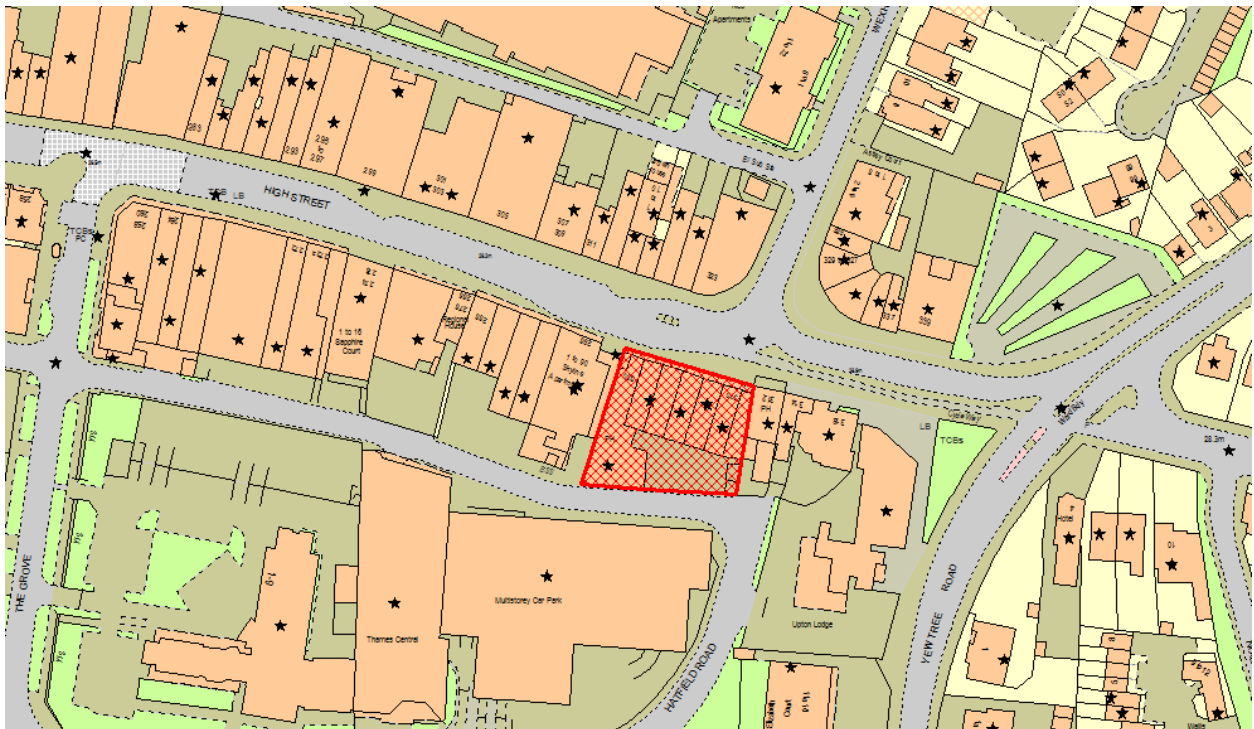


PLANNING APPLICATION REPORT

Registration Date:	10th June 2020	Application No:	P/08145/007
Officer:	Alistair de Joux	Ward:	Central
Applicant:	Kulwinder Dhaliwal, Assetlink Limited	Application Type:	Major
		13 Week Date:	
Agent:	Amar Sidhu, GAA Design		
Location:	Salisbury House, 300 - 310 High Street, Slough		
Proposal:	Creation of an additional 3 storeys on top of existing ground floor, to create 11 new units. Alterations to 3 existing units. Ground Floor change of use from Public house (class A4 use) to Retail (class A1 use) facing High Street and Offices (Class B1a use) facing Hatfield Road. New residential units will have associated cycle storage in the basement and bin storage on the ground floor.		

