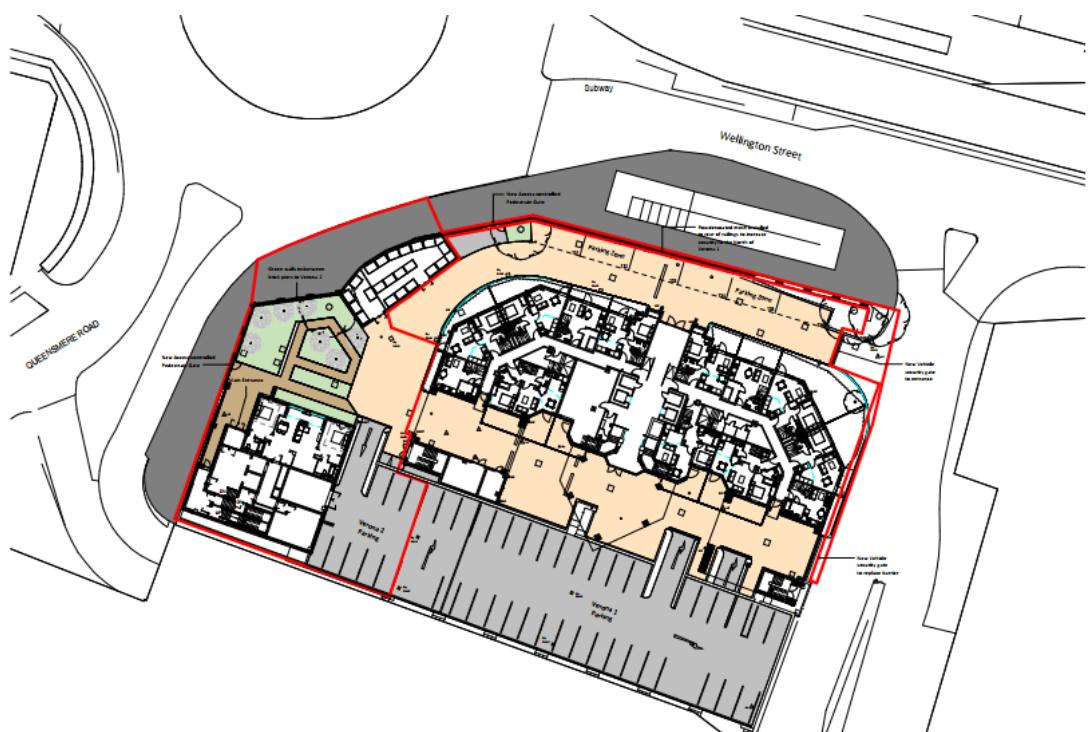


Registration Date:	18-Oct-2022	Application No:	P/03596/071
Officer:	Michael Scott	Ward:	Central
Applicant:	CG Slough 2 Ltd.	Application Type:	Major
13 Week Date:			28 February 2023
Agent:	Tetra Tech, 1 Angel Court, 11th Floor, London, EC2R 7HJ		
Location:	Verona 2, 50, Wellington Street, Slough, SL1 1YL		
Proposal:	Redevelopment of site to provide a residential building (Use Class C3) comprising 29 apartments with associated infrastructure including landscaping, drainage, car and cycle parking.		

Recommendation: Refuse



P/03596/071

1.0 SUMMARY OF RECOMMENDATION

1.1 Having considered the relevant policies set out below, the representations received from all consultees and residents; as well as all other relevant material considerations, it is recommended that the application be **REFUSED** for the following reasons:-

1 - The proposed block of flats by reason of its scale, height, bulk and massing would fail to respect or respond to the established character and appearance of the area, and would constitute a cramped form and an overdevelopment of the site. As a result, the proposed development would significantly harm the character and appearance of the area and the wider street scene and would prejudice the potential future development of adjoining land. The proposal is considered to be contrary to the provisions of The National Planning Policy Framework (2021); Core Policies 7, 8 and 9 of Slough Core Strategy (2006-2026) and Policies EN1, EN3, H9 and H13 of Slough Local Plan.

2 - The proposed development, by reason of its siting, scale, height and massing would result in loss of outlook, an increased sense of enclosure and light intrusion, and by reason of the close proximity of the proposed new building there would result in increased noise and disturbance that would be detrimental to the residential amenity of the occupiers of the adjacent residential occupiers located at Verona Apartments (Verona 1). Such impacts upon the residential amenity of the neighbouring occupiers are considered to be unacceptable and harmful contrary to the aims of the NPPF, Core Policy 8 of Slough Local Plan and Policies EN1 and H13 of Slough Local Plan.

3 - The proposed development, by reason of its proximity to the adjacent buildings at Verona Apartments and the Observatory Shopping Centre would result in a poor outlook, a sense of enclosure and the likelihood of noise and disturbance, as well as light intrusion, arising from the existing occupation of the Verona Apartments and the vehicular activity within the Observatory Shopping Centre, that would be detrimental to the residential amenity of the future occupiers of the proposed residential building. Such a failure is considered to be unacceptable and harmful, and therefore contrary to the aims of the NPPF, Core Policy 8 of Slough Local Plan and Policy EN1 of Slough Local Plan.

4 - The proposed development has failed to provide: (1) affordable housing as required by Core Policy 4 of Slough Core Strategy 2006-2026, and, (2) a financial contribution to open space

enhancements and mitigation for the cumulative impact on Burnham Beeches as required by Core Policy 10 of Slough Core Strategy 2006-2026.

