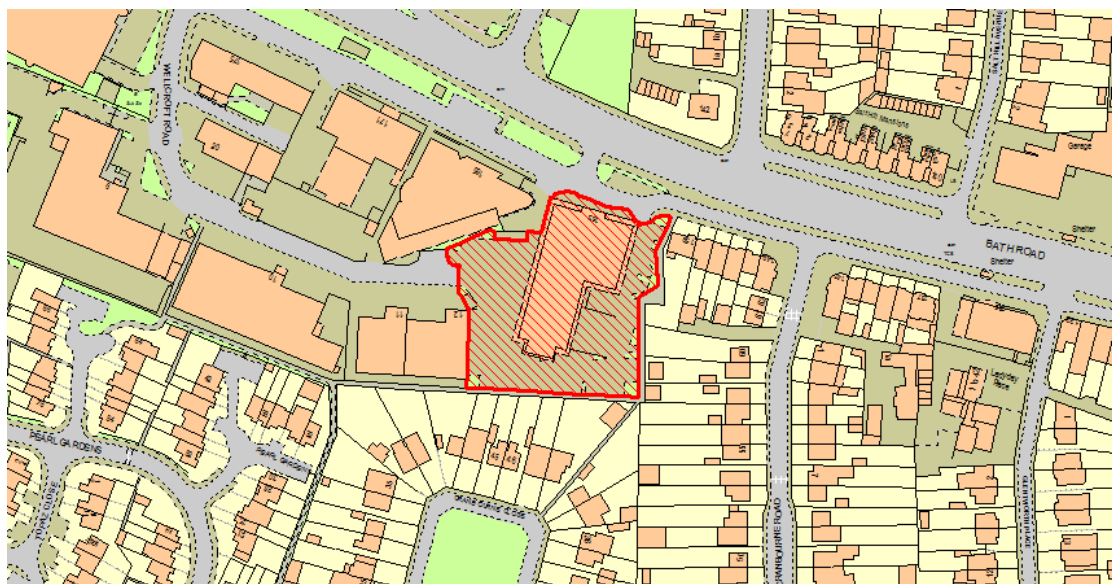


Registration Date:	16-Sep-2019	Application No:	P/04241/014
Officer:	Christian Morrone	Ward:	Cippenham Meadows
Applicant:	Theori	Application Type:	Major
		13 Week Date:	16 December 2019
Agent:	Jim Bailey, Pegasus Group The Columbia Centre, Station Road, Bracknell, RG12 1LP		
Location:	163, Bath Road, Slough, SL1 4AA		
Proposal:	Change of use from serviced apartments (C1 use class) to self-contained flats (C3 use class). Removal of existing roof and construction of two-storey extension above existing second floor level to provide 3rd and 4th floors together with a four storey rear extension to create 90 flats (10 x studios, 41 x 1-bed and 39 x 2-bed). External alterations to provide new external finishes, fenestration, balconies and amenity space. Realignment of adjoining public right of way. [Revised Plans].		

Recommendation: Delegate to Planning manager for approval subject to conditions



P/04241/014 - SUPPLEMENTARY REPORT

1.0 PART A: BACKGROUND

1.1 On the 29th July 2020 the Planning Officers recommended the following recommendation to the Planning Committee:

Having considered the relevant policies set out, 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:

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 Agreement to secure the planning obligations set out in paragraph 19.1;
- 2) satisfactory parking provision / layout;
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) Finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 30th October 2020 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

1.2 During the assessment of the planning application on 29th July 2020, Members of the Planning Committee raised concerns over the viability of the scheme in relation to the approach taken within paragraphs 18.6 through to 18.12 of the Planning Committee report as set out below. This approach allocated weight towards the extant planning permission (ref. P/04241/013) which if implemented up to damp proof course or ground floor slab before 16th October 2020, would only provide contributions amounting to £13,025 (towards public right of way works). The financial review mechanism attached to the previous scheme would not be triggered to re-test the viability in relation to affordable housing or infrastructure. Officers therefore recommended the offer of £539,166 towards infrastructure and affordable housing for this current application before us be accepted.

1.3 Members questioned whether the extant planning permission (ref. P/04241/013) could actually be implemented to damp proof course or ground floor slab before 16th October 2020, particularly as the pre commencement conditions had not been discharged. It was also requested that Officers renegotiate the amount offered by the applicant

- 1.4 Since the Planning Committee on 29th July 2020, the pre commencement planning conditions for the extant planning permission (ref. P/04241/013) have been discharged. Planning Officers consider the previous scheme could realistically be implemented to damp proof course or ground floor slab before 16th October 2020.
- 1.5 In addition, Planning Officers have held discussions with the applicant to renegotiate the offered amount. It is clear the applicant considers the scheme would not be viable should additional contributions be drawn from the scheme, and if these were pursued then the previous extant scheme (ref. P/04241/013) will be delivered instead.
- 1.6 In conclusion, Planning Officers consider the approach taken in balancing the financial contributions as set out within paragraphs 18.6 through to 18.12 of the Planning Committee report below is still applicable. The level of financial obligations offered is considered a fair and proportionate compromise that would likely see this development being delivered in place of the extant scheme.

2.0 PART B: FURTHER INFORMATION

- 2.1 The recommendation to the Planning Committee on 29th July 2020 required Officers to assess whether the revised parking layout as a result of relocated columns was acceptable. The Local Highway Authority is assessing the revised plans. Currently it is still recommended this be delegated back to the Planning Manager; however an update will be provided on the amendment sheet.

3.0 PART C: RECOMMENDATION

- 3.1 Having considered the relevant policies set out below, 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:

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 Agreement to secure the planning obligations set out in paragraph 19.1;
- 2) satisfactory parking provision / layout;
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) Finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 9th March 2020 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

Registration Date:	16-Sep-2019	Application No:	P/04241/014
Officer:	Christian Morrone	Ward:	Cippenham
Applicant:	Theori	Application Type:	Major
		13 Week Date:	16 December 2019
Agent:	Jim Bailey, Pegasus Group The Columbia Centre, Station Road, Bracknell, RG12 1LP		
Location:	163, Bath Road, Slough, SL1 4AA		
Proposal:	Change of use from serviced apartments (C1 use class) to self-contained flats (C3 use class). Removal of existing roof and construction of two-storey extension above existing second floor level to provide 3rd and 4th floors together with a four storey rear extension to create 90 flats (10 x studios, 41 x 1-bed and 39 x 2-bed). External alterations to provide new external finishes, fenestration, balconies and amenity space. Realignment of adjoining public right of way. [Revised Plans].		

Recommendation: Delegate for approval subject to conditions



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies set out below, 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:

A) For approval subject to:-

- 5) the satisfactory completion of a Section 106 Agreement to secure the planning obligations set out in paragraph 19.1;
- 6) satisfactory security strategy;
- 7) agreement of the pre-commencement conditions with the applicant/agent;
- 8) Finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 30th October 2020 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

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

PART A: BACKGROUND

2.0 **Proposal**

2.1 This is a full planning application for:

- Removal of existing roof and constriction of a two storey extension over the existing second floor level to provide 3rd and 4th floor levels.
- Four storey rear extension with additional semi basement level.
- Change of use from serviced apartments (C1 Use Class) to self contained residential flats (C3 Use Class) to provide 90 flats (10 x studios; 41 x 1 bed; 39 x 2 bed).
- External alterations to existing provide new fenestration and cladding (fascia elements only and painting to external columns).
- 102 parking spaces at surface level and within basement.
- 90 cycle parking spaces within basement.
- Realignment of adjoining public right of way.

3.0 **Application Site**

3.1 The application site is located on the southern side of Bath Road and to the

west of the Bath Road and Tuns Lane crossroads. The site is currently occupied by a detached three storey building with additional semi basement level and hipped roof. The building is currently vacant, but was formally used as an apart-hotel (Class C1) after its original office use.

- 3.2 The site is adjoined by a public Right of Way footpath to the eastern side and southern rear boundaries. Beyond the footpath to the east is a row of two storey terrace housing, and further east is the Tuns shopping parade on the corner of the Bath Road and Tuns Lane crossroads. Neighbouring the site to the west is a four storey detached office building occupied by LeasePlan, which is to the west neighbored by a four storey detached office building. The rear of these neighbouring offices is a pair of two storey warehouse buildings which also neighbour the rear western side of the application site.
- 3.3 Opposite the application site on the northern side of Bath Road is a two storey detached dwelling. To the east of this dwelling is Pitts Road with a block of three storey flats known as Salt Hill Mansion beyond which is a locally listed building. To the west of the dwelling opposite the site is a vacant plot of land which formally accommodated a row of two storey housing. To the rear of the application site and adjoining the southern side public Right of Way footpath are the two storey semi detached houses in Cranbourne Close.
- 3.4 The site is located at the eastern end of the defined Wellcroft Road-Twinches Lane Business Area. The site lies in an area mixed in character whereby to the west are larger scale buildings used for business purposes. To the south is suburban residential housing, and to the north and east is a mix of housing and small scale commercial premises.

