Strategy and the ‘air quality’ part of the Core Policy 8 of the Core Strategy. However the proposal fails to comply with all of the remaining and relevant up to date and important saved policies in the Local Plan and Core Strategy. On balance, the proposal would fail to comply with the development plan as whole.

Paragraph 11 d) of the National Planning Policy Framework:

25.2 The application has been evaluated against the Development Plan, the NPPF and other relevant material planning considerations. The Authority has assessed the application against the planning principles of the NPPF and whether the proposals deliver “sustainable development.” The Local Planning Authority cannot demonstrate a Five-Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2023 and refined in case law should be applied.

25.4 The proposal for 28 residential units would make a contribution to the supply of housing, and given that that the tilted balance is engaged, this contribution could in principle attract significant positive weight in the planning balance. As the proposed mix of housing does not include any affordable housing or any three-bedroom units which is where the need is most, the weight allocated to the benefit of providing housing is significantly tempered. In addition, no affordable housing is prosed when it is financially viable which is contrary to Local policies and the NPPF. As such, when considering the proposed benefits, moderate positive weight would be tilted in favour of the supply of housing.

However, the report identifies there are numerous conflicts with the saved policies in the Local Plan, Core Strategy, and the National Planning Policy Framework, namely:

- 25.5
- The proposal would have a substantial adverse impact on the character and appearance of the surrounding area and the setting of local heritage assets and would fail to comply with Policy EN1 and EN17 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Core Strategy the guidance contained within the National Design Guide, and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
 - The application makes no provision for replacement off-street servicing for the existing commercial use to the rear of the site which would have a detrimental impact on the commercial viability of the High Street. The proposal would not comply Core Policy 1 of the Core Strategy, Local Plan Policy S1 and is also

contrary to the National Planning Policy Framework 2023. **Considerable negative weight is applied to the planning balance.**

- The proposal would prejudice the redevelopment of adjoining sites, preventing the comprehensive planning of the area and the effective use of land and fail to comply with Policy H9 of the Local Plan Slough March 2004, Core Policy 1 of the Core Strategy and the requirements of the National Planning Policy Framework 2023. **Some negative weight is applied to the planning balance.**
- The proposal would result in poor quality living conditions for future occupiers of the development and fail to comply with, Local Plan Policy H14, and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The proposal would harm the residential and visual amenities of future occupiers of developments approved on adjacent sites and fail to comply with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The development has not been designed to reduce the potential for criminal activity and anti-social behaviour. The proposal fails to comply with Local Plan Policy EN5, Core Policy 12 of the Core Strategy and the requirements of the National Planning Policy Framework 2023. **Considerable negative weight is applied to the planning balance.**
- Insufficient information has been provided to demonstrate how the proposed layout and access would have acceptable impacts on the highway network. The proposal would likely lead a severe adverse impact on the highway network. The proposal fails to comply with Core Policy 7 of the Core Strategy and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The planning application fails to sufficiently demonstrate how surface water would be effectively drained from the site in accordance with nationally and locally published standards. Therefore, the site and adjoining land may suffer adverse impact by being at risk of surface water flooding. The proposal fails to comply with Core Policy 8 of the Core Strategy and the requirements of the National Planning Policy Framework 2023. **Substantial negative weight is applied to the planning balance.**
- The application has failed to demonstrate the proposal has been designed with fire safety in mind and would fail to comply with the requirements of planning gateway one. This would have a substantial adverse impact on fire safety. **Substantial negative weight is applied to the planning balance.**

- No information has been provided to demonstrate how the required carbon emission target would be met. The proposal has therefore failed to demonstrate compliance with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023. This would have an adverse impact on climate change. **Considerable negative weight is applied to the planning balance.**
- The proposal would likely have an adverse impact on the Burnham Beeches Special Area of Conservation and would not provide net gains in biodiversity. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework 2023 and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended). **Some negative weight is applied to the planning balance.**
- The application does not secure any affordable housing and infrastructure contributions. **Substantial negative weight is applied to the planning balance.**

The contribution of 28 flats (6 x studio flats; 9 x 1 bed flats; 13 x 2 bed), with no on-site affordable housing, as well as the economic benefits for the construction phase, would result in considerable positive weight being tilted in favour of the supply of housing. However, the level of harm resulting from adverse impacts of the development as highlighted above would significantly and demonstrably outweigh this benefit when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2023 taken as a whole and tilted in favour of the supply of housing. As such, the proposal is not considered to be sustainable development and is therefore recommended for refusal.