5 - The proposed egress is at a point where visibility is substandard, and visibility cannot be provided in accordance with the Manual for Streets visibility standards. The proposed development would cause a highway safety problem which would create conflicts between vehicles and other highway users.

The development is contrary to Slough Core Strategy (2006 – 2026) Core Policy 7 which requires that developments will either individually or collectively, have to make appropriate provisions for: improving road safety; and sets a target for minimising the number of road users killed or seriously injured on Slough's roads.

The development is contrary to Paragraphs 110 and 112 of the National Planning Policy Framework which requires that: '*Safe and suitable access to the site can be achieved for all users*' and *requires developments to: 'Minimise the scope for conflicts between pedestrians, cyclists, and vehicles'*

6 - The applicant is not able to make adequate provision for a refuse vehicle to ingress/egress the site or turn within the site. The development if permitted would therefore be likely to lead to stationing of refuse and delivery vehicles on the highway; or to refuse vehicles reversing onto the public highway to the detriment of public and highway safety. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is contrary to Paragraph 112 of the National Planning Policy Framework which requires developments to: '*Allow for the efficient delivery of goods, and access by service and emergency vehicles*' and '*Create places that are safe, secure, and attractive – which minimise the scope for conflicts between pedestrians, cyclists, and vehicles*'.

- 1.2 Under the current constitution, this application is to be determined at Planning Committee, as it is an application for a major development comprising 10 or more dwellings.

PART A: BACKGROUND

2.0 Proposal

- 2.1 This is a full planning application for:

- Demolition of the existing car park structure.
- Construction of a part 9/part 10-storey building to provide a total of 29 no. residential apartments (11 x one-bed, 11 x two-bed

and 7 x three-bed).

- The scheme at submission included 11 affordable housing units on the basis of 4no. 1-bedroom; 4no. 2-bedroom; and, 3no. 3-bedroom flats – a subsequent letter sets out that a body may take and deliver 29 Rent to Buy affordable housing units.
- Off-street parking would be reduced by some 23 car parking spaces.
- None of the remaining car parking is identified for Blue Badge holders.
- None of the remaining car parking is identified for the provision of electric vehicle charging points (EVCP).
- Secure storage for 29no. cycles within an integral store at Lower Ground floor level for future residents.
- Secure bin and recycling storage facilities would be shared with Verona 1.
- Access/egress would be shared with Verona 1 through the reorganisation of the circulation within the overall site.

- 2.2 The new building would be sited: immediately on the western boundary; some 1500mm. from the southern boundary; some 7300mm. from the closest part of Verona 1 beyond the eastern boundary of the plot; and, project some 2500mm. further forward than the northern face of the existing car park decks that it would replace.
- 2.3 The overall footprint of the proposed building would be almost square – some 18.25 metres (west-east) and 18 metres (north-south). There would be a single-storey undercroft area at the north-west corner to provide the entrance at ground floor level. There would be a set-back (of some 6 metres across west-east by some 2.25 metres deep north-south) above first floor level at the north-west corner closest to Verona Apartments; so, the northern face of the new building would then rise to nine storeys, whilst the western, southern and eastern facades would rise to ten-storeys, with a mix of recessed and projecting balconies. At roof level there would be a flat roof giving space to provide solar panels and the lift overrun set behind a parapet. The overall height would be close to 34 metres.
- 2.4 The facades would comprise of contrasting red and grey facing materials with a blue/grey anodised aluminium cladding
- 2.5 The vehicular access to the existing site complex from the HTC roundabout would be closed off to provide a new landscaped area. All the circulation for vehicles serving both Verona Apartment and the new proposed Verona 2 building would be taken from the existing access/egress from Wellington Street at the eastern end of the complex.

3.0 Application Site

- 3.1 The application relates to a plot to be formed by adapting the western end of the two-tier deck parking structure serving the Verona Apartments (Verona 1) building. The existing decks at lower ground and ground floor level are accessible to any vehicle; though the private parking controls apply. There is a ramp up from the street level access off the HTC roundabout to the open upper ground floor level and a separate ramp alongside to the covered lower ground floor level. The existing deck structure would be demolished and the plot made ready for the foundation of the new building rising to ten storeys.
- 3.2 The Verona Apartments building is a former office block now converted and occupied as residential flats. This is “horse-shoe” shaped with a long axis fronting Wellington Street and two return “wings” at the western and eastern ends. A south facing aspect is formed by the siting of the block around a deck level amenity area. It comprises five storeys with a sixth floor at roof level. There are some 130 private residential units at Verona 1.
- 3.3 Immediately adjacent to the south of the application plot is the circa three-storey open colonnade sheer north face of the Observatory Car Park serving the integral Shopping Centre. The ramp within the car park lies within the open colonnade. By contrast, Verona 1 lies some 20 metres away to the north of the north façade of the Observatory Centre.
- 3.4 For completeness, it should be noted the plot lies: in the designated Town Centre; in an Air Quality Management Quality Management Area (AQMA); in Flood Zone 1 (where no Flood Risk Assessment is required); but is not in a Conservation Area; there are no heritage assets close by; and, there are no trees under a Tree Preservation Order in close proximity.

4.0 Relevant Site History

- 4.1 There have been a series of Pre-Application submissions in relation to this plot.

(a) Pre-App/00824

In February 2017 an enquiry was received for a scheme entailing a “Proposed development of 102 residential units comprising 26 studio apartments, 62 one bed apartments and 12 two bedrooms apartments”.