Recommendation: Delegate to Planning Manager to Refuse



1.0 **SUMMARY OF RECOMMENDATION**

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

1. As a result of proximity to apartments at the neighbouring Skyline Apartments building of external terraces to serve two of the proposed flats, the proposal would have a detrimental impact on the privacy and amenities of the occupiers of the adjacent neighbouring flats, contrary to the principles of good design and to National Planning Policy Framework 2019 Chapter 12, 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) and the *Residential Extensions Guidelines* Supplementary Planning Document (2010).
2. The proximity of the flank wall of the proposed extension to habitable room windows apartments at the neighbouring Skyline Apartments building would be overbearing and oppressive and would result in a loss of outlook for the occupiers of those flats. In addition, several single aspect flats served only by windows on the east elevation of the Skyline Apartments building would experience an unacceptable loss of natural light. As such, the application is contrary to the principles of good design and to National Planning Policy Framework 2019 Chapter 12, 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) and the *Residential Extensions Guidelines* Supplementary Planning Document (2010).
3. Changes to the internal layout of existing flats would result in their reduced number of habitable rooms having poor outlook towards and in close proximity to a high wall within the proposed extension while adjacent existing flats while less severely affected would also suffer from poor outlook, resulting in poor living conditions for the occupiers of these existing flats. Views between existing flats at fourth floor level and a roof terrace at the same level in the extension would also impact on mutual privacy, further eroding living conditions at both existing and proposed flats affected by this design issue. As such, the application is contrary to National Planning Policy Framework 2019 Chapter 12, 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) and the *Residential Extensions Guidelines* Supplementary Planning Document (2010).
4. Taking into account the above design shortcomings regarding impacts on outlook for existing residential occupiers at Salisbury House and Skyline apartments to high featureless walls that form part of the proposals along with the poor access to cycle storage for future

occupiers, the proposal is contrary to the principles of good design and therefore contrary to National Planning Policy Framework 2019 Chapter 12, Core Policy 8 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document, December 2008, Policies EN1 and T8 of the Adopted Local Plan for Slough (2004) and the *Residential Extensions Guidelines* Supplementary Planning Document (2010).

5. The proposal would result in impacts on local infrastructure which are not mitigated through the mechanism of a section 106 agreement towards education and recreation / open space provision made necessary by the development. As such, the application is contrary to guidance given in the National Planning Policy Framework (paragraphs 34 and 122), Core Policies 1, 4 and 10 of the Slough Local Development Framework, Core Strategy (2006 - 2026) Development Plan Document and Slough Borough Council Developers Guide Part 2 “Developer Contributions and Affordable Housing (Section 106)” updated September 2017.

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

PART A: BACKGROUND

2.0 Proposal

- 2.1 This report relates to the proposed redevelopment of part of the application site by altering and extending an existing part-single, part-two storey building located adjacent to Hatfield Road. The proposal would link this building to Salisbury House and provide a part two-, part four- and part five-storey building to accommodate 11 residential units, with associated parking and amenity provision. The proposals will also require alterations to three existing units at Salisbury House, as part of the extension that would link it to the extended building to the rear to provide access between the two at each level. In addition, the proposals provide for changes of use of two parts of the existing premises. These are, within part of the existing ground floor premises within Salisbury House facing High Street, from public house (class A4 use) to retail (class A1 use), and within the existing single storey building facing Hatfield Road from public house to Offices (Class B1a use). Bicycle storage would be provided for the new residential units in an existing basement, with bin storage on the ground floor, and four units would be provided with a balcony or terrace.

- 2.2 The proposed building would step in from the main building footprint at second and fourth floor levels. However while the ground level width of the extended building would remain the same as existing adjacent to the Hatfield Road frontage, allowing the retention of two “stacked” car parking spaces in this part of the site, it would be increased in width above this, as first to third floor levels.

- 2.3 The main pedestrian access and servicing would be from a pedestrian link between the High Street and Hatfield Road.

3.0 Application Site

- 3.1 There are two existing buildings at the application site. The principle building is five storeys high, with a single storey rear extension that appears to be clad in sheet metal. This building has direct frontage to the High Street, and accommodates 30 flats from first to fourth floor levels, with their main entrance taken from the High Street, made up of 26no. 1-bedroom flats and 4no. 2-bedroom flats. This is physically linked at ground and first floor levels to a part single-, part two-storey building with a flat roof which is located in the south-western part of the site and has frontage to Hatfield Road. This provides an additional two-bedroom flat on the first floor. The remainder of the property consists of hard-standing at the rear of the site that is utilised mainly as car parking bin storage for both the ground floor and residential uses, with access also from Hatfield Road.
- 3.2 The site is within the Town Centre, with close proximity a range of local services. The Hatfield Road car park is located directly opposite the site. A Grade II listed building, The Rose and Crown Public House, adjoins the application site's eastern boundary although it is located approximately 30m to the north and east of the building that would be extended.
- 3.3 The site is not within a Conservation Area and is in Flood Zone 1, where there is a low risk of flooding.