4.0 **Relevant Site History**

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

P/04241/015 Submission of details pursuant to condition 3 (levels), 4 (materials), 5 (architectural details), 7 (construction management scheme) 8 (submission of tree protection) and 9 (sustainable design and construction) of planning permission P/04241/013 dated 15/04/2019
Currently under assessment

P/04241/013 Change of use from serviced apartments (C1 Use Class) to self contained residential flats (C3 Use Class). Removal of existing roof and constriction of a two storey extension above existing second floor level to provide 3rd and 4th floor levels together with a four storey rear extension to create 106 flats (42 x studios; 52 x 1 bed; 12 x 2 bed). External alterations to provide new cladding, fenestration, and balconies. Realignment of adjoining public right of way. Approved with Conditions; Informatives; 15-Apr-2019.
[Not implemented but Extant. Expires Apr - 2022]

- P/04241/012 Submission of details pursuant to condition no.9 (access and parking layout) of planning permission p/04241/011 dated 08/05/2013.
Conditions Complied With; Informatives; 29-Dec-2014.
- P/04241/011 Change of use of existing offices (Class B1) to for an apart-hotel (Class C1).
Approved with Conditions; Informatives; 08-May-2013.
- P/04241/005 Formation of additional car parking & landscaping (as amended on 24.11.88).
Approved with Conditions 25-Nov-1988
- P/04241/002 Redevelopment to form a class B1 building with associated car parking.
Approved with Conditions; 21-Jan-1988

5.0 **Neighbour Notification**

- 5.1 Due to the development being a major application, development which affects a public right of way, and a departure from the development plan, in accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and following revised plans, three site notices were displayed outside the site on 19/02/2020. The application was advertised in the 21/02/2020 edition of The Slough Express. Neighbour letters were sent out on 12/02/2020 to the following addresses:

7, Cranbourne Road, Slough, SL1 2XF, 8, Cranbourne Road, Slough, SL1 2XF, 149, Weekes Drive, Slough, SL1 2YW, 56, Cranbourne Road, Slough, SL1 2XG, 152, Bath Road, Slough, SL1 3XE, 61, Cranbourne Road, Slough, SL1 2XG, 62, Cranbourne Road, Slough, SL1 2XG, 160, Bath Road, Slough, SL1 3XE, 150a, Bath Road, Slough, SL1 3XE, 27, Cranbourne Close, Slough, SL1 2XH, 156, Bath Road, Slough, SL1 3XE, 12, Wellcroft Road, Slough, SL1 4AQ, 154, Bath Road, Slough, SL1 3XE, 40, Cranbourne Close, Slough, SL1 2XJ, 39, Cranbourne Close, Slough, SL1 2XH, 38, Cranbourne Close, Slough, SL1 2XJ, 58, Cranbourne Road, Slough, SL1 2XG, 1, Pitts Road, Slough, SL1 3XG, 163, Bath Road, Slough, Slough, SL1 4AA, 159, Bath Road, Slough, SL1 3XD, 60, Cranbourne Road, Slough, SL1 2XG, 59, Cranbourne Road, Slough, SL1 2XG, 57, Cranbourne Road, Slough, SL1 2XG, 42, Cranbourne Close, Slough, SL1 2XJ, 44, Cranbourne Close, Slough, SL1 2XJ, 45, Cranbourne Close, Slough, SL1 2XH, 46, Cranbourne Close, Slough, SL1 2XJ, 43, Cranbourne Close, Slough, SL1 2XH, 41, Cranbourne Close, Slough, SL1 2XH, 11, Wellcroft Road, Slough, SL1 4AQ, 11, Wellcroft Road, Slough, SL1 4AQ, First Floor, 11, Wellcroft Road, Slough, SL1 4AQ, Leaseplan Uk Ltd, 165, Bath Road, Slough, SL1 4AA, 37,

Cranbourne Close, Slough, SL1 2XH, Flat 4, 142, Bath Road, Slough, SL1 3XE, 142, Bath Road, Slough, SL1 3XE, Flat 2, 142, Bath Road, Slough, SL1 3XE, Flat 1, 142, Bath Road, Slough, SL1 3XE, Flat 3, 142, Bath Road, Slough, SL1 3XE, 157, Bath Road, Slough, SL1 3XD, 155, Bath Road, Slough, SL1 3XD, 158, Bath Road, Slough, SL1 3XE, 5, Cranbourne Road, Slough, SL1 2XF, 6, Cranbourne Road, Slough, SL1 2XF, 150b, Bath Road, Slough, SL1 3XE

The consultation period expired on 05/03/2020.

5.2 One letter of representation was received from a local resident objecting to the proposal with comments relating to the following:

- There are 39 units containing 2 bedrooms which could allow up to 4 people to live in each unit, which implies single parent families could reside in the 2 bedroom apartments and therefore the development contains family housing.

[Case Officer Note: the above comments are addressed within 'mix of housing' section of this planning assessment].

- The proposed 'private amenity space' for the use of the residents is insufficient & too small.
- Are the areas marked 'storage' a sufficient size for providing storage for 90 residential units.

[Case Officer Note: the above comments are addressed within the 'living conditions for future occupiers' section of this planning assessment].

- Loss of sunlight due to overshadowing of this proposed development on No.159 Bath Road during late afternoon & evening.
- Loss of privacy on the rear gardens of homes in Cranbourne Close that due to the additional 2 floors added to the existing building.

[Case Officer Note: the above comments are addressed within the 'Impact on amenity of neighbouring occupiers' section of this planning assessment].

- The proposed 'private amenity space' is being used as a development cost to keep the conversion cost artificially high in the Viability Assessment.
- The denial of units for key workers / shared ownership / social housing is unacceptable and the developer is inflating conversion costs in the Viability Assessment.

[Case Officer Note: the above comments are addressed within the 'affordable housing and infrastructure' section of this planning assessment].

- *There are no restrictions in this planning application to prevent the*

units being rented out on a short term basis for up to 90 days per year as short term rentals.

[Case Officer Note: the above comments are addressed within the 'other matters' section of this planning assessment].

5.3 One further letter was received from a member of the public which neither objects nor supports the proposal, but questioned if the public right of way would be closed during the works and if any notice would be given beforehand. These comments were satisfactorily dealt with through email exchanges and are addressed within the 'other matters' section of this planning assessment.

6.0 **Consultations**

6.1 Local Highway Authority:

Trip Generation:

- While the current proposal is for a lower number of dwellings, the number of bedrooms is higher due to the proposed mix of apartment types. If studio flats are considered as "1-bedroom", then the numbers of bedrooms of the consented and proposed developments are as follows:
 - Consented P/04241/013 development: 118 bedrooms;
 - Current proposal P/04241/014: 129 bedrooms.
- Trip rates are generally applied per dwelling, e.g. in standard trip rate methodologies such as TRICS, although the trip rate selection parameters applied in the assessment of P/04241/013 may have been more related to lower traffic generation because of the high proportion of studio and 1-bedroom flats.
- Furthermore, no details of the methodology and data source for the trip rates are given, so these rates cannot be verified.
- However, as the difference is only 11 bedrooms, it is reasonable to assume the same resultant traffic generation for both proposals, although not the same trip rates. As such, we consider that the current proposal would have a higher trip rate per dwelling than the consented P/04241/013 development, but that the current proposal is unlikely to generate more traffic than the consented development.

Car parking:

- Following revised plans providing appropriate wheelchair accessible spaces the parking provision is acceptable for this development in this location.

Cycle parking:

- The proposed number of cycle parking spaces accords with the standards in Table 5, Chapter 8 of DGP 3, except that some additional spaces for visitors are required on top of the 90 spaces for the residents of the 90 units.
- The required *type* of cycle parking is detailed in Chapter 7 of DGP 3. The proposed cycle parking, as detailed in the TS, may need some design modifications, for example the Josta tiered racks would not meet some of the above guidance regarding spacing and height.

Servicing and access:

- Please provide Figure 2 showing the tracking of a large fire tender; this has been left out of the submission. We will review this further on receipt.

Review of Travel Plan:

The Travel Plan includes the following statement: “All of the measures and initiatives above will be reviewed as the travel plan progresses and as monitoring highlights which measures have been successful and those that are not as successful. At this stage, measures will be subject to change to ensure the travel plan continues to target influential areas of travel behaviour change”.

This is a vital part of any travel plan, to ensure that it is not simply a static document, but rather an evolving plan linked to successful travel behaviour change.

Furthermore, we welcome the commitment to revise targets (as appropriate) following the baseline mode-share surveys to be undertaken at 80% occupancy of the development.

We would just request the following:

- That the LHA are consulted on the revision to mode-share targets;
- That the LHA are consulted on updates to the Travel Plan, following monitoring;
- That the LHA are consulted on the more detailed development of the Travel Plan initiatives (as some of the initiatives are in outline form currently).

Summary:

- We have raised a few queries related to the Transport Statement, which need to be addressed.
- Further review and discussions can take place when the above queries are addressed.
- As mentioned, there are also some other issues that need to be

addressed as the design and application is progressed.

- Please note that we have assumed that the proposed development parameters are as described in the Transport Statement and other documents, e.g. access, parking provision, development type and quantum etc.

6.2 Thames Water:

No objections:

Waste water:

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

Surface Water:

Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Water Supply:

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

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

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

6.3 Neighbourhood Protection / Environmental Services:

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

6.4 Contaminated Land Officer:

No objections subject to conditions:

I have reviewed the Site Investigation Report (Ref. 10328/SC), dated 18th January 2019, and prepared by Soil Consultants Ltd., together with our database of Potentially Contaminated Sites (PCLs).

Please see my comments below:

- Soil sample analysis identified the following contaminants on site: Lead: generally low in all samples; Polycyclic Aromatic Hydrocarbons (PAH): generally low in all samples; VOCs/SVOCs: generally low in all samples; PCBs: low (below test detection levels) in the sample tested; Asbestos: amosite fibres detected in BH03 at 0.50m.
- The presence of all contaminants was assessed as having a potential low risk to the human health receptors; except for asbestos, which could have a moderate risk. This should be further assessed and mitigated, to insure the site will be suitable for use.
- Although the proposed hardstanding across the site will address the majority of these issues, and break the potential pollution pathways, a Watching Brief should be observed for the duration of the entire ground works, in order to address any unexpected hot spots.

Based on the above, I recommend the following conditions are placed on the Decision Notice.

1. Watching Brief
2. Remediation Validation

6.5 Lead Local Flood Authority:

No objections subject to conditions:

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

Surface Water Drainage Strategy report (20/8/2019 2019, Rev 2)

We understand from the report that the surface water drainage rely on soakaways and the groundwater level is approximately 4.5m below the surface. This information is based on desktop assessment and we will need more intrusive tests to find out soakage rate and actual groundwater to

design the surface water drainage. Therefore we recommend following condition for the surface water drainage.

'No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is commenced. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).