(b) Pre-App/00946

In November 2017 an enquiry was received for a scheme entailing the “Erection of a 12 storey building to provide with 46 flats (32 x 1 bed & 14 x 2 bed)”.

The officers' concluding remarks in a letter dated 3 January 2018 regarding Pre-App/00946 were, as follows:

As proposed [the 12-storey scheme], the building would be of an excessive height which would be out of keeping with the context of the area and result in potential conflict with prospective proposals for the comprehensive redevelopment of Slough High Street. The proposed height and siting of the building would also result in harmful impact upon neighbouring residential living conditions resulting in significant loss of light and increased sense of enclosure and overbearing appearance in outlook. As such, the proposal cannot be supported in any form which would result in this kind of impact.

It is commendable that the proposal has been amended from previous schemes to reduce its height and scale and which addresses concerns regarding overlooking, however insufficient evidence has been provided at this stage to justify the proposed height in terms of context, density and scale.

The proposal has also failed to take into account the context of the site regarding its impact on the existing townscape and although the proposed height has taken into consideration the emerging proposals for the Queensmere redevelopment, no regard has been taken of the proposed accessing arrangements required for the redevelopment to take place. If it were possible to overcome concerns relating to scale and impact on the adjoining buildings, you would be encouraged to review the proposals under application P/06684/015 and to develop a comprehensive approach to any potential development on this site. You are also encouraged to take into account emerging proposals for extensions at Verona 1 and the potential impact of the proposals upon this residential neighbour.

These remarks are not binding on the determination of a formal planning application.

(c) Full planning application P/03596/070

This formal submission was received in August 2018 for “Redevelopment of existing car park to provide a new part 8 part 10 storey detached building comprising 39 dwellings (14no. 2-bed units and 25no. 1-bed units). Associated parking and landscaping.”

This application was REFUSED by SBC Planning Committee at its meeting on 31st October 2018 for the following reasons:

1. *The proposed block of flats by reason of its scale, height, bulk and massing would fail to respect or respond to the established*

character and appearance of the area, and would constitute the overdevelopment of the site. As a result, the proposed development would significantly harm the character and appearance of the area and the wider street scene. The proposal is considered to be contrary to the provisions of The National Planning Policy Framework (2018); Core Policies 7, 8 and 9 of Slough Core Strategy (2006-2026) and Policies EN1 and EN3 of Slough Local Plan.

2. *The proposed development, by reason of its siting, scale, height and massing would result in loss of outlook, an increased sense of enclosure and light intrusion, and by reason of the close proximity of the proposed new building there would result in increased noise and disturbance that would be detrimental to the residential amenity of the occupiers of the adjacent residential occupiers located at Verona Apartments (Verona 1). Such impacts upon the residential amenity of the neighbouring occupiers are considered to be unacceptable and harmful contrary to the aims of the NPPF, Core Policy 8 of Slough Local Plan and Policy EN1 of Slough Local Plan.*
3. *The proposed development, by reason of its proximity to the adjacent buildings at Verona Apartments and the Observatory Shopping Centre would result in a very poor outlook, a very strong sense of enclosure and the likelihood of noise and disturbance, as well as light intrusion, arising from the occupation of the Verona Apartments and the vehicular activity within the Observatory Shopping Centre, that would be detrimental to the residential amenity of the future occupiers of the proposed residential building. Such a failure is considered to be unacceptable and harmful contrary to the aims of the NPPF, Core Policy 8 of Slough Local Plan and Policy EN1 of Slough Local Plan.*
4. *The proposed development has failed to demonstrate, to the satisfaction of the Local Planning Authority that the development should not provide: (1) affordable housing as required by Core Policy 4 of Slough Core Strategy 2006-2026, and, (2) a financial contribution to open space enhancements as required by Core Policy 10 of Slough Core Strategy 2006-2026.*

This was a formal determination, which represents a material consideration in the determination of the current application P/03596/071.

(d) Pre-App 1165

In March 2019 an enquiry was received for a scheme entailing the “Erection of a new residential development on a redundant brownfield to provide 34no. apartments”.

The officers’ concluding remarks in a letter dated 9 July 2019 regarding Pre-App/01165 were, as follows:

The proposed scheme reduces the footprint of the previously refused

building, and in doing this it improves the relationships to neighbours to some extent. However, this does not overcome the first reason for refusal nor does it demonstrate that the development would overcome the second and third reasons. The fourth reason for refusal could be overcome by providing a suitable section 106 agreement that would make provision for an appropriate quantum of affordable housing and off-site amenity improvements, subject to any scheme coming forward that fully addresses reasons 1, 2 and 3.

Given the very tightly constrained nature of the site, it is apparent that there are very considerable difficulties in bringing forward an acceptable development on this site. It is questioned whether this small area of land should be considered for development as a stand-alone site. Redevelopment may be more achievable if it was to be carried out in conjunction with the future development of the Observatory Shopping Centre.

The concluding remarks were as follows:

Given the very tightly constrained nature of the site, it is apparent that there are very considerable difficulties in bringing forward an acceptable development on this site. While it was not cited in the reasons for refusal [under P/03596/070], it is noted that saved Local Plan Policy H13 sets out a range of criteria for infill development. The refused application failed to meet some of those criteria, and the possibility for optimising the potential for more comprehensive development of the area forms a further point of assessment which it is considered relevant to this proposal. While no objection was raised on that point, in light of the type of development being proposed for this very small parcel of land both in the refused application and in this amended [Pre-app] proposal, it is questioned whether this small area of land should be considered for development as a stand-alone site; its redevelopment may be more achievable if it was to be carried out in conjunction with the future development of the Observatory Shopping Centre.