4.0 Relevant Site History

- 4.1 The relevant planning history for the site is set out below:

F/08145/004 Prior approval for a change of use from offices (Class B1a) to residential (Class C3) (1st - 3rd floors- 24no.flats). Prior approval not required; informatives, 17 December 2014.

P/08145/005 Construction of an additional floor and change of use of upper floors to residential accommodation comprising a total of 30 flats (25no x 1 bed and 5no x 2 bed), fenestration changes and rear fire escape. Approved with conditions and informatives, 5 October 2015.

P/08145/006 Submission of details pursuant to Condition 3 (samples of external materials), condition 4 (details of cycle storage), condition 5 (details of the controlled entry to the residential scheme), condition 6 (details of refuse and recycling storage), condition 7 (strategy for the management of construction traffic details of parking/waiting), condition 9 (details of working method statement), condition 10 (details of measures to minimise (a) re-use/recycling waste, (b) pollution of unavoidable waste and (c) disposal of waste), and condition 12 (details of external site lighting including details of the lighting units levels of illumination) of planning permission P/08145/005 for construction of an additional floor and change of use of upper floors to residential accommodation comprising a total of 30 flats (25 no. x 1bed, and 5 no. x 2 bed) fenestration changes and rear fire escape. Conditions complied with, 23 February 2016.

5.0 **Neighbour Notification**

5.1 A site notice was posted, dated 28 June 2020.

No responses had been received from members of the public or other interested parties. However, following the receipt of amended plans to illustrate the relationship of the proposal to adjacent Skyline Apartments building, letters were sent to the neighbouring occupiers at that address on 19th October 2020. Any representations received as a result of these consultation letters will be reported in the amendment sheet.

6.0 **Consultations**

6.1 Heritage Advisor (BEAMS)

Salisbury House is a modern 4-storey building fronting the south side of High Street, Slough. It adjoins a grade II listed building comprising The Rose and Crown P.H. (312 High Street) and Tony's Grill Cafe (314 High St). The listed building is rendered with tile roof part concealed by a parapet, with sash windows and early 19th century detailing (it is likely the 19th century frontage conceals an older structure); it stands out due to its modest scale and is clearly an older building surrounded by more recent development. Its rear elevation and modern tile roof (over a later rear extension) is visible from Hatfield Road, this elevation is of lesser interest.

The application proposes extending upon the existing building by splitting the existing ground floor into 2 commercial units, 1 facing the high street (class A1 use) and the other to the rear facing Hatfield Road (class B1 use). The creation of an additional 3 floors above the rear part of the existing building to accommodate 11 new residential units (class C3 use) is also proposed. It is the upwards extension of the rear part of the property which has the potential to impact upon the setting of listed 312 and 314 High Street adjacent.

In accordance with NPPF, para. 189 the application has been accompanied by a Heritage Statement which assesses the significance of the designated heritage asset (the listed building) and considers any impacts there may be upon the significance of the asset through development within its setting.

The rear extension to Salisbury House will not be visible from the High Street so would not be seen in context with relation to the primary front elevation of the grade II listed property. The extension will be visible from Hatfield Road but as the rearwards extension is to the western end of Salisbury House, and away from the site boundary of the listed 312 and 314 High Street the proposal will not alter or impede views of the rear elevation.

The proposed development will increase the bulk and massing of Salisbury House as viewed from Hatfield Road however the extension is reasonably proportionate and is considered to preserve the setting (and significance) of the grade II listed property adjacent. No objection.

6.2 Housing Services

No objections; conditions requested in the event that planning permission is granted.

6.3 SBC Technical Officer - Air Quality

In line with the Slough Low Emission Strategy (LES), the scheme is considered to have a MINOR impact on air quality. The scheme requires an assessment of potential exposure of future residents to concentrations of NO₂ and the integration of Type 1 Mitigation measures, contained in the LES Planning Guidance. However, due to the low traffic volume on the High Street, exposure to poor air quality is expected to be low.