The surface water drainage strategy shall follow the drainage hierarchy for the outfall as per Building Regulations Part H requirement. The drainage scheme shall also provide sufficient level of treatment in accordance with the SuDS Manual.'

6.6 Environmental Quality (Air Quality & Noise)

Air Quality:

The site is located close to the Tuns Lane Air Quality Management Area (AQMA). In line with the Slough Low Emission Strategy, the scheme is considered to have a MEDIUM impact on air quality. As such, the scheme only requires an assessment of potential exposure of future residents to concentrations of NO₂ on Bath Road and the integration of Type 1 and 2 Mitigation measures, contained in the LES Planning Guidance.

Given NO₂ concentrations in the location and separation of the development façade from the main Bath Road carriageway, SBC is satisfied that the potential exposure of future residents to NO₂ of the development is acceptable. This is evidenced in the air quality assessment that was submitted alongside the planning application.

The air quality assessment recognises that the development is in close proximity (0.19km) to the Tuns Lane AQMA. However, the development proposes a reduction of 35 parking spaces and trip generation when compared to the previous proposal (P/04241/013), therefore the impact on air quality has reduced.

To mitigate against air quality impacts that this development causes, the air quality assessment has calculated the level of offsetting required. The report states "A damage cost of £8,588 for NO₂ and £11,433 for PM_{2.5} have been calculated, giving a total damage cost of £20,021. This is the indicator cost for the level of offsetting required within the development proposals to reduce emissions". Therefore, it is expected that a total of £20,021 is contributed to one of the two projects presented in Appendix A.

Mitigation Requirements:

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As the scheme will allocate at least 1 parking space per flat, each of these spaces is required to provide access to electric vehicle recharging facilities.
- Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in Table 7 of the LES Technical Report
- The Travel Plan shall be monitored and include details of the promotion of electric vehicle use and usage of the EV charging infrastructure. Consideration should be given to the provision of electric vehicle demonstration vouchers for new residents
- £20,021 is contributed to one of the two projects presented in Appendix A.

Noise:

An environmental noise assessment was conducted by Patrick Parsons
Dated August 2019.

The noise level across the site was recorded in the range 58-63 dB LAeq,16hr during the day and 52-57 dB LAeq,8hr at night, and night-time LAm_{ax} noise levels of the typical highest events are in the range 74-82 dB. Recorded noise levels are higher at the north (Bath Road) than at the south of the site.

The internal levels with open windows are higher than those recommended in the WHO Guidelines. As ventilation via open windows is not recommended due to noise levels originating from high traffic flow on Bath Road, ventilation should be provided via passive ventilators or a mechanical system.

Ventilation and glazing suitable to meet internal levels is specified within the assessment report. This has demonstrated that the requirements established in BS 8233:2014 will be met inside all habitable rooms, by the use of the acoustic specifications for the external building fabric. A condition should be included to ensure the development is carried out in accordance with the building fabric and ventilation recommendations set out in the Planning Noise

Assessment by Patrick Parsons (ref. A18256C); Dated August 2018.

6.7 Crime Prevention Design Advisor:

The external amenity door must meet the minimum physical specifications of LPS1175 standard with electronic access control

The internal access controlled door in the upper ground Reception (between Store and Apartment 1 be moved to the new location as shown. Apartment 1 and 2 will still be exposed to high volumes of footfall, however the majority of the apartments on this floor will be protected.

Finally I would like to remind the applicant that trade buttons must be omitted.

[Case Officer Note: these issues are being addressed by the developer and are currently being assessed by officers. An update will be provided to Members on the Amendment Sheet to Committee].

6.8 Viability Specialist

The proposed development would be capable of supporting policy compliant affordable housing.

6.9 Landscape Advisor:

Existing Trees:

The site has a good number of mature/established trees around the edge of the site. It is unlikely, due to existing hard surfacing, that these trees will be impacted by the conversion and extension.

They must all be protected during the construction phases from accidental damage. A pre-commencement tree protection condition must be attached to any approval to achieve this.

Proposed Landscaping:

No detailed soft/hard landscape plan has been provided. A detailed landscape plan should be provided to ensure an improved landscape around the building that provides a significantly softer/greener experience for residents. This can be achieved with self supporting climbing plants up the building, low level planters at ground floor, some new tree planting along the frontage on Bath Road by way of sec 106.

The site has very limited meaningful amenity space, a roof terrace could be included with planting around the periphery as a screen/increased softening of the building.

A small area of landscaping is provided at the ground floor. The outline of the proposal is acceptable and is an improvement on the existing provision. The exact details of this proposal and the rest of the ground floor can be sort by way of a landscape condition.

Recommendation:

Applicant to consider a significant improvement to the current landscape proposal, a landscape master plan should be a minimum requirement prior to any approval.

No objection subject to the satisfactory submission of the following conditions:

1. Arboricultural Method Statement and tree protection plan
2. Detailed Landscape Scheme

Housing:

The policy compliant requirement is for 40% affordable housing on-site. Of these there is no demand for studio flats, with more demand for 2 bed 4 person dwellings. We would accept 14x1bed and 15x 2bed.

Given the results viability assessment and negotiations based on the extant planning permission where no affordable housing or contributions were provided, the negotiated financial contribution is likely to be the best achieved, and therefore Housing will accept.

The contribution will be used towards funding the council's affordable housing development programme across the borough.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

- 7.1 National Planning Policy Framework 2019:
Chapter 2. Achieving sustainable development
Chapter 4. Decision-making
Chapter 5. Delivering a sufficient supply of homes
Chapter 6: Building a strong, competitive economy
Chapter 7: Ensuring the vitality of town centres
Chapter 8. Promoting healthy and safe communities
Chapter 9. Promoting sustainable transport
Chapter 11. Making effective use of land
Chapter 12. Achieving well-designed places
Chapter 14: Meeting the challenge of climate change, flooding and coastal change

The Slough Local Development Framework, Core Strategy 2006 – 2026,

Development Plan Document, December 2008

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

The Adopted Local Plan for Slough 2004 (Saved Polices)

EN1 – Standard of Design
EN2 – Extensions
EN3 – Landscaping Requirements
EN5 – Design and Crime Prevention
EN17 – Locally Listed Buildings
H11 – Change of Use to Residential
H14 – Amenity Space
T2 – Parking Restraint
T7 – Rights of Way
T8 – Cycle Network and Facilities
T13 – Road Widening Lines

Other Relevant Documents/Guidance

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

Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The revised version of the National Planning Policy Framework (NPPF) was published on 19th February 2019.

The National Planning Policy Framework 2019 states that decision-makers at

every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

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

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

7.2 The planning considerations for this proposal are:

- Planning history
- Land use
- Supply of housing
- Housing mix
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Air Quality
- Sustainable design and construction
- Surface water drainage
- Sustainable Design and Construction
- Affordable housing and Infrastructure
- Section 106 Requirements
- Other Matters
- Neighbour Representations
- Equalities Considerations
- Presumption in favour of sustainable development

8.0 **Planning history**

8.1 The planning history is a material consideration. The previous planning application (ref. P/04241/013) for the following was approved on 15th April 2019:

Change of use from serviced apartments (C1 Use Class) to self contained residential flats (C3 Use Class). Removal of existing roof

and constriction of a two storey extension above existing second floor level to provide 3rd and 4th floor levels together with a four storey rear extension to create 106 flats (42 x studios; 52 x 1 bed; 12 x 2 bed). External alterations to provide new cladding, fenestration, and balconies. Realignment of adjoining public right of way.

Although the above development has not been implemented its planning permission does not expire until April 2022 and therefore at the time of writing could still be carried out subject to discharging five pre commencement conditions.

8.2 The main differences compared to the previously approved extant scheme (ref. P/04241/013) are set out below:

Subject to change	Previous application	Proposed application
Number of units	106	90
Mix of Housing	42 x studios	10 x studios
	52 x 1 bed	41 x 1 bed
	12 x 2	39 x 2 bed
Amenity Space	91 balconies No external amenity space	38 balconies External amenity space (approx. 464sqm)
External alterations to existing building	New fenestration	New fenestration in revised pattern/layout
	New metal cladding (type to agreed by condition)	New aluminium cladding. White paint to external columns.
	New balconies	Omission of balconies
Enlargements	Textured composite type and colour to be confirmed by condition.	Textured composite type and colour to be confirmed by condition, however Fenestration in revised pattern/layout with additional windows.
Car Parking	124 parking spaces at surface level and within basement	102 parking spaces at surface level and within basement

Cycle Parking	112 cycle parking spaces within basement	90 cycle parking spaces within basement
Refuse store	6 x Eurobins to eastern end of site within grass verge	4 x Eurobins to southern rear within existing building

8.3 Since the previously approval (ref. P/04241/013), the National Planning Policy Framework has been updated on 19 February 2019 and the Local Planning Authority can not demonstrate a Five Year Land Supply. These changes are considered throughout this assessment

8.4 Other than the temporary bus / cycle lanes on the A4, the site and surrounding is not materially different compared to when the previously approved application (ref. P/04241/013) was determined.

9.0 **Land Use**

9.1 The site is located within a built up area of Slough and within a defined Business Area (Slough Trading Estate). The building is currently vacant, but has an extant planning permission for 106 residential flats (ref. P/04241/013) which expires in April 2022. The site was formally used as an apart-hotel (Class C1) after its original office use.

9.2 The National Planning Policy Framework seeks to boost the supply of a variety of homes to meet the needs of local communities by encouraging a sufficient amount and variety of land to come forward where it is needed. In order to deliver this, Local Planning Authorities should apply their land supply and housing polices.

9.3 Paragraph 118 (c) of the National Planning Policy Framework states that substantial weight should be given towards to the value of using suitable brownfield land within settlements for homes and other identified needs and support appropriate opportunities to remediate contaminated land. Paragraph 118(d): supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

9.4 Core Policy 1 of the Core Strategy sets out the overall spatial strategy for Slough requiring all developments to take place within the built up area, predominately on previously developed land and/or within defined Selected Key Locations. Proposals for high density housing should be located in the appropriate parts of Slough town centre.