These remarks are not binding on the determination of a formal planning application.

5.0 Neighbour Notification

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020, five site notices were displayed – each immediately adjacent to the perimeter of the application site which encompasses the site of Verona 1 - on 10/01/2022.
- 5.2 The application was advertised as a major application in the Slough Express published on 11th November 2022.
- 5.3 There has been 35 neighbours representations at the time this report was complete for publication – any further objections will be

included on the Amendments Sheet for Members at the Committee meeting. The matters raised cover a wide range of issues, not all of which are “planning” matters.

- Loss of privacy/overlooking
- Over supply of flats in Slough Borough Council
- Consequent pressure to extend existing family housing
- Slough needs more large houses
- Ageing population doesn’t need flats
- Density puts pressure on existing limited open space/parks
- Many unsold flats in Slough Borough Council
- Loss of light
- Developer’s “poor track record”
- Danger from change of traffic flow around Verona complex
- Developer’s “neglect” of existing Verona 1 building
- Insufficient parking
- No EV charging points
- Developer has “contractual/legal issues with existing building/transfer of freehold and tenants”
- Leaseholders “trapped” by legal issues

- 5.4 Additionally, observations have been received from the agent representing British Land (the owner/developer of the Queenmere Shopping Centre). These identify a multiplicity of detailed issues with the applicant’s documents, specifically points relating to errors of factual content.

6.0 Consultations

6.1 Highways and Transport

Introduction

This document provides Slough Borough Council’s initial consultation response regarding Highways and Transport for application P/03596/071. A Transport Statement has been submitted in support of the application.

Vehicle Access

SBC Highways and Transport recommend refusal of the planning application which would cause increased use of a vehicle access with substandard visibility. It is not clear the site provides suitable access arrangements for servicing vehicles.

Visibility from Access

The application appears to reverse the existing one-way system in place on site. The TS states vehicles will be ‘directed around the

front of the Verona 1 building' and shows a refuse vehicle entering from the northern site access junction (currently exit only, with no-entry signs).

SBC cannot support this access arrangement because the proposed egress has substandard visibility and the arrangement will increase the likelihood of vehicles queueing back onto the A4 if they cannot enter the site.

The application does not confirm the visibility splays available from the proposed site egress where the refuse vehicle is shown to exit at the southern end of the site. A site visit has established there is substandard visibility looking both left towards the A4 and right towards the Observatory Car Park ramp. Photos of left hand and right-hand visibility from the proposed egress are shown below:



The northern access junction (egress) has been designed as the site egress with a no-entry sign and the building line angled to allow right hand visibility towards Observatory Car Park. A fence appears to have been erected which may need to be removed to allow suitable visibility.

Refuse and Delivery Vehicle Access

The application proposes closure of the consented refuse vehicle entry from the HTC roundabout (Prior Approval Ref: P/03596/063) and the Transport Statement displays a refuse vehicle entering the site in contravention of no-entry signs for the site, in close proximity to the A4 Bath Road. This is considered a highway safety concern which could cause vehicles to queue back onto the A4 Bath Road if delivery or refuse vehicles need to wait to enter the site whilst giving way to vehicles exiting Observatory Car Park.

In addition, SBC refuse collection vehicles do not enter private property and collection would need to be undertaken by a private company.

Measurements taken on site indicate there is 4 metres overhead clearance within the undercroft. The Transport Statement states there is 5 metres overhead clearance available. The previously approved drawings show an overhead height restriction of 3.35m. SBC require the applicant to provide confirmation of the exact overhead clearance throughout the undercroft area.

In addition, SBC refuse collection vehicles do not enter private property and collection would need to be undertaken by a private company.

Amendments

SBC Highways and Transport would require the following amendments to the access strategy in order to consider removing it's objection:

Confirmation of a viable refuse collections strategy given SBC vehicles do not enter private property.

Confirmation that the consented one-way vehicle access route will be reinstated and continue. Vehicles should enter the site from the southern access adjacent to the Observatory Car Park and exit at the access closest to the A4 Wellington Street;

The submission of a scaled drawing which demonstrates suitable visibility splays can be provided from the northern egress in accordance with the Manual for Streets visibility standards. A speed survey may need to be undertaken which establishes typical vehicle speeds. The drawing should also display the entry restrictions/signage, corner radii and access width; Entry barrier at the southern ingress junction to be set-back 7.0m from the carriageway edge;

Swept path analysis which demonstrates a refuse vehicle, large car and long wheelbase Mercedes Sprinter Van (6.9m long) can ingress and egress the proposed development; and

Confirmation that double yellow line parking restriction at the site access junction will be upgraded in order to prevent vehicles parking and obstructing the proposed access junction.

The applicant should seek expert advice on whether a suitable access arrangement can be provided and consider whether it is cost effective to complete further work.

Access by Sustainable Travel Modes

If the concerns regarding vehicle access and refuse collection can be resolved, then SBC will expect improvements to the sustainable transport infrastructure will be required.