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided for 2 parking spaces, in line with table 7 of the LES Technical Report.
- A 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

6.4 SBC Technical Officer - Noise

The noise assessment was completed during Covid restrictions (26/03/18 - 27/03/18), therefore a desktop assessment was undertaken based on existing noise data from nearby sites, followed by on site verification measurements to determine additional noise sources and confirm background noise. The noise climate was dominated by road traffic to east, rather than the High Street. It is noted that there may be additional noise sources, such as the commercial and residential properties to the west and the car park in south. Although these sources have not been mentioned in the report, it is not clear if they have been considered.

Results indicate glazing capable of achieving 31dB Rw (such as 4/12/4) on all elevations, with trickle vents providing a minimum performance of 29dB Dnew and intermittent extract fans are required. Details of such must be submitted to the Council for approval, once confirmed.

In addition, an overheating assessment must be completed, to determine if the recommended ventilation strategy is suitable.

6.5 SBC Transport and Highways

No comments received at the time of writing. Any response will be provided in the amendment sheet.

6.6 Surface water drainage

No comments received at the time of writing. Any response will be provided in the amendment sheet.

6.7 Thames Water

- Waste comments

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement

infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

- Surface water drainage

Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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

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

- Water Comments

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.

On the basis of information provided, 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.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during

and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

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 8: Promoting healthy and safe communities
- Chapter 9: Promoting sustainable transport
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment
- Chapter 16: Conserving and enhancing the historic environment

Paragraph 11 of the NPPF states that decisions should apply the presumption in favour of sustainable development which means:

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

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

- Core Policy 1 – Spatial Vision and Strategic Objectives for Slough
- Core Policy 4 – Type of Housing
- Core Policy 5 – Employment
- Core Policy 6 – Retail, Leisure and Community Facilities
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment
- Core Policy 9 – Natural and Built Environment
- Core Policy 10 – Infrastructure
- Core Policy 11 – Social Cohesiveness
- Core Policy 12 – Community safety

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

- Policy EN1 - Standard of Design

Policy EN3 – Landscaping Requirements
Policy EN5 – Design and Crime Prevention
Policy EMP2 – Criteria for Business Developments
Policy H14 – Amenity Space
Policy T2 – Parking Restraint
Policy T8 – Cycling Network and Facilities

7.4 Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4
- SBC *Residential Extensions Guidelines* Supplementary Planning Document (2010)
- SBC Proposals Map (2010)

7.5 Planning and Compulsory Purchase Act 2004

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 in February 2019. Planning Officers have considered the proposed development against the revised NPPF which has been used together with other material planning considerations to assess this planning application.

The NPPF 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.

7.6 Emerging Preferred Spatial Strategy for the Local Plan for Slough

One of the principles of the Emerging Preferred Spatial Strategy is to deliver major comprehensive redevelopment within the "Centre of Slough". The emerging Spatial Strategy has been developed using basic guiding principles which include locating development in the most accessible location, regenerating previously developed land, minimising the impact upon the environment and ensuring that development is both sustainable and deliverable.

It is important that key sites within the town centre or on the edge are developed in a comprehensive manner and that all of the necessary linkages and infrastructure are provided. The *Local Plan Spatial Strategy Key Components* report was considered by the Planning Committee at the extraordinary meeting of 26th August. The three key themes for the Spatial Strategy which are derived from the Local Plan Vision and analysis

of the most important issues that are facing Slough. These are:

- To make Slough a place where people want to “work rest, play and stay”, by making sure that people who have prospered in Slough have the opportunity to “stay” in the Borough
- By making sure that we have “inclusive growth” in Slough by ensuring that more of the wealth that is generated in Slough stays in Slough, by enabling residents to participate in more of the well paid employment opportunities in the town and providing more facilities in the Borough for people to use and enjoy.
- Making Slough a place where residents can meet all of their needs and be able to “live locally” in their own community, which will help to develop local communities and reduce the need for people to travel.

8.0 Planning Assessment

8.1 The planning considerations for this proposal are:

- Principle of development
- Design quality and impact on the character and appearance of the area
- Impact on the amenities of neighbouring occupiers
- Impact on the amenities of residents in existing flats at Salisbury House
- The amenities of the development for future occupiers within the development
- Highways and transport
- Impact on heritage assets
- Air quality
- Noise
- Flood risk and surface water drainage
- Sustainable design and construction
- Ecology
- Infrastructure and Section 106 requirements

9.0 Principle of development

9.1 The site is currently occupied by the existing building, which is understood to have been used as part of the former public house and includes a flat above although it is understood that this is currently unoccupied. It is sited within the Town Centre, and no objection is raised in principle to the provision of additional flat development in this location. Creation of additional employment space would also be appropriate in the Town Centre.