9.5 Core Policy 4 of the Core Strategy emphasises that high density housing should be located in the Town Centre area. Within the urban areas of the borough housing will be predominately family housing at a density related to

the character of the area.

9.6 Core Policy 5 of the Core Strategy seeks to resist the loss of employment uses within defined Business Areas.

9.7 *Loss of employment:*

The building is currently not in use. The site was previously used as an 'aparthotel', permitted via planning permission P/04241/011 where a change of use from offices was considered acceptable because an 'aparthotel' would still provide some employment compared to residential housing which could have been implemented under permitted development at that time. However, due to the sealed nature of the building, including no openable windows or mechanical ventilation, the resulting conditions were not suitable for this form of occupation and the 'aparthotel' has since been vacated.

9.8 Planning permission was then granted in April 2019 application (ref. P/04241/013) to create 106 residential flats which is extant and does not expire until April 2022. The loss of employment use was previously justified as the original office use could have undergone a change of use to residential flats through permitted development and the proposal would have rectified the poor accommodation conditions which would be improved through a purpose built change of use. This new planning application is for development which falls within the same residential use class (C3) and similar housing type (flats), as the previous planning permission (ref. P/04241/013). Great weight is therefore afforded the previous planning permission whereby a departure from Core Policy 5 to allow a non employment use within defined business area is justified. Limited weight should be allocated to the harm in this regard.

9.9 *Provision of residential flats:*

Core Policy 4 requires there to be no net loss of family housing, and within urban areas outside the town centre new residential development should be predominately family housing at a density related to the character of the area. The application site is considered to be within an urban area. The proposal would not result in the loss of either permitted or existing family housing, and given the existing built form on the site that would be retained; the site would not lend itself to family housing. The density of the built form on the site is considered to relate appropriately with the larger buildings to the west of the site, and this is discussed in the impact on the character of the area section of this report. On this basis, the proposal for residential flats in this site is considered to be consistent with Core Policies 1 and 4, and the National Planning Policy Framework.

9.10 Based on the above, limited negative weight should be allocated to harm as result of the non compliance with Core Policy 5. The provision of residential flats would comply with Core Policies 1 and 4, and the National Planning Policy Framework, and in this regard neutral weight should be 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 2019, the Local Planning Authority can not demonstrate a Five Year Land Supply. The proposal for 90 residential is 16 less flats than the extant the planning permission (ref. P/04241/013), however this would still make a meaningful contribution to the supply of housing. This is considered to would provide considerable positive weight toward the benefits, albeit slightly less positive weight in regard compared to the previous planning permission (ref. P/04241/013).

11.0 **Mix of housing**

11.1 The National Planning Policy Framework seeks to deliver a variety of homes to meet the needs of different groups in the community. This is largely reflected in local planning policy in Core Strategy Strategic Objective D and Core Policy 4. When compared to the extant planning permission (ref. P/04241/013), this proposal includes an increase in two bedrooms units and therefore would result in balance of housing. The proposal would provide 90 new flats at mix of 10 x studios; 41 x 1 bed; 39 x 2 bed units, which, over a small site as proposed provides mix of homes appropriate for the location that would help achieve sustainable, inclusive and mixed communities. The proposal would therefore comply, Core Strategy Strategic Objective D, Core Policy 4, and the requirements of the National Planning Policy Framework. Neutral weight should be applied to the planning balance.

11.2 A local resident has objected to the proposal on the basis that the two bedroom units could accommodate families, which is contrary to the developer's statement that the site could not accommodate family housing. Planning Officers can confirm that if approved, there would be no planning restrictions to prevent families accommodating the proposed development,

however it is accepted the 1 and 2 bedroom flatted nature of the proposal, would not make this an attractive option for families. As discussed above within the land use section of this report (particularly paragraphs 9.9 and 9.10) , the proposal would not result in the loss of either permitted or existing family housing, and given the existing built form on the site that would be retained; the site would not lend itself to family housing. Therefore in this instance, seeking family housing on the site would not be appropriate.

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

- 12.1 The National Planning Policy Framework 2019 encourages new buildings to be of a high quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1, EN2, EN3, and EN17.
- 12.2 The proposal is similar in scale and form when compared to the previous planning permission (ref. P/04241/013). The proposed enlargements would result in the removal of the existing hipped roof and extend the building above the existing eaves height to provide additional 3rd and 4th floor levels, together with a four storey extension to the rear of the building. This would increase the overall height of the building by approximately 0.45 metres and create additional mass at high level and at the rear of the site.
- 12.3 The existing building marks the beginning of this business area where to the west there are a larger in scale buildings compared to the existing two storey houses neighbouring the site to the south and east. Although the proposed extension would increase the building's height and mass, the proposal is positioned close to the similar scaled neighbouring office building to the west, and given and there is a reasonable visual separation distance from the neighbouring two storey houses, the resulting scale would be viewed more in context with the larger buildings within the business area to the west and less so with the two storey housing to the south and east. The proposal would therefore not have an unacceptable visual dominance in this instance.
- 12.4 To the front, the width of the Bath Road offers a large amount of separation distance from the buildings on the northern side of the highway. This provides appropriate space from the neighbouring buildings to the north including the locally listed Salt Hill Mansions to prevent any unacceptable visual dominance from the resulting scale and mass. The setting of the Salt Hill Mansions would therefore be acceptably preserved.
- 12.5 To the rear, the increase in scale and mass at high level would result in more prominent views of the building when viewed from Cranbourne Close. However, this increase would be set back within the site and viewed in context with a backdrop of large buildings in an existing business area. The proposal would be contemporary residential in its form and style which in this case is considered to be compatible in appearance with the buildings in the existing business area and the residential dwellings in Cranbourne Close. On

this basis the increase in scale and mass when viewed from Cranbourne Close would be acceptable.

- 12.6 The proposal would depart from the form and style of the existing building to introduce a flat roof form and contemporary styling with appropriate proportions, increased glazing, a mix of textures, and recessed balconies. This is considered to provide an improved visual appearance compared to the existing building. In order to ensure a high quality development is built out, conditions are included to secure high quality materials, and large scale plans/elevations are to be provided to ensure appropriate quality and detailing. As such, subject to conditions, the proposal would achieve a high quality design that would complement the character and appearance of the surrounding area.
- 12.7 The proposed scale form and appearance would be similar when compared to the previous planning permission (ref. P/04241/013). However there are some minor differences which include a revised layout of fenestration and reduction in balconies particularly on the existing building.
- 12.8 *Landscaping:*
- The site contains some good quality trees which provide important softening along the eastern side and southern rear boundaries of the site. Although these trees are proposed to be retained, the Council's Tree Officer recommends a condition is imposed to ensure they are protected during the construction phase. This has been included within the list of conditions.
- 12.9 Given the building's curtilage is already a hardstanding area that is currently and proposed to be used for parking, and is well screened from the surrounding area by existing mature trees, it was not considered appropriate to seek landscaping enhancements as part of the extant planning permission (ref. P/04241/013) Within this application, an area of landscaped external amenity space is proposed within the northeast corner of the site.
- 12.10 The Council's landscape advisor has recommended that further landscaping / tree planting be incorporated on and around the building, and also external to site along the Bath Road. When the extant planning permission (ref. P/04241/013) was granted it was accepted that retaining the existing trees along the boundary of the site was an acceptable landscape scheme. Given the scale and design of this proposal is similar to the previous approval and this application proposes an increase in landscaping as a result of the external amenity area, it would be unreasonable to require additional landscaping. Planning Officers are therefore satisfied the proposed landscape scheme is acceptable subject to conditions to secure detailed a detailed landscaping scheme.
- 12.11 *Summary:*

Based on the above and subject to conditions, the proposal would have an acceptable impact on the character and visual amenity of the area and therefore comply with Policies EN1, EN2, EN3, and EN17 of the Local Plan, Core Policy 8 of The Core Strategy, and the requirements of the National Planning Policy Framework 2019. Neutral weight should therefore be applied to the planning balance.

13.0 **Impact on amenity of neighbouring occupiers**

13.1 The National Planning Policy Framework 2019 encourages new developments to be of a high quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EN2.

13.2 The proposal is similar in scale and form when compared to the previous planning permission (ref. P/04241/013). The proposal broadly has a similar window layout when compared to the previous planning permission (ref. P/04241/013), however there are some additional windows proposed in this application

13.3 *South:*

Neighbouring the site to the southern rear are a number of two storey semi detached houses which front Cranbourne Close and include back gardens which abut the public right of way which bounds the rear of the application site. The proposed rear extension would extend beyond the rearmost part of existing building by approximately 6.5 metres and also extend west beyond the limits of the existing west elevation. This would bring additional built form at four storeys (plus additional semi basement level), closer to the neighbouring houses in Cranbourne Close. A minimum separation distance of approximately 8 metres from the closest neighbouring rear boundaries at nos. 45 and 46 Cranbourne Close would be retained. Given these houses have rear garden depths of approximately 17 metres, the proposed 8 metre separation distance from their rear boundaries would provide sufficient separation to not result in an unacceptable overbearing impacts or an unacceptable loss of outlook for the occupiers nos. 45 and 46 Cranbourne Close.

13.3 The proposed rear extension would not encroach beyond the full width of remaining rear gardens in Cranbourne Close. The separation distances from these southern boundaries of the site would be similar as described above and therefore would not have unacceptable impacts in terms of overbearing and outlook for these properties.

13.4 The proposed increase in the overall height of the main building would be contained within the footprint of the existing building and would be separated

by enough distance from neighbouring boundaries to prevent any unacceptable loss of outlook or overbearing impacts for the occupiers in Cranbourne Close. Furthermore, given the northern orientation and separation distances in relation to Cranbourne Close, the proposed increase in height and mass would not result in an unacceptable or loss of daylight or sunlight for the occupiers in Cranbourne Close.