The application would increase demand for footways, cycleways,

and public transport in the area. In order to support the application, SBC would also require the following upgrades to pedestrian and cycle connectivity to the site:

- 1 The upgrade of the pelican crossing outside the site to a toucan crossing through a Section 278 Agreement. This is to connect cyclists from the site with the shared cycle path along the north side of the A4 and with Slough railway station;
- 2 The provision of a table crossing across the site access junction along the Southern A4 footway;
- 3 The upgrade of the footway to shared footway between the site entrance and the new toucan crossing;
- 4 Confirmation that the redundant access will be closed up and reinstated to footway under a Section 278 agreement;
- 5 Bollards along the edge of the new footway section on HTC roundabout to prevent pavement parking on the proposed new footway (which replaces the proposed refuse vehicle access).

Trip Generation and Traffic Impact

If the concerns regarding access and refuse collection can be resolved, SBC would also require changes to the trip generation forecast. SBC Highways and Transport do not accept the assessment of traffic impact presented within the Transport Statement.

The traffic impact forecast is based on trip survey data from TRICS. TRICS is the national trip generation database.

The trip survey sites used are not considered comparable with the proposed development site. Survey sites in London in close proximity to tube stations have been included which benefit from far greater public transport accessibility and lower propensity to use a car. These incomparable London sites include: North Street (Barking), Vanston Place (Fulham), Park Street (Southwark), Lamb Walk (Bermondsey) and Erskine Road (Walthamstow).

Proposed Car Parking

14 parking spaces are proposed, which equates to 0.48 parking spaces per dwelling. This would be considered acceptable given the site's close proximity to Slough Station and high level of accessibility using sustainable transport modes.

Existing Car Parking Utilisation

The application states that car parking on-site is currently underutilised and therefore 22 car parking spaces can be removed

which would reduce parking availability for the apartments in the Verona 1 Building.

SBC Highways and Transport cannot accept the removal of these parking spaces without survey evidence demonstrating underutilisation of the parking spaces. The survey would need to be completed by an independent traffic survey company.

Disabled Parking

Accessible spaces for blue badge users are required. Inclusive Mobility (2021) recommends 5% of parking spaces are designed to an accessible standard with a 1200mm access strip at residential developments.

Site Layout

SBC Highways and Transport require the application to include swept path analysis which demonstrates that a large car measuring 5.079m in length can ingress/egress each parking space.

SBC require spaces bounded by a physical feature such as a fence or a wall to be widened by 300mm. This is because where spaces are not bounded by another space, drivers cannot open their car door over the adjacent space.

Electric Vehicle Parking

The Transport Statement outlines that 7 parking spaces would be provided with EV Chargers in an unallocated car parking layout. This would be considered acceptable according to the requirements of the Slough Low Emissions Strategy (2018 – 2025).

Cycle Parking

SBC also require the provision of Sheffield stands at the entrance to the proposed development to provide short-stay visitor cycle parking. These short-stay cycle parking spaces cater for those visiting the development on bikes or Deliveroo riders. The Slough Developer's Guide requires the provision of short-stay visitor cycle parking for flatted developments of 10 dwellings or more.

Summary and Conclusions

I can confirm that I would recommend refusal of the application for the reasons set out [as Reasons for Refusal nos. 5 and 6 listed at 1.1 above].

[Officer's NOTE – Given the form of the proposals and the principle raised that the scheme is detrimental to the character and appearance

of the area - thus it is considered the proposals are not capable of being supported - the HA's comments have not been progressed or amendments sought, as that would have been unproductive and abortive for the applicant.]

6.2 Lead Local Flood Authority

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

We consider that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of flooding.

Condition

Before any above ground works commence a detailed design of 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 should be 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 completed.

The scheme shall include:

- i) Details (i.e., designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, and attenuation structures
- ii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iii) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.

Reason

To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

Condition

No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason

To ensure the future maintenance of drainage systems associated with the development.

6.3 Environmental Quality Officer

Air Quality Background

Slough Borough Council (SBC) has designated 5 Air Quality Management Areas (AQMA) due to elevated concentrations of Nitrogen Dioxide (NO₂, annual average), including:

- Slough Town Centre
- M4
- Tuns lane
- Brands Hill
- Bath Road

While particulate matter concentrations do not breach EU Limit Values, levels in Slough are higher than both the national and regional averages and it is estimated that 1 in 19 deaths are attributable to PM2.5 in Slough (PHE).

SBC has adopted the Slough Low Emission Strategy 2018-25. This application has been assessed in relation to air quality considerations in line with the Slough Low Emission Strategy Technical Report: 'Land-Use planning and Development Management' Guidance (Section 3.3). The LES Technical Report can be found on the SBC Low Emission Strategy web page - <http://www.slough.gov.uk/pests-pollution-and-food-hygiene/low-emission-strategy-2018-2025.aspx>

Where mitigation is required and refers to the 'Slough Electric Vehicle Plan' this can be found in Section 4.3 of the LES Technical Report.

The Slough Low Emission Strategy also includes a Low Emission Programme. Again, details can be found on the SBC LES web page.

Air Quality Comments

In line with the Slough Low Emission Strategy, the scheme is considered to have a minor impact on air quality due to the low number of predicted vehicle trips. The proposed development is approximately 25m from the roadside, therefore exposure to poor air quality is very unlikely for future occupants.

A Construction Environmental Management Plan (CEMP) 'framework' has been submitted in support of this application. It states that as contractors have not yet been appointed, this CEMP aims to set out the fundamentals of construction management and it is expected that an updated version will be submitted once details are confirmed. Within this CEMP, much of the detail on noise and dust management is already provided, including use of wheel washing facilities, screens to reduce dust and damping down. It is noted however that details of emission standards are not provided, which is expected to be specified in the updated submission.