9.2 The Borough does not currently have a five year housing land supply as required by the National Planning Policy Framework. The site is in a sustainable location with good public transport use and a range of retail and other amenities within walking distance. The principle of development

is therefore acceptable, subject however to establishing that all other material planning considerations can be satisfied and in particular that acceptable levels of amenity for existing and future residents can be maintained and provided.

10.0 Design quality and impact on character and appearance of the area

10.1 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 and EN2.

10.2 The proposed extension while structurally an addition to Salisbury House would remain as a distinct element that would retain the appearance of a standalone building as viewed from the Hatfield Road frontage. The building is designed to accommodate the differing alignments of the Hatfield Road boundary with the side boundary, which is set perpendicular to the High Street and parallel to the flank walls at Salisbury House. This would result in an acutely angled south-western corner to the building on the Hatfield Road frontage. A first floor apartment on this level would feature a recessed balcony on this frontage, and above this a larger set-back at second floor level would provide an open terrace for a flat at this level. A further set-back at fourth floor level would be provided on the front elevation and on both sides, adjacent to the street frontage, to provide terraces for two flats at this level. The result would be a largely asymmetrical building of some design interest as viewed from the street frontage. However a northern exterior wall would present a blank face to the existing apartments at Salisbury House while the west-facing flank wall would face the adjacent Skyline Apartments (298 High Street). No proposals have come forward that would provide any design interest to what it appears would be flat and featureless facades.

10.3 The addition of greenery is proposed within each of the set-backs noted above. If well maintained, this would add to the design interest of the development. However, while the west-facing flank wall could be appropriate in a town centre situation if it was to be built in close proximity to another windowless flank wall or to a future development site (where development up to or close to the common boundary is envisaged), the wall would be in full view of the occupiers of neighbouring apartments at Skyline Apartments and in very close proximity to the windows of these flats. Similarly, views from some of the existing flats at Salisbury House to the extended building would be to the similarly featureless north facing wall. As such, the design of the building would be unacceptably bland in these views.

10.4 Internally, the layout of the building also does not meet the full range of criteria that need to be considered in a well-designed building. These points are expanded upon in the following sections of this report. Overall, it must be concluded that the proposal is contrary to the principles of good design, and therefore contrary to Core Policy 8, saved Local Plan policy EN1 and to advice in NPPF Chapter 12.

11.0 Impact on the amenities of neighbouring occupiers

11.1 The featureless flank wall noted above would result in a loss of outlook and amenity for residential neighbours at the adjacent Skyline Apartments.

Distances from habitable room windows at first to fourth floor levels to the new flank wall would be approximately 4.9m in the worst case, increasing in steps due to the angled arrangement of the proposal's flank wall at the southern end of the building only, to about 7.5m at second and third floor levels, and to a maximum of 12m at fourth floor level. The result would be a very significant loss of amenity for apartments in both buildings.

- 11.2 The impacted flats include both single and dual aspect units at the Skyline Apartments development. The single aspect apartments there are at second floor level and above, and are served by windows which are almost in line with the existing rear wall at the rear of Salisbury House. As such already those from have restricted outlook towards the existing flank wall at the application site. However they would currently have long angled views across the existing space at the rear of Salisbury House, which will be severely compromised by the proposed extension. For the dual aspect apartments which currently have outlook from their flank wall across the building to be extended, that outlook will be interrupted at first floor level by the main flank wall at a distance of 4.9m (existing separation is approximately 7.4 to 7.9m) while at second and third floor levels (where outlook to the east is currently uninterrupted) these separation distances would vary from 4.9m increasing to 8.0m at the southern end of both buildings, where the proposed extension would be set in from the main side building line. At fourth floor level the corresponding separation would increase to between 6 and 12m. While clearly the impacts are less for flats at fourth floor than for the lower level flats, even this lesser degree of restricted outlook would be detrimental to occupiers of the adjacent dual-aspect flats. For the single-aspect flats, the impacts would be severe.
- 11.3 Impacts on privacy of the neighbouring apartments will also result from overlooking between neighbouring windows and the adjacent second and fourth floor terraces, at distances of under 8 metres at second floor level and less than 12m at fourth floor level. While only four flats would be directly impacted - two at Skyline, two at the application site - the result would be an unacceptable mutual loss of privacy.
- 11.4 The application includes a Sunlight and Daylight Report which assesses impacts on neighbouring flats at both Salisbury House and at Skyline Apartments. This models pre-development direct sunlight and daylight levels reaching habitable room windows prior to development and for the corresponding post-development situation, using BRE guidelines. The assessments were carried out in accordance with two accepted methodologies, Vertical Sky Component (VSC) and Daylight Distribution (DD). While the majority of habitable room windows assessed will meet the BRE guidelines as assessed by the two methodologies, the single aspect flats at Skyline would fail to achieve the minimum Daylight Distribution standard. The assessment seeks to justify the shortfall in the case of the Skyline flats by reference to the "mirror image" principle which is outlined within the BRE guidance, and is cited in the report as follows:

It states, "to ensure that new development matches the height and proportions of existing buildings, the VSC and APSH targets for those windows could be set to those for a "mirror-image" building of the same height and size, an equal distance away from the boundary."

To put it another way, "the mirror image of the subject building (Skyline

Apartments) becomes the existing scenario, and the proposed development is then assessed against that.

11.5 In this case, the new development has not been designed to match the height and proportions of existing buildings, so the applicability of this principle must be questioned. However, regardless of whether this principle applies or not in this situation, the impacts on Skyline Apartments is not limited to loss of light, as discussed above at paragraphs 11.1 - 11.3; the extension would also be oppressively overbearing and over-dominant, and outlook and privacy would be compromised by the development. In combination with any significant loss of light, the extent of these impacts would be even more detrimental.

12.0 Impact on the amenities of residents in existing flats at Salisbury House

12.1 The return wall of the main element of the extension would be north facing. While this wall would have no windows and would therefore not result in any loss of privacy to any of the existing south-facing flats at Salisbury House, the new wall would result in a loss of outlook for seven existing flats, to varying degrees. The extent of these impacts must be assessed with reference to the existing situation at first floor level: The existing structure is separated from the principal building across a width of approximately 10m, with separation from habitable room windows serving two existing flats being a minimum of approximately 3.5m and maximum of about 8.8m. The closest element will largely be incorporated into the link with the principal building, (a small portion of it, about a metre wide, will be demolished as part of the proposals). In the proposed extension, the height will increase from two to five storeys, with the facing wall to be approximately 8.0m wide from first to third floor levels, reducing over the full-height portion of the wall to 4m in width at fourth floor level. This would result in three existing residential units having all of their windows facing this adjacent wall (Flats 4, 12 and 20), while another three would be similarly affected for the majority of their windows (Flats 3, 11 and 19). In addition, Flats 4, 12 and 20 would be significantly enclosed due to their proximity to the link between the principal building and the extension which would bridge the gap between the two at first, second and third floor levels. The link would reduce the number of windows in each of these flats, and the remaining windows would face out into what would effectively be a light well surrounded by high walls on three sides. The existing Flat 27 at fourth floor level would also be affected by the proximity of the north-facing wall. This is a larger unit than those below due to its significantly greater width. The differing fourth floor layout of the proposed extension would result in Flat 27 facing the adjacent wall for most of its 10m width, with separation distances for the most part of 7.5 or 8.8m. The remaining windows would face a terrace at the same level, resulting in a detrimental impact on privacy as well as loss of outlook. Loss of privacy from future occupiers using the roof terrace in the existing would be likely to extend to other flats at this level.

12.2 The Sunlight and Daylight Report also reveals impacts on existing flats using the Daylight Distribution (DD), and Average Daylight Factor (ADF) methodologies. This shows that the three existing units that would be most significantly enclosed by the extension, Flats 4, 12 and 20, would fail to achieve the minimum ADF score.

12.3 These three apartments would be also be reduced in size. While they are currently one bedroom apartments, they are identified on the proposed plans as studio apartments. With internal floor areas of slightly over 40 sq.m. they would continue to of acceptable area; however the shortfall in natural light levels must count against the acceptability of the proposed alterations for these flats.

12.4 Overall, it is clear that the proposals would result in a very significant loss of amenity for the impacted flats at the existing development.