13.5 A local resident has objected to the proposal due to loss of privacy on the rear gardens in Cranbourne Close. There would be an increase in windows proposed within southern elevation of the rear extension compared to the previous planning permission (ref. P/04241/013). All these windows would either be obscured or high-level secondary windows, or angled away to largely restrict views into the properties to the south in Cranbourne Close. However, the increase in windows in the form of full size windows which although angled away, the windows would still likely result in some view when standing internally within the flats. Furthermore, the obscurely glazed parts would face in the general direction of the housing in Cranbourne Close, and given their relatively close relationship with their residential gardens (min. 8 metres) and height (up to 4 storeys plus semi basement), there would be a perception of being overlooked from within the rear gardens in Cranbourne Close.

13.5 It is therefore considered the resulting impact on neighbouring residential amenity would mildly conflict with the policy requirements to a degree where a limited amount of negative weight should be applied to the harm in the planning balance. The resulting impact on neighbouring residential amenity would be slightly more harmful when compared to the previously approved scheme (ref. P/04241/013).

13.6 *East:*

To the east there are the two storey houses at 157 & 159 Bath Road which front Bath Road and neighbour the ally which adjoins the application site. A local resident has objected to the proposal due to a loss of sunlight / overshadowing at 159 Bath Road. The existing building is three storeys plus a semi basement in height and is positioned away from the rear garden at 159 Bath Road by approximately 14 metres at its closest point, and approximately 31 metres at its furthest point. The proposal to add two additional storeys above the eaves of the existing building would result in an overall increase in height above the existing ridge of approximately 0.45 metres and an increase in mass as the roof would no longer slope away from the neighbouring properties to the east. The neighbouring occupiers at 159 Bath Road would likely notice the increase in mass and height, however, when considering the above, it would not be to the extent where the overbearing impact and overshadowing would have a significant on the living conditions when compared to the existing situation.

13.7 The rear gardens of 157 & 159 Bath Road are already overlooked by the

existing windows within the easternmost side elevation of the existing building. The proposed pattern of fenestration within the easternmost side elevation would be similar to the existing and previously approved (ref. P/04241/013). The proposed upper floor extension to easternmost side elevation would include eight high level windows serving bedroom areas and four oriel window bays serving bedrooms. The oriel window bays would include opaque glass within both the northeast bay and southeast facing bays, which would restrict views into the sensitive areas of the neighbouring gardens and windows of the two storey housing fronting Bath Road. The southeast bays and northeast bays would be clear glazed and provide views to the front and rear of the site, and away from the more sensitive areas of the neighbouring properties.

13.8 The set back eastern elevation to the rear of the site would include inset balconies and additional windows in the upper floor extension; however this elevation would be set away from the rear end of the back gardens Bath Road and Cranbourne Road by approximately 24 metres (min.) which is sufficient distance to prevent unacceptable privacy issues. The proposal for residential flats would therefore not result in any significant additional overlooking into the rear gardens serving the two storey houses fronting Bath Road and is considered to be policy compliant. The resulting impact on neighbouring residential amenity would be similar when compared to the previously approved scheme (ref. P/04241/013).

13.9 *West:*

The site is positioned next to existing business uses to the west. The proposal for residential flats is not considered to have an unacceptable adverse impact on these properties

13.10 *North:*

The residential properties are positioned on the opposite of Bath Road and would be set away from the proposal by a distance great enough to prevent any unacceptable impacts on their amenity in terms of overlooking, overbearing, outlook, daylight, or sunlight.

13.11 *Noise and disturbance:*

While it is accepted that the residential use is of a relatively high density, the number of traffic movements in and out of the site would not be significantly more than what the existing site could generate. The pedestrian accesses are located well away from neighbouring property and therefore should not give rise to unacceptable noise or disturbance. Internal noise from within the proposed flats would result from normal day-to-day living and would not give rise to unacceptable noise disturbance, particularly given the separation distances from neighbouring property. Any significant rise in noise generation from within the proposed flats would be dealt with by the relevant

Environmental Protection regulations. However, there are large flat roofed areas that could potentially be used as external terrace/amenity area and thereby potentially result in neighbour amenity issues. In order to prevent this, a condition is included to prevent the use of the flat roofed areas for this purpose.

13.12 *Summary:*

Based on the above, at 159 Bath Road the proposal would lead to an element of overbearing impact, while overshadowing would likely be less noticeable. This would mildly conflict with the policy requirements to a degree where a limited amount weight should be applied to the harm in the planning balance.

Within the rear gardens in Cranbourne Close, the proposal would lead to a perception of being overlooked from within the rear gardens. This would mildly conflict with the policy requirements to a degree where a limited amount weight should be applied to the harm in the planning balance.

The remaining elements of the proposal are considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2019. Planning Officers therefore consider a limited amount of harm should be weighted to the planning balance.

13.13 The impacts on residential amenity compared to the extant planning permission (ref. P/04241/013) would slightly more harmful as a result of the perception of being overlooked from within the rear gardens to the south in Cranbourne Close.

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

14.1 The National Planning Policy Framework 2019 states that planning should create places with a high standard of amenity for existing and future users.

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

14.3 *Access:*

Access from the street would be gained directly from the footway adjoining the Bath Road service road. A lobby with stairs and lift to the upper ground floor level would provide access to the flats on the upper ground floor and access to the remaining floors would be gained via two lifts and a stair core. A secondary stair core and lift at the rear of the building provides access from within the semi basement and surface level carpark for residents who have parked within the site.

14.4 Considering the number of residential units proposed, the number of access points would appropriately distribute the residents and visitors past a minimal number of residential units and therefore minimise likely disturbance for future occupiers.

14.5 *Internal living conditions:*

The proposed flats would have acceptably sized internal spaces that would comply with the Council's guidelines. Most of the internal habitable rooms would be served by windows which provide an appropriate level of daylight and outlook. However, the single bedroom areas serving flats 314 & 315 (third floor) and flats 411 & 412 (fourth floor) would be served by high level windows. These are not normally considered to provide an acceptable level of outlook and in the absence of a daylight and sunlight report, Planning Officers are not satisfied that the rooms would benefit from an acceptable amount of daylight either.

14.5 Given the rooms affected are single bedrooms within two bedroom flats, and all other areas would be served by acceptable daylight and outlook, this conflict with policy would lead to a limited amount of harm being weighted in the planning balance. When compared to the previously approved scheme (ref. P/04241/013), this would result in living conditions would be moderately more harmful.

14.6 *External amenity space:*

The previously approved scheme (ref. P/04241/013) provided external amenity space through private balconies to most flat (91 balconies for 106 flats which translates to 86%). This was considered acceptable due to the close location to Salt Hill Park and given the vast majority of flats would be served by appropriately sized balconies.

14.7 This application proposes 38 balconies to serve 90 flats (which translates to 42%) and is therefore reduction in balconies compared to the previously approved scheme (ref. P/04241/013). This application also proposes approximately 464sqm of onsite grassed external amenity space which includes children's play equipment.

14.8 The developer asserts that the reason for the reduction in balconies is due to the structural difficulties and associated expense in attaching them to the existing building. The balconies proposed would be attached to the extended parts of the building.

14.9 Although the creation of grassed external amenity space with children's play equipment is welcomed, it would not offer a like for like replacement for balconies which provide direct access to private external space. The grassed external amenity space would benefit future occupiers whom have children as

there would be the provision of play equipment. Given the proposed external space would be tucked into an area that would be dominated and overshadowed by buildings, adult residents would unlikely find the area attractive to use regularly, and it would not wholly mitigate for the absence of private amenity space.

14.10 Given 38 balconies would be provided together with a provision of onsite external amenity space and financial contributions towards public open space are agreed, a moderate amount of harm should be weighted to the planning balance. When compared to the previously approved scheme (ref. P/04241/013), the resulting living conditions are weighted as slightly more harmful.

14.11 *Noise:*

As the proposal would be positioned within close proximity to the Bath Road (annual average daily traffic of more than 10,000) a noise report has been submitted which assesses the potential noise impacts on the living conditions of the future occupiers. The submitted Noise Assessment asserts the noise impacts can be mitigated through the building fabric and trickle vents within the windows. This has been assessed by the Council's Environmental Quality Officer who has agreed these findings which should be secured by condition.

14.12 *Conclusion:*

Based on the above, the proposal would lead to a poor level of outlook and daylight serving the single bedroom areas in four of the proposed flats. This would mildly conflict with the policy requirements to a degree where a limited amount weight should be applied to the harm in the planning balance.

The absence of balconies to 52 of the 90 being mitigated by shared external amenity space and financial contributions would also result in limited harm. This would mildly conflict with the policy requirements to a degree where a limited amount weight should be applied to the harm in the planning balance.

The remaining elements of the proposal are considered to be consistent with Core Policy 4 of the Core Strategy and the requirements of the National Planning Policy Framework 2019. Planning Officers therefore consider a moderate amount of harm should be weighted to the planning balance.

Compared to the extant planning permission (ref. P/04241/013), the resulting living condition would be moderately more harmful as a result of the above.

15.0 **Crime Prevention**

15.1 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.