As the development is expected to cause a minor air quality impact, the scheme only requires the integration of Type 1 Mitigation measures, contained in the LES Planning Guidance and replicated below:

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As stated in the Design and Access Statement, 4 EV charges will be provided, which is accepted. It is recommended that cabling is installed to allow for future provision for the remaining parking spaces allocated to this development.
- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works. It must include details of Institute of Air Quality Management (IAQM) dust mitigation, including a Dust Management Plan as specified within the Air Quality Assessment, plus methods to control noise.
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report

Environmental Noise Comments

An environmental noise assessment has been prepared by Tetra Tech in support of this application. It has used a combination of noise monitoring to establish the baseline (survey period 10th – 16th August 2022) and noise modelling to determine noise impact to future occupants of the development. Dominant noise sources identified include road traffic noise from the A4, some residential noise and aircraft.

The results indicate that noise levels reach 62.3dB LAeq during the day and 57.7dB during the night, with an L_{Amax} of 94.7dB. These noise levels can be mitigated through the implementation of double glazing (30dB Rw achieved with 6/12/mm) and an acoustic ventilation system. Details of such will need to be submitted to and approved by the Council via planning condition.

In regards to external amenity noise levels, only the northern facing balconies (AR03) experience noise levels above the limit of 55dB. As the use of this balcony is at the occupants discretion, and there is alternative outside space available on the ground floor which is screened using an acoustic barrier, this is acceptable.

The proposal includes a substation on the ground floor which has a louvre on the eastern façade. An assessment has been completed to determine whether noise levels from this substation will cause disturbance to future and existing occupants. The results indicate that at the closest receptor, noise levels are predicted to be 10dB below the background noise level. This is only achieved under the assumption that noise from the plant will be limited to 39.3dB(A) at 1m or 30.1dB(A) at 3m. The report states that different plant configurations could apply and will be established during the detailed design stage. A plant noise limit will therefore be set via condition, as a minimum to not exceed the background noise level at the nearest noise sensitive receptor.

There was concern that future occupants of the development may suffer noise disturbance resulting from use of the car park to the rear. It is noted however that the lower storey floors do not have any windows facing the south, with windows introduced only on the 5th to 8th floor. It is understood that the car park is only in use from 09:00 – 19:00 at the latest, so risk of noise disturbance is low.

Summary

To summarise, a noise assessment has been completed which indicates that the noise levels experienced at the development can be mitigated to ensure that future occupants of the scheme are not exposed to unacceptable noise levels. To ensure this, the following conditions are required:

- Submission of full details of glazing and ventilation scheme to

- meet criteria outlined in the assessment.
- Setting a plant noise limit which meets the background noise level (43dB) for when substation plans are developed.

6.4 Natural England

No comments received. Any comments received will be reported into the Amendment Sheet.

6.5 Thames Water

Waste Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

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.

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.

With regard to 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. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. 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://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Water Comments

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

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://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to

prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email:

developer.services@thameswater.co.uk.

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend 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.

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email:

developer.services@thameswater.co.uk

The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other

structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water.
Email:developer.services@thameswater.co.uk

6.6 Police Architectural Liaison Officer

It is good to see that the applicant has acknowledged the requirement for a suitable level of security being present to protect the future residents and the development itself from the negative impacts of crime and anti-social behaviour. This is particularly pertinent due to the location.

Having reviewed the application I have been unable to find a 'Security and Access Strategy' for the development, this should be provided and approved prior to planning permission being granted.

I make the following comments and ask that these are either confirmed, amended or addressed in additional documentation requested.

- From the DAS (P39) the bin storage is proposed to be enclosed and secure. I have significant concerns in relation to a single large bin store for the site in that it is likely to attract anti-social activities if left insecure. If the requirement is that the bin store should be enclosed then the following should be addressed;
 - Additional bin stores should be provided to allow a reduction in size of each unit creating a sense of ownership amongst residents for these stores. Reducing the size will likely increase better visibility internally around the store, prevent the flytipping of large unwanted items and reduce the potential for the store to be used for a number of other unwanted activities.
 - Robust access controls must be present – electronic fob access must be present on each store.
 - A single wide self-closing door should be provided with an internal thumb turn to prevent accidental lock in.
 - The door should meet the minimum standards of LPS 1175 SR1 to ensure both physical security and durability of hardware.
 - Internal lighting must be present.

Alternatively I would suggest the use of an external store with visibly permeable sides to allow surveillance in and open to the elements reducing the potential and desire of individuals to use these stores for other activities.

- I have been unable to identify any details regarding the provision for postal services. Postal services should not have unrestricted access into the development and any entry into the stairwells, lifts or communal corridors should only be possible for postal services when allowed to enter by a resident. If the proposal is that postal services will be located in the secure lobby area then postal workers should have access only through the initial front door set. The most appropriate system for this type and size of development would be to provide through the wall delivery requiring access only through the perimeter gate. Further confirmation and details are required.
- From the plans provided access controls are proposed for the perimeter gate to the development. Further detail is required regarding how visitors to the site will be managed. **This should be addressed in the security and access strategy.**
- I have been unable to identify how compartmentation will be provided through the building. Whilst there is the potential to access controls doors exiting the stair core the same is not possible in terms of the lift cores. A visitor entering the development and accessing the lift would be able to exit on any floor. This could be addressed through access controlled lift operation if the current layout cannot be amended. **This should be addressed in the security and access strategy.**
- Whilst the DAS refers to the presence of access control no further details have been provided. The positioning and attributes of access controls and visitor entry systems must be provided to ensure they provide sufficient physical security to this development. This should confirm that no 'Trades' or timed release button will be present. Break glass to exit should not be present as these leave the development insecure in some cases for several days until the glass is replaced. An alternative that allows the system to be reset in timely manner after an emergency or false activation must be present. **This should be included in the security and access strategy.**