13.0 The amenities of future occupiers within the development

13.1 Mutual impacts on privacy of the proposed apartments and neighbours at Skyline Apartments are discussed above at 11.3, with overlooking between neighbouring windows and the second and fourth floor terraces. As noted there, separation distances are insufficient to avoid a mutual loss of privacy, and as already identified in relation to the neighboring occupiers, this is an unacceptable aspect of this proposal.

13.2 The Sunlight and Daylight Report appears to demonstrate that all but one of the habitable rooms will have access to acceptable levels of daylight. Clarification is being sought from the applicant on some of the figures within the study to ensure that all other habitable rooms within the extension do indeed meet the relevant daylight standards. The single non-complying window as identified by Sunlight and Daylight Report would serve one of two bedrooms in the first floor at the south-west corner of the extension, but does not achieve the BRE minimum level for ADF (Average Daylight Factor). This appears to be due to its being onto the enclosed balcony referred to at paragraph 10.2 above. It is noted that the remaining habitable rooms - the second bedroom and a lounge-kitchen-diner - would have acceptable levels of light, and the shortfall in natural light to this one bedroom must be considered alongside the benefits of the private amenity space provided by the balcony, which measures approximately 10.5 sq.m. in area, and against the other amenities within the flat. The affected bedroom is large - while of irregular shape the area is given as 20 sq.m. on the plan being considered - and it has its own en-suite bathroom. The second bedroom and lounge-living-dining room are also well sized - 15 and 22 sq.m. respectively - and the overall internal area of this flat would be 72 sq.m. If the application was acceptable in all other respects, design changes could be sought to improve the poor level of natural light in this flat. Considered against the high standard of accommodation for the flat as a whole, this short fall is not considered to constitute a point of objection in this case.

13.3 The other proposed flats would comply with the internal minimum floor area standards set out in the Council's SBC Developers Guide Part 4 supplement (November 2018) Space standards for residential development. However, the layout of flats within the link between the principal building and the extension is such that three flats, one each at first, second and third floor levels, would face out into what has been described earlier in this assessment as effectively being a light well (paragraph 12.1). While the Daylight and Sunlight Assessment finds that these windows would be provided with sufficient light in terms of BRE minimum standards, the impact of long and high walls is such that this is

onto considered to provide an acceptable standard of amenity.

- 13.4 None of the flats are specifically identified as being designed to disabled standard, and it is noted that access for disabled users would be difficult from the entrance is shown on the proposed plans. However this may be possible from the lift within the existing principal building, and this would be investigated and if possible confirmed if the proposal was acceptable in other respects. Any access from the lift would then need to be secured by as section 106 obligation or other relevant and effective legal agreement.
- 13.6 The majority of flats do not have any external amenity space, and if the application as considered to be acceptable then provision of off-site recreational contribution would be required in accordance with the Developers Guide Part 2.

14.0 Highways and transport

- 14.1 Paragraph 108 of the NPPF 2019 states that in assessing specific applications for development, it should be ensured that:
- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) Safe and suitable access to the site can be achieved for all users; and
 - c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree
- 14.2 Paragraph 110 of the NPPF states development should give priority first to pedestrian and cycle movements and second to facilitating access to high quality public transport and appropriate facilities that encourage public transport use. It also states applications for development should create places that are safe, secure and attractive, minimising conflicts between pedestrians, cyclists and vehicles and allow the efficient delivery of goods and access by service and emergency vehicles.
- 14.3 The proposal does not include provision for car parking. This is acceptable in a town centre location. Cycle storage space is provided, but this is within the basement. Access to the cycle store would be inconvenient even for able-bodied cyclists, and while secure it does not meet the aspirations of the Developers Guide Part 3, which recommends that cycle stores within blocks of flats should be accessible from the entrance foyer.
- 14.4 The access to the site would be via the pedestrian link between the High Street and Hatfield Road. If the development was otherwise acceptable, provision of CCTV could be investigated to improve the safety of occupiers in accessing the development. However this would not overcome the other shortcomings of the proposal.

15.0 Impacts on heritage assets

- 15.1 Paragraph 189 of the NPPF 2019 advises that applications should include information on the significance of any heritage assets affected by development proposals, including any contribution made by their setting. Appropriate desk-top assessments and where necessary a field

evaluation should be provided where a site includes or has the potential to include heritage assets with archaeological interest.

15.2 Paragraph 190 of the NPPF 2019 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset), taking into account the available evidence and any necessary expertise.