- 15.2 The main access from the street would be gained directly from the footway adjoining the Bath Road service road through secure double doors where there is already a good level of natural surveillance from the Bath Road and also from the proposed windows in the upper floors.
- 15.3 Cycle storage would comprise two integral communal secure stores positioned within the southern end of the eastern block at basement level. This could result in residents having access to more expensive cycles and therefore would not reduce the potential for criminal activity. A similar cycle parking provision was accepted within the previously approved application (ref. P/04241/013). This would not reduce the potential for criminal activity as much as individual lockers, and having regard to the previous approval a limited amount of harm should be weighted to the planning balance.
- 15.4 The proposed internal layout of the building has been designed to be compartmentalised by fob accessed doorways which should limit undesirable permeability and restrict access to a limited area surrounding each resident's flat. This has been accompanied by a detailed access strategy which is the same as previously approved (ref. P/04241/013) which was deemed policy compliant. This application includes an additional door to the proposed external amenity space which after revised plans is now included as part of the security strategy, and a trade entrance, the entire security strategy is compromised. Planning Officers therefore consider a moderate amount of harm should be weighted to the planning balance if this is not addressed. However, revised plans have been received to address these issues, and are currently being assessed by officers. An update will be provided to Members on the Amendment Sheet to Committee.
- 15.5 The Public Right of Way to the eastern side of the site includes a kink which provides a secluded area which has resulted in criminal activity. The applicant has agreed to dedicate some land within the site to widen to Public Right of Way to provide more public surveillance into the ally-way from the Bath Road and therefore help remedy the current situation. The dedication of land along with a financial contribution of £13,025 towards its construction should be included with the Section 106 Agreement. Although this was agreed within the previously approved scheme (ref. P/04241/013), this still provides a betterment to the current situation and a considerable amount of benefit should be weighted to the planning balance.
- 15.6 *Summary:*
- Based on the above, by virtue of a communal cycle store comprising 90 cycle parking spaces and the compromised security strategy the proposal would not reduce the potential for criminal activity. This would conflict with the policy requirements to a degree where a moderate amount weight should be applied to the harm in the planning balance.

The remaining elements of the proposal are considered to be consistent Local Plan Policy EN5, and the requirements of the National Planning Policy Framework 2019. Planning Officers therefore consider a moderate amount of harm should be weighted to the planning balance.

The dedication of land to provide more public surveillance into the ally-way to the eastern side of the site is a benefit. Planning Officers therefore consider a considerable amount of benefit should be weighted to the planning balance

- 15.7 Compared to the extant planning permission (ref. P/04241/013), the impact on crime and anti social behaviour would be moderately more harmful as a result of security strategy is compromised.

16.0 **Highways and Parking**

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

16.2 *Access and Trip Generation*

- 16.3 The existing site incorporates two vehicular access points, on at the front via the Bath Road service road and one at the rear via Wellcroft Road. The main access via the Bath Road Service Road would be retained as vehicular access.

- 16.4 The main pedestrian access from the street would be gained directly from the footway adjoining the Bath Road service road. A secondary entrance from within the site would serve those who have parked their car / cycle within the site.

- 16.5 There is a small area at the front of the site to eastern side of the access road which is located with a highway widening line. The landowner has agreed to dedicate this to the highway authority as adopted highway, which will need to be secured through a Section 106 Agreement.

- 16.4 The previously approved application was considered to result in minor increase in trip generation compared to the former use and was considered acceptable. While the previously approved application is for a lower number

of dwellings, the number of bedrooms would increase due to the proposed mix of apartment types as set out below:

	Previous application	Proposed application
Number of units	106	90
Number of bedrooms	118	129

16.5 The Local Highway Authority has analysed the trip generation and concludes that the trip proposal would have a higher trip *rate* per dwelling than previously approved, but when considering this proposal would include 16 less flats the Local Highway Authority consider there would unlikely be an overall increase in trip *generation* compared to the previously approved scheme (ref. P/04241/013).

16.5 *Car parking:*

16.5 The application proposes 102 parking spaces at surface level and within a semi basement level. Although this falls short of the quantum set out in the development plan for 'predominately residential areas', the application site is not within a predominately residential area. Local Plan Policy T2 requires residential development to provide a level of parking appropriate to its location and overcome road safety problems.

16.6 The Local Highway Authority has assessed the quantum of car parking spaces and found that although the ratio of parking spaces per unit would, remain similar; the ratio per bedroom would be less. This is set out in the table below.

	Previous application	Proposed application
Number of units:	106	90
Car parking:	124	102
Parking per unit:	1.17	1.13
Number of bedrooms	118	129
Parking per bedroom:	1.05	0.79

16.7 Although there would be a reduction in parking spaces per bedroom, Planning Officers consider the 0.79 spaces per bedroom is still a good provision for flatted development within this location. The site is served by a main bus service, a defined cycle route, and is positioned within walking distance of a large employment area and an approximate 25 minute walk to Slough train station and the town centre facilities. Furthermore, the proposed flats would be adjacent to the proposed Slough Mass Rapid Transit (SMaRT) that will connect to the town centre and Heathrow. When taking this into consideration with proposed large provision of 1 and 2 bed flats, car ownership levels are likely to be lower than the local plan requirement for residential housing in the suburbs.

16.8 The proposed parking includes five wheelchair accessible car parking spaces, which is in accordance with Manual for Streets (2007).

16.9 *Cycle parking:*

For residential development the Developer's Guide seeks an individual secure cycle store for each dwelling to encourage the ownership and use of good quality cycles that are both reliable and easy to use. Sheffield stands are recommended and hanging racks should be avoided as they are difficult for some people to use.

16.10 The proposed cycle storage would comprise two integral communal secure stores positioned at basement level and include 90 cycle parking spaces comprising two tier cycle racks and semi vertical racks. The provision of a single store for such a number of cycles would not encourage the ownership of good quality cycles. A similar cycle parking provision was accepted within the previously approved application (ref. P/04241/013). This would not encourage the ownership of good quality cycles or encourage sustainable modes of transport, however regard should be given to the previous application. This would not be wholly in accordance with the cycle storage and a limited amount of harm should be weighted to the planning balance.

16.11 *Travel Plan:*

A Travel Plan has been included which aims to reduce the overall amount of car travel by 10% (compared to relevant Census data) by increasing sustainable modes of transport. The Travel Plan which would be monitored by the Council for five years. The Local Highway Authority has agreed the Travel Plan subject to adding the following:

- The LHA are consulted on the revision to mode-share targets
- The LHA are consulted on updates to the Travel Plan, following monitoring
- The LHA are consulted on the more detailed development of the Travel Plan initiatives (as some of the initiatives are in outline form currently)

The Travel Plan will form part of the section 106

16.12 *Summary:*

Based on the above, the proposal by virtue of a communal cycle store comprising 90 cycle parking spaces with two stores, would not encourage sustainable modes of transport. This would conflict with the policy requirements to a degree where a limited amount weight should be applied to the harm in the planning balance.

The remaining elements of the proposal are considered to be consistent Local Plan Policy EN5, and the requirements of the National Planning Policy

Framework 2019. Planning Officers therefore consider a moderate amount of harm should be weighted to the planning balance.

The dedication of land to provide more public surveillance into the ally-way to the eastern side of the site is a benefit. Planning Officers therefore consider a considerable amount of benefit should be weighted positively to the planning balance

16.13 Compared to the extant planning permission (ref. P/04241/013), the impacts on the highway network could be slightly more harmful due to the minor reduction in the parking ratios.

17.0 **Air Quality**

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

17.2 The Council has recently adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic and requiring electric charging points within new developments. The Low Emission Strategy is a material planning consideration but it does not form part of the current local development plan.

17.3 The Council's Environmental Quality Officer has confirmed that the proposal would not lead to unacceptable impact on the future occupiers in terms of exposure. However, the proposal would lead to increased trip rates through the Air Quality Management area and therefore the Environmental Quality Officer has recommended following mitigation:

- EV charging to all spaces
- £25,000 mitigation costs towards an on-street EV charging point
- Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in

Table 7 of the LES Technical Report

- The Travel Plan shall be monitored and include details of the promotion of electric vehicle use and usage of the EV charging infrastructure. Consideration should be given to the provision of electric vehicle demonstration vouchers for new residents

17.4 Within the previously approved application (ref. P/04241/013); due to viability issues the following relaxations with regard to the above were been negotiated with the developer:

- EV power supply for 100 percent of the car parking spaces with 10 percent active charging bays
- Omission of the £25,000 mitigation costs towards an on-street EV charging point;

Given the viability of the development has since changed; the developer has agreed to pay the £25,000 mitigation costs towards on-street EV charging. Providing a passive provision for 100 percent of the car parking spaces along with 10 percent active charging bays is considered appropriate to address the purposes of Core Policy 8. The resulting air quality mitigation is as follows:

- EV power supply for 100 percent of the car parking spaces with 10 percent active charging bays
- £25,000 mitigation costs towards an on-street EV charging point
- Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in Table 7 of the LES Technical Report
- The Travel Plan shall be monitored and include details of the promotion of electric vehicle use and usage of the EV charging infrastructure. Consideration should be given to the provision of electric vehicle demonstration vouchers for new residents

17.5 Access to the EV Charging spaces should be ensured through a car park management plan which would allow spaces with charging points to be reallocated to the tenants that require them. This is secured by condition. The remaining requirements of the mitigation listed above will be sought.

17.6 Based on the above, the proposal would comply with Core Policy 8 of the Core Strategy and the requirements of the National Planning Policy Framework 2019. Neutral weight should be applied to the planning balance.

17.7 Compared to the extant planning permission (ref. P/04241/013), the impacts

on air quality be moderately improved due to the financial contribution towards mitigation.

18.0 **Surface water drainage**

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

18.2 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.

18.3 The application includes a drainage strategy which has been assessed by the Lead Local Flood Authority and the general principles are found to be acceptable. The details of the drainage strategy will need to be secured by condition prior to first commencement. Subject to securing the strategy by condition, no objections are raised.

18.4 Based on the above, proposal would comply with Core Policy 8 of the Core Strategy and the requirements of the National Planning Policy Framework 2019. Neutral weight should be applied to the planning balance.

17.0 **Sustainable Design and Construction**

17.1 Core Policy 8 combined with the Developers Guide Part 2 requires developments of 50 or more dwellings be designed and constructed as better than Building Regulations (Part L1a 2013) in terms of carbon emissions. Specifically developments should be designed and constructed to achieve 15% lower than the Target Emission Rate (TER) of Building Regulation in terms of carbon emissions. In addition to better than Building Regulations, proposals should incorporate energy generation from low or zero carbon sources on site or nearby (i.e. if CHP or district heating is available nearby). The level of energy generation from these low or zero carbon sources should be equivalent to approximately 10% of the developments carbon emissions. For residential development this is defined by the carbon emissions figure of 10 - 15% lower than TER as described above.