- Not all offenders are external to a development. Compartmentation must be provided through the development to allow residential fobs to be programmed, enabling access only to those areas they have a legitimate need to access and in all other locations treated as visitors. E.g. a resident located on the second floor should not have unrestricted access to the communal corridor of the 6th floor and should enter this area as a visitor. **This should be included in the security and access strategy.**
- I have been unable to find any details relating to the proposed secure vehicle gate its structure and how it will operate. Additional documentation should be provided. **This should be included in the security and access strategy.**
- Formal surveillance should be present on this development. Additional details should be provided regarding the positioning and type of cameras provided. **This should be included in the security and access strategy.**
- Communal entrance doors should meet the general standards of LPS 1175 SR2 or equivalent to ensure sufficient physical security and durability are present. This should include the doors located in from the parking area into the development. Confirmation is required. **This should be included in the security and access strategy.**

6.7 Fire Safety Office

No comments have received. An update will be provided on the Amendments Sheet.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 National Planning Policy Framework 2021 and National Planning Practice Guidance

Section 2: Achieving sustainable development

Section 4. Decision-making

Section 5: Delivering a sufficient supply of homes

Section 7: Maintaining the vitality of Town Centres

Section 8: Promoting healthy communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

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

7.2 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (adopted December 2008)

Core Policy 1 - Spatial Vision and Strategic Objectives for Slough

Core Policy 3 – Housing Distribution

Core Policy 4 - Type of housing

Core Policy 7 - Transport

Core Policy 8 - Sustainability and the Environment

Core Policy 9 - Natural and Built Environment

Core Policy 10 - Infrastructure

Core Policy 11 - Social Cohesiveness

Core Policy 12 - Community safety

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

H9 – Comprehensive Planning

H13 – Backland/Infill Development Policy

H14 - Amenity space

EN1 - Standard of Design

EN3 - Landscaping
EN5 - Design and Crime Prevention
OSC15 - New facilities in Residential Developments
T2 - Parking Restraint
T8 - Cycling Network and Facilities
T9 - Bus Network and Facilities

7.4 Slough Local Development Framework Site Allocations DPD (2010)

The Site Allocations DPD (2010) includes a number of Site Specific Allocations with detailed development proposals for selected sites. One of these sites is SSA14, the Queensmere and Observatory Shopping Centres.

- The proposed uses for the site are “*Mixed: retail, leisure, restaurants/bars, car parking, residential and community.*”

The stated Reasons for Allocation are:

To establish the principles for the comprehensive redevelopment and/or reconfiguration of the Queensmere and Observatory shopping centres.

To ensure that the future development of the shopping centres positively contributes to the wider regeneration proposals for the town centre particularly the Heart of Slough.

To support development proposals that will encourage further retail investment in the town centre.

The Site Planning Requirements in the DPD are:

Redevelopment and/or reconfiguration proposals should:

- *Improve the retail and leisure offer around the Town Square through change of use of key units and improved retail offer*
- *Link to the Heart of Slough through provision of a western entrance to the shopping centre and access to residential units above the centre.*
- *Create active frontages along the A4 Wellington Street and St Ethelbert’s Church frontage*
- *Remove the service ramp to the Prudential yard in coordination with the Heart of Slough proposals in the area*
- *Improve pedestrian links to the bus and railway stations via Wellington Street*
- *Rationalise multi-storey car parking provision and its links to the centres and Wellington House.*
- *Redevelopment of the western end of the Queensmere Centre adjacent to St Ethelbert’s church, including improved retail units, residential accommodation above the centre and removing the toilet block*
- *Transform Wellington Street frontage to create an urban*

boulevard with tree planting, improved north-south route connection to the town centre, active retail frontages and access to residential above the retail units

Aim to reduce the negative impacts of construction upon existing businesses and the quality of life for residents and users of the town centre by appropriate phasing and implementation.

7.5

Centre for Slough Interim Planning Framework (2019)

The Interim Planning Framework was intended to demonstrate how comprehensive redevelopment and regeneration could take place within the Centre of Slough. It recognised that the town centre was failing as a shopping centre and so promoted an “activity” led strategy which sought to maximise the opportunities for everyone to use the centre for a range of cultural, social, leisure and employment activities which are unique to Slough. In order to do this it promoted it as a major transport hub, identified the potential for it to be a thriving business area which could accommodate a large amount of new housing and recognised the aspiration to create a new cultural centre in Slough.

The Framework defined a “central area” within the centre of Slough which consisted of the High Street, Queensmere and Observatory shopping centres which together perform many of the traditional town centre functions. Within the context of a declining number of visitors to the town centre and a significant number of shop closures, the preferred strategy was to keep the High Street as the primary shopping area and redevelop the southern part of the Queensmere and Observatory centres as integral parts of the new High Street. This would then allow the Wellington High Street to be redeveloped for a mix of other uses including high rise residential.

7.6

The Proposed Spatial Strategy (Nov 2020)

Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This set out a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough. The consultation document contained a revised Local Plan Vision which supports the Council’s vision for Slough as a place where people want to “work, rest, play and stay.”