26.0 PART C: RECOMMENDATION

26.1 Having considered the relevant policies set out above, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for refusal for the following reasons:

1. The application does not propose any affordable housing or infrastructure contributions contrary to Core Policies 4 & 10 of the Core Strategy, Part 2 of the Slough Developer Guide, and the requirements of the National Planning Policy Framework 2023.
2. By reason of its layout, design, scale, and height, the proposed building would represent an overdevelopment of the site, appear obtrusive, and harm the character and appearance of the surrounding area including the setting of heritage assets contrary to Policy EN1 and EN17 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, emerging

Local Plan Policy. and the requirements of the National Planning Policy Framework 2023.

3. By reason of its layout, design, scale and height, and failure to assess sunlight/daylight, noise and wind related impacts, the proposed development would harm the residential and visual amenities of future occupiers of the proposed development and fail to comply with, Local Plan Policy H14, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023
4. By reason of its layout, design, scale, and height, and failure to assess sunlight/daylight, noise and wind related impacts, the proposed development would harm the residential and visual amenities of future occupiers of developments approved on adjacent sites and fail to comply with Core Policy 8 of the Core Strategy, Local Plan Policy EN1, and the requirements of the National Planning Policy Framework 2023
5. The proposal would prejudice the redevelopment of adjoining sites, preventing the comprehensive planning of the area and the effective use of land and fail to comply with Policy H9 of the Local Plan Slough March 2004, Core Policy 1 of the Core Strategy, emerging Local Plan Policy, and the requirements of the National Planning Policy Framework 2023.
6. The application does not include a drainage strategy to demonstrate how surface water would be effectively drained from the site in accordance with national and local published standards. The proposal would therefore fail to comply with Core Policy 8 of the Core Strategy, the standards set out within the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016, the Government's Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015, and the requirements of the National Planning Policy Framework 2023.
7. No energy strategy has been provided to demonstrate whether the development is capable of delivering the minimum required carbon emission target would be met set out in the Developer Guide. The submitted plans do not propose or make allowance to accommodate renewable energy measures in order to meet the required carbon emission target. Due the insufficient information submitted with the application, the proposal therefore has therefore failed to demonstrate compliance with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2023 and the Developer Guide Part 2.
8. The application makes no provision for replacement off-street servicing for the existing commercial use to the rear of the site which would have a detrimental impact of highway safety and the commercial viability of the High Street. The proposal would not comply Core Policies 1 and 7 of the Core Strategy, Local Plan Policies S1 and T2, and is also contrary to the National Planning Policy Framework 2023.
9. The application does not include adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway.

The development if permitted would lead to the stationing of vehicles on Herschel Street and/or vehicles reversing onto or off the highway to the detriment of public and highway safety. Double yellow lines and yellow kerb blips are present on the kerbs which restrict/ban the loading and unloading of vehicles. The proposal is contrary to Slough Local Plan Policy T2 Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to the National Planning Policy Framework 2023.

10. The development does not provide adequate cycle parking in accordance with adopted Slough Borough Council standards and therefore does not comply with the Council's Integrated Transport Strategy and is contrary to Slough Local Plan Policy T8, Slough Core Strategy Core Policy 7 and is also contrary to the National Planning Policy Framework 2023.
11. In the absence of an appropriate Fire Statement, the applicant has failed to demonstrate how the development can be laid out to incorporate adequate fire safety provisions. The proposal has therefore failed to demonstrate the proposal has been designed with fire safety in mind and would fail to comply with the requirements of Planning Gateway One.
12. The site is located within the 5.6 km development impact zone for the Burnham Beeches Special Area of Conservation as proposed within the evidence base carried out in the Footprint Ecology Report dated 2019. No information has been submitted to demonstrate that no likely significant effect would occur as a result of the development or to assist the competent authority in carrying out the appropriate assessment. In addition, the application does not propose net gains in biodiversity. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework, and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended).
13. of the National Planning Policy Framework, and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended).

Process:

It is the view of the Local Planning Authority that the proposed development does not 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.

In the exercise of its judgement in determining the appropriate balance of considerations, the Local Planning Authority has acted positively and proactively in determining this application proposal, taking into account all material considerations. Material considerations include planning policies and any representations that may have been received preceding the determination to grant planning permission in

accordance with the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2023 and refined in case law. The Local Planning Authority is satisfied that its processes and practices are compatible with the Human Rights Act and the decisions of the European Court of Human Rights.

In dealing with this application, the Local Planning Authority has decided that there are no small amendments that would make the proposed development acceptable and therefore none were requested.