17.2 Given the existing building is being retained, it is accepted it would be extremely difficult to achieve the targets set out above for the retained part. However, Following discussions with the developer, these targets can be met for the extended parts of the property to a degree whereby a 5% lower than the Target Emission Rate for all of the dwellings combined can be achieved. Planning Officers consider a reasonable approach as constructed parts would comply with Core Policy 8 of the Core Strategy. Neutral weight should be applied to the planning balance.

18.0 **Affordable Housing and Infrastructure**

18.1 *Infrastructure:*

Core Policy 10 states that where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.

18.2 *Education:*

As the proposal is between 15 and 100 units, in accordance with Core Policy 10 and Part 2 of the Developer's Guide, the Education Authority would seek education contributions. In accordance the tariffs set out in the Developer's Guide, each one bed flat attracts £903 and each two bed flat attracts £4,828. Based on the proposed mix, the proposal would attract a financial contribution of £234,345.

18.3 *Recreation and Open Space:*

As the proposal is less than 2 hectares and over 70 dwellings the updated Developer Guide Part 2, (September 2017) states the requirement will be dependent upon the location of the site, type of residential accommodation, proximity to and type of existing public open space/play areas and the Council's open space and recreation facility studies. The Developer Guide advises the following:

- normally a contribution of £750 per dwelling for a development of mainly family houses with no existing open space/play area nearby;
- occasionally on-site provision of public open space and play equipment with a financial contribution for long term maintenance.

Based on the number of residential units proposed, the type of housing being flats, the mix of bedroom numbers, the number of balconies, and the provision of onsite amenity space, a financial contribution of £300 per 1 bed unit and £500 per 2 bed unit is deemed appropriate. The proposal would attract a financial contribution of £34,800 toward public open space and recreation.

18.4 *Affordable Housing:*

Core Policy 4 of the Core Strategy requires all proposals of 15 or more dwellings (gross), to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing. This may vary depending upon the size and nature of the site and its viability.

18.5 In accordance with the updated Developer Guide Part 2, (September 2017), as the proposal is over 70 units the application would attract a 40% onsite

affordable housing provision (6% Slough Affordable Rent; 15% Intermediate; 19% Slough Living Rent). Given the mix of units proposed, the council's housing team has confirmed they would accept 14x1bed and 15x 2bed units.

18.6 *Viability:*

Pursuant to paragraph 57 of the National Planning Policy Framework, Core Policy 4 of the Core Strategy and the Slough Developer's Guide, the applicant has submitted a financial viability assessment which asserts, securing the all of the above requirements would render the scheme unviable and therefore undeliverable. The financial viability assessment has been reviewed by our specialist where it is found this proposal could support full policy compliant infrastructure and affordable housing provision. The main reason for the conflicting opinions between the developer and the council's specialist is the benchmark land value and the value of the completed development.

18.7 In accordance with Paragraph 57 of the National Planning Policy Framework, the weight given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case. In this particular case, regard needs to be given to the extant planning permission (ref. P/04241/013) for 106 flats which other than a financial review mechanism, does not secure any planning obligations towards infrastructure and affordable housing. The main reason for the change in viability from the extant planning permission is new evidence of the local market seeing high sale values.

18.8 The extant planning permission (ref. P/04241/013) expires in April 2022, and its financial review mechanism is triggered if the rear extension has not reached damp proof course or ground floor slab before 16th October 2020. Subject to discharging five pre-commencement conditions which are currently under assessment by the Council with a target determination date of 18th August 2020, this extant planning permission can begin. Therefore, there is a possibility that this previous planning permission could reach damp proof course or ground floor slab before 16th October 2020 and in such a scenario, this site would be developed with 16 more units than proposed within this application without providing any contributions towards infrastructure or affordable housing. As such seeking full policy compliant infrastructure or affordable housing would not be a reasonable approach. Planning Officers therefore recommend the weight given toward the viability of this scheme is balanced with the possibility of the extant scheme being delivered within no infrastructure or affordable housing obligations.

18.9 In negotiating a reasonable level of planning obligations for this application, planning officers have had regard to:

- The limit set within the review mechanism of the extant scheme being £2,442,809.
- The financial cost of providing full policy compliant infrastructure or

affordable housing as part of this application being £3,218,166.

- The likelihood of the extant scheme being implemented without securing planning obligations.
- The deliverability of the proposed development.
- The need for infrastructure and affordable housing.
- The Community Infrastructure Levy Regulations 2010 which require obligations to be:
 - (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

Following negotiations, the developer has offered financial contributions of £539,166 towards infrastructure and affordable housing. Having regard to the above, the level of financial obligations offered is considered a fair and proportionate compromise that would likely see this development being delivered in place of the extant scheme.

18.10 Where it is found that the policy compliant amount of planning obligations cannot be achieved, it is for the Local Planning Authority to prioritise or balance any received financial contributions to limit the impacts of the sustainability of the borough. In balancing the priorities, having regard to the merits of the application and the impacts associated with the development, officers have concluded the contributions should be distributed to provided the policy compliant amount toward education; air quality mitigation; and building the public right of way. It is recommended the remaining £271,775 is split between affordable housing at £250,000 and recreation / open space at £21,775 and

18.11 Based on the above, the proposal is considered to provide an acceptable level of planning obligations when having regard to all the circumstances in the case. The proposal would therefore comply with Core Policies 4 & 10 of the Core Strategy, the Slough Developer's Guide, and the requirements of the National Planning Policy Framework 2019. Neutral weight should be applied to the planning balance.

18.12 Compared to the extant planning permission (ref. P/04241/013), the impacts on infrastructure would be substantially improved. The affordable housing impacts would be moderately improved.

19.0 **Section 106 Requirements**

19.1 As set out above, the proposed development would attract the following planning obligations:

Financial:

- £234,345 towards education at Grove Academy
- £21,775 toward landscape and / or recreation improvements at Salt

Hill Park

- £20,021 for air quality mitigation (project 4 or 5 of Low Emission Programme)
- £250,000 toward the councils affordable housing development programme across the borough
- £13,025 to create the new widened / diverted public right of way

Non financial:

- Dedication of land to widen the Public Right of Way to the eastern side of the application site.
- Dedication of land within the road widening line.
- Travel Plan.

19.2 The above planning obligations should be secured through a Section 106 Agreement before this planning permission is granted.

20.0 **Neighbour Representations**

20.1 Officers have considered the third party representations put forward by the residents of the neighbouring properties. The material planning considerations raised have been addressed within the relevant sections of this report within the Officer's assessment. The following comments relating short term lets or Airbnb type accommodation are addressed below:

- There are no restrictions in this planning application to prevent the units being rented out on a short term basis for up to 90 days per year as short term rentals.

Case Officer Response: should any of the flats be used for short term lets that would not fall within the C3 Use Class, then this would be a breach of planning and appropriate enforcement action could be taken.

21.0 **Equalities Considerations**

21.1 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either residing in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority has given due regard for the needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (eg: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In particular, regard has been had with regards to the need to meet these three tests:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;

- Take steps to meet the needs of people with certain protected characteristics; and;
- Encourage people with protected characteristics to participate in public life (et al).

- 21.2 The proposal would provide new residential accommodation at a mix of dwelling sizes that would all be policy compliant. Five of the 102 parking spaces would be sized for wheelchair accessibility. Wheelchair access from these spaces up to the main entrance can be achieved where an intercom system will provide voice communication to each flat. Internal lifts provide access to all floors.
- 21.3 It is considered that there will be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development eg: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects. This is secured by condition.
- 21.4 In relation to the car parking provisions, there are potential adverse impacts on individuals within the pregnancy/maternity, disability and age protected characteristics if the occupier/individual does not have access to a car parking space in the development. A justification for the level of car parking is provided in the transport section of this report to demonstrate compliance with the NPPF and transport planning policies in the Local Plan/Core Strategy.
- 21.5 In conclusion, it is considered that the needs of individuals with protected characteristics have been fully considered by the Local Planning Authority exercising its public duty of care, in accordance with the 2010 Equality Act.
- 21.0 **Presumption in favour of sustainable development:**
- 21.1 The application has been evaluated against the planning history, the Development Plan and the NPPF and the Authority has assessed the application against the planning principles of the NPPF and whether the proposals deliver “sustainable development.” The Local Planning Authority can not demonstrate a Five Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2019 and refined in case law should be applied.

Regard to extant planning permission:

In considering the impacts of the proposed development, due regard should be given to the extant planning permission (ref. P/04241/013) for 106 flats and the difference in the impacts when compared to this planning application. Based on the planning assessment, these have been found to be:

More harmful impacts:

- slightly more harmful impact on neighbouring residential amenity due to the perception of being overlooked from within the rear gardens in Cranbourne Close
- moderately more harmful living conditions resulting from high level windows serving single bedrooms in four of the proposed flats
- slightly more harmful impact on the highway network due to the minor reduction in parking ratio

Improved impacts:

- moderately improved mix of housing due to increase in two bed units
- Limit improvement in on site landscaping
- moderately improved impacts on air quality due to the financial contribution towards mitigation
- substantially improved impacts on infrastructure due to securing the full policy compliant financial contributions
- moderately improved affordable housing impacts due to securing negotiated financial contributions

21.2 *Regard to planning policy:*

The report identifies that the proposal complies with some of the relevant saved policies in the Local Plan and Core Strategy, but identifies where there are some conflicts with the Development Plan, namely:

1. The loss of an employment use within defined business (limited weight)
2. The perception of being overlooked from within the rear gardens in Cranbourne Close (**limited weight**);
3. the compromised living conditions resulting from the absence of balconies to 52 of the 90 flats proposed, and the poor level of outlook and daylight serving the single bedroom areas in flats 314 & 315 (third floor) and flats 411 & 412 (fourth floor) through high levels windows, (**moderate weight**);
4. the potential for criminal activity resulting from the absence of individual cycle lockers, (**limited weight**);
5. the impacts on sustainable modes of transport resulting from the absence of individual cycle lockers, (**limited weight**).