15.3 The closest designated heritage assets is the Grade II listed Rose and Crown pubic house. The application has been assessed by the Council's heritage adviser, who considers that the application would not have a detrimental impact on the setting of this listed building.

16.0 **Air quality**

16.1 Paragraph 170 of the NPPF 2019 states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things):

“...preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality...”

16.2 The Council's Environmental Quality / Air Quality Officer has commented on the application at Section 6.3 of this report. It is not considered that all of the mitigation measures suggested are reasonable such as the provision of electric vehicle recharging infrastructure for 2 parking spaces in a car free development. However, other issues such as the heating system could be secured by condition.

17.0 **Noise**

17.1 Paragraph 170 of the NPPF 2019 states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things):

“...preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability...”

17.2 A Noise Assessment was submitted with the planning application. This has been reviewed by the Council's Environmental Quality / Noise Officer has commented on the application at Section 6.4 of this report. If the proposal was acceptable, noise related issues could be with by conditions. However, this would not overcome the shortcomings of the proposals.

18.0 **Flood Risk and surface water drainage**

18.1 Both Core Strategy Policy 8 and paragraphs 155 and 163 of the NPPF 2019 require development to be directed away from areas at highest risk

off flooding and to ensure flood risk is not increased elsewhere. Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. 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.

18.2 The site lies within Flood Zone 1 where there is a less than 0.1% (1 in 1000) chance of tidal and fluvial flooding; however, the site is at a medium risk of surface water flooding.

18.3 The Council's surface drainage consultants have been consulted for the application. No comments have been received at the time of writing, and these will be provided in the amendment sheet.

19.0 Sustainable design and construction

19.1 An Energy Statement and Sustainability Statement was submitted as part of the application. If the proposal was acceptable, these issued could be provided for by appropriate conditions. However, this would not overcome the shortcomings of the proposals.

20.0 Ecology

20.1 Paragraph 17 of the NPPF 2019 states that when determining planning applications, if significant harm to biodiversity cannot be avoided or adequately mitigated or as a last resort compensated for then planning permission should be refused. It also states that opportunities to incorporate biodiversity improvements in and around the developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

20.2 No ecology survey was submitted with the application. For any otherwise acceptable proposal at the site, the potential for ecology and biodiversity improvements would be investigated for the site. However, this would not overcome the other shortcomings of the proposals.

21.0 Infrastructure requirements / Section 106

21.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements. In addition to affordable housing provision noted in the previous section, and if the development was otherwise acceptable, section 106 contributions would be required to provided for air quality mitigation, sustainable transport and education. As a section 106 agreement has not been completed, the application is therefore recommended for refusal on grounds of not making provision for infrastructure made necessary by the development.

21.2 For any acceptable application of this scale, financial contributions towards education (£31,677) and recreation (£2100) would need to be secured. The applicant has indicated agreement with these contributions. However, no section 106 agreement has been completed in the course of this

application.

22.0 Planning Conclusion

- 22.1 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.
- 22.2 Notwithstanding the above, officers have considered whether there are any other material circumstances that need to be taken into account, notwithstanding the development plan provisions.
- 22.3 The application has been evaluated against the Development Plan and the NPPF, including the core planning principles of the NPPF and whether the proposals deliver “sustainable development.”
- 22.4 The report identifies that the proposal fails to comply with the relevant saved policies in the Local Plan and NPPF in a number of areas. The proposal’s scale and layout will have a detrimental impact on the amenities of the occupiers of neighbouring properties and existing occupiers at Salisbury House. This weighs strongly against the benefits of providing 11 additional residential units, and while it is noted that the Borough has a significant shortfall in the delivery of housing completions in all tenures, the impacts both on the amenities of these occupiers significantly and demonstrably outweighs the provision of the additional residential accommodation that would be provided.
- 22.5 In the absence of a completed section 106 planning obligation, the proposal also does not make provision for financial contributions towards infrastructure made necessary by the development.
- 22.6 The proposal is considered therefore to be contrary to guidance given in the National Planning Policy Framework, Core Policies 1, 4, 8 and 10 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document, December 2008, Policies EN1 and T8 of the Adopted Local Plan for Slough 2004 and the Slough Local Development Framework, SBC Developers Guide Part 2 “Developer Contributions and Affordable Housing (Section 106)” updated September 2017. The application is therefore recommended to be delegated to the Planning Manager for REFUSAL.