Subject to addressing the compromised security strategy, when considering the proposal would provide 90 new flats which in all other respects comply

with the local and national policies towards the defined housing need at a time where there is not a Five Year Land Supply within the Borough, together with the considerable benefits of resulting for the realignment of adjoining public right of way, the Local Planning Authority consider that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2019 taken as a whole and tilted in favour of the supply of housing. On balance, it is recommended the application be delegated to the Planning Manager:

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 Agreement to secure the planning obligations set out in paragraph 19.1;
- 2) satisfactory security strategy;
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 30th October 2020 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

22.0 **PART C: RECOMMENDATION**

22.1 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:

A) For approval subject to:-

- 1) the satisfactory completion of a Section 106 Agreement to secure the planning obligations set out in paragraph 19.1;
- 2) satisfactory security strategy;
- 3) agreement of the pre-commencement conditions with the applicant/agent;
- 4) finalising conditions; and any other minor changes.

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 30th October 2020 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

23.0 **PART D: LIST CONDITIONS AND INFORMATIVES**

Not yet finalised or agreed with Agent

1. Commence within three years

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

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

2. Drawing Numbers

The development hereby permitted shall be carried out in accordance with the following approved plans:

- a) TBC once security strategy is finalised

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

3. Levels

No development shall commence until plans showing details of: existing and finished ground levels; finished floor levels; and the finished roof level, and the finished roof level of the neighboring LeasePlan building has been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

4. Samples of Materials

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

details approved.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

5. Architectural details

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

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

6. Submission of tree protection

No development shall commence until tree protection measures during construction of the development for existing retained trees (as identified on the approved landscaping scheme) have been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented prior to works beginning on site and shall be provided and maintained during the period of construction works.

REASON To ensure the satisfactory retention of trees to be maintained in the interest of visual amenity and to meet the objectives of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004.

7. Detailed landscaping scheme and play equipment spec / maintenance

TBC

8. External Site Lighting

No part of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting

units, hours of use, and vertical and horizontal illuminance levels including on neighbouring land. The scheme shall demonstrate there would be no unacceptable increase in light on neighbouring habitable windows over the ambient background lighting.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future. No lighting shall be provided at the site other than in accordance with the approved scheme.

REASON In the interests of safeguarding the amenities of neighbouring properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

9. Privacy screening

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

REASON In the interests of neighbor amenity and to ensure no overlooking within the proposed development in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policies EN1 and H9 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

10. Privacy Glazing – South Elevation

Prior to first occupation, samples of the obscure glazing to be used in the southernmost rear elevation of the development hereby shall be submitted and approved in writing by the local planning authority. The south facing windows serving flats 124; 224; and 321 on the approved plans shall be glazed with obscure glass in accordance with the approved plans and the approved samples, and those obscured parts shall be non opening to a level of 1.8m from the internal finished floor level. These details shall be fully installed prior to first occupation and be retained at all times in the future.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026,

11. Privacy Glazing – East Elevation

Prior to first occupation, samples of the obscure glazing to be used in the easternmost side elevation of the development hereby shall be submitted and approved in writing by the local planning authority. The oriel bay windows within the easternmost side elevation shall be partly glazed with obscure glass in accordance with the approved plans and the approved samples, and those obscured parts shall be non opening to a level of 1.8m from the internal finished floor level. These details shall be fully installed prior to first occupation and be retained at all times in the future.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN1 of The Adopted Local Plan for Slough 2004

12. Sustainable Design and Construction

Development of the rear extension above damp proof course level, the upper floor extensions, or work to the external envelope shall not commence on site until a low or zero carbon energy scheme has been submitted to and been approved in writing by the local planning authority.

The scheme shall show how the design and construction of the dwellings within the enlarged part of the development hereby approved will achieve carbon emissions (all dwellings combined) at 5% lower than all of the dwellings combined for total Target Emission Rate as calculated in accordance with the Building Regulations 2013 Part L and associated Approved Documents.

The scheme shall include (a) an energy statement listing the Target Emission Rate and dwelling emission rate for each Dwelling and calculations to show the combined figures for both; (b) descriptions of building fabric enhancements, building services enhancements or low or zero carbon energy generating equipment proposed to achieve a better than Building Regulation 2013 Part L carbon emissions requirement. Energy generation on site shall not be from biomass.

The scheme shall be implemented as approved and no dwelling shall be occupied until its associated low or zero carbon energy scheme measures have been installed and are operational and the approved measures shall be retained thereafter

REASON In the interest of sustainable development in particular reducing carbon emissions and in accordance with policy 8 of the Core Strategy 2008.

13. Contaminated Land Watching Brief

A Contaminated Land Watching Brief shall be carried out by an appropriately accredited Competent Person, during site works and shall prepare the necessary evidence to be submitted to the Local Planning Authority to the presence of any unsuspected contamination (to soil or/and water, determined by either visual or olfactory indicators) encountered during the development.

In the event of contamination to land and/or water being encountered, no development or part thereof shall continue until a programme of investigation and/or remedial work to include details of the remedial scheme and methods of monitoring, and validation of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be commissioned and/or occupied until the approved remedial works, monitoring and validation of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no significant contamination is encountered, the developer shall provide a written statement, prepared by the appropriately accredited Competent Person, to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be commissioned and/or occupied.

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

14. Contaminated Land Remediation Validation

No development within or adjacent to any area(s) subject to remediation works, carried out pursuant to the findings of the Site Investigation Report (Ref. 10328/SC), shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include, as a minimum, details of the implementation of the remedial tasks and any contingency plan works proposed in the report above. If required, the

report shall include written confirmation from a Building Control Regulator that all recommended measures have been implemented.

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

15. Construction Management Scheme

No demolition or development shall commence on site until a Construction Management Plan has been submitted to and approved in writing by the local planning authority, which shall include details of the provision to be made to accommodate all site operatives, visitors and construction vehicles (to a minimum Euro 6/VI Standard), off-loading, parking and turning within the site and wheel cleaning facilities during the construction period and machinery to comply with the emission standards in Table 10 in the Low Emission Strategy guidance. The Plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON In the interest of minimising danger and inconvenience to highway users and in the interests of air quality and to ensure minimal disruption is caused neighbouring businesses and residents in accordance with policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2019.

16. Surface Water Drainage - SuDS

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

The surface water drainage strategy shall follow the drainage hierarchy for the outfall as per Building Regulations Part H requirement. The drainage scheme shall also provide sufficient level of treatment in accordance with the SuDS Manual. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). The scheme shall include a management and maintenance plan for the lifetime of the development.

The approved drainage scheme shall be implemented and completed in accordance with the approved details before the development is first occupied. The drainage system shall then be retained at all times in future and be managed and maintained for the lifetime of the development in accordance with approved details.

REASON To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Core Policy 8 of the adopted Core Strategy 2006 – 2026, and the requirements of the National Planning Policy Framework 2019.

17. Noise attenuation and ventilation mitigation

The development hereby approved shall be carried out in with the building fabric and ventilation recommendations set out in the Planning Noise Assessment by Patrick Parsons (ref. A18256C); Dated August 2018.

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

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

18. Gas-fired boilers emissions

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

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

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

19. Electric vehicle charging

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

In addition, prior to first occupation, an Electric Vehicle Car Park Management Plan detailing how the 12no. Electric vehicle charging

spaces and charging points will be provided and allocated to future occupiers shall be submitted and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details on first occupation shall be retained at all times in the future.

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

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

20. No vehicle access gates, roller shutters

No vehicle access gates, roller shutters doors or other vehicle entry barriers (other than those existing on site or approved by this planning permission) shall be installed on the Bath Road entrance or along any part of the access road within the site without first obtaining permission in writing from the Local Planning Authority

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development, and in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, and the requirements of the National Planning Policy Framework 2019.

21. Car Parking

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

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

22. Cycle Parking

No part of the development hereby permitted shall be occupied until

segregated secure stores/cages within the proposed cycle store area that should accommodate no more than 26 cycle spaces have been detailed on floor plans and submitted and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details prior to first occupation shall be retained in good working order at all times in the future.

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

23. Refuse and Recycling

The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future.

REASON To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the National Planning Policy Framework 2019.

24. No additional windows

No windows (other than those hereby approved) shall be formed in the any part of the development without the prior written approval of the Local Planning Authority.

REASON To protect the privacy of the neighbouring property and to ensure no overlooking to the car park site to help ensure that these would not prejudice wider redevelopment in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2019.

25. Use of flat roofs

The roof areas on the development hereby approved shall not be accessible for residents or visitors and shall not be used as a balcony, roof garden or other amenity area.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties, in accordance with Core Policy 8 of The Slough

Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, and the requirements of the National Planning Policy Framework 2019.

26. High Level Windows

The high level windows as shown on the approved plans within the easternmost side elevation and southernmost rear elevation within the building shall be positioned at a height no lower than 1.8 metres from the internal finished floor level.

REASON To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN1 of The Adopted Local Plan for Slough 2004

27. Security – to be updated

The development hereby approved shall be carried out in accordance with the security details as proposed within the following plans and documents:

a) TBC

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

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

INFORMATIVES:

1. The developer and landowner are reminded that an Agreement under Section 106 of the Town and Country Planning Act 1990 has been entered into with regards to the application hereby approved.
2. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
3. All works and ancillary operations during both demolition and construction

phases which are audible at the site boundary shall be carried out only between the hours of 08:00hours and 18:00hours on Mondays to Fridays and between the hours of 08:00hours and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays.

4. Noisy works outside of these hours only to be carried with the prior written agreement of the Local Authority. Any emergency deviation from these conditions shall be notified to the Local Authority without delay.
5. During the demolition phase, suitable dust suppression measures must be taken in order to minimise the formation & spread of dust.
6. All waste to be removed from site and disposed of lawfully at a licensed waste disposal facility.
7. Highways:

The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.

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

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

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

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

8. Thames Water

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

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water

mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

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

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

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