It should be noted that the consultation document for the Proposed Spatial Strategy does not contain any specific planning policies or allocate any sites. It made it clear that the existing planning policy framework for Slough would remain in force until replaced by new Local Plan policies in the future. Nevertheless, it sets out the most up to date statement of the Council’s position with regards to strategic planning issues. As a result, it is relevant for the consideration of this application (but only very limited weight can be afforded to the specific and strategic guidance therein).

- 7.7 Habitats Regulations Assessment of Projects, Natura 2000 and European Sites
Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive. Since 31st December 2020, the UK requirements for Habitat Regulations Assessments is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world.
HRA employs the precautionary principle and Reg 102 ensures that where a project is ‘likely to have a significant effect’ (LSE), it can only be approved if it can be ascertained that it ‘will not adversely affect the integrity of the European site’. Burnham Beeches is designated a SAC under this Directive which is located to the north of Slough.
The development ‘project’ has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC).
- 7.8 Buckinghamshire SPD Burnham Beeches Special Area of Conservation
Buckinghamshire Council adopted (in November 2020) a Supplementary Planning Document (Burnham Beeches Special Area of Conservation – strategic Access Management and Monitoring Strategy) which requires developers to make a financial contribution per dwelling for mitigation irrespective of dwelling type or size in a zone between 0.5km and 5.6km from Burnham Beeches. The threshold, in terms of the size of development, when a contribution will apply is for schemes of 10 net additional homes.
- 7.9 Fire Safety Provisions - DLUHC Guidance - Fire safety and high-rise residential buildings (from 1 August 2021)
The Department for Levelling Up, Homes and Communities (DLUHC) has brought in changes to the planning system whereby HSE Gateway One are a statutory consultee on specified planning applications. The DLUHC Guidance states that the changes are intended to help ensure that applicants and decision-makers consider planning issues relevant to fire safety, bringing forward thinking on fire safety matters as they relate to land use planning to the earliest possible stage in the development process and the result in better schemes which fully integrate thinking on fire safety.

7.10 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 in July 2021.

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

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2021, the Local Planning Authority cannot demonstrate a Five Year Land Supply. Therefore, when applying Development Plan Policies in relation to the development of new housing, the presumption in favour of sustainable development will be applied, which comprises a tilted balance in favour of the development as set out in Paragraph 11(d) (ii) of the National Planning Policy Framework 2021 and refined in case law. The ‘tilted balance’ as set out in the NPPF paragraph 11 requires local planning authorities to apply the presumption in favour of sustainable development (in applications which relate to the supply of housing) unless 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.

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

7.11 The planning considerations for this proposal are:

- Principle of development (section 8.0)
- Impact on the character and appearance of the area (section 9.0)
- Impact on amenity of neighbouring occupiers (section 10.0)
- Housing mix (section 11.0)
- Living conditions for future occupiers of the development

- (section 12.0)
- Safe environment and accessibility (section 13.0)
 - Highways, sustainable transport and parking (section 14.0)
 - Flood risk & surface water drainage (section 15.0)
 - Trees & Landscaping (section 16.0)
 - Heritage and Burnham Beeches issues (section 17.0)
 - Environmental issues (section 18.0)
 - S.106 Contributions (section 19.0)
 - Presumption in favour of sustainable development/Tilted Balance (section 20.0)
 - Equalities (section 21.0)

8.0 Principle of development

- 8.1 The National Planning Policy Framework 2021 encourages the effective and efficient use of land.
- 8.2 The applicant's case is that "*The application site comprises an area of hardstanding and multistorey car parking area that is no longer fit for purpose. The areas of hardstanding are used for access, car parking and manoeuvring.*" Furthermore, they state "*The redevelopment of the site will also result in a reduction of hardstanding, and an increase in soft landscaping and biodiversity, improving its sustainability and enabling the site to be adapted to climate change.*"
- 8.3 The applicant's Design & Access statement describes the application plot as part of a "redundant" car park. However, the specific portion of the car park that the applicant includes in this application, is a functional and integral part of the larger car park, as well as, the western access and egress of the overall complex including Verona Apartments and the ancillary car park. There is no distinction between the portion of the car park included in this application and the remainder of the car park, as clearly vehicles have to use this part to gain access and leave the remainder of the facility, as well as, have the opportunity to utilise the spaces in this area.
- 8.4 So firstly, as such, there is a fundamental issue and objection to the proposals based on the principle of the formulation of a plot for any free-standing new form of building within the overall Verona complex.
- 8.5 In considering the details of the proposals, it is noted these entail the closure of the access from the HTC roundabout with a consequential re-direction of all vehicular traffic serving Verona Apartments, as well as, the application scheme, then utilising the existing access/egress at the eastern end, together with the demolition of this portion of the car park.

- 8.6 The applicant's plot arises from this re-organisation of the existing Verona complex, which would be used to construct a flatted development.
- 8.7 Core Policies 1 and 4 which seek high-density, non-family type housing to be located in the Town Centre; whilst, in the urban areas outside of the town centre, new residential development is expected to be predominantly family housing.
- 8.8 The plot is located within the designated Town Centre, where it would be appropriate to consider flatted accommodation, were there not a fundamental issue with the principle of siting a new building within the car park area of the Verona complex.
- 8.9 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high-quality homes which should be considered in the context of the presumption in favour of sustainable development.
- 8.10 So, whilst the plot is considered to be located in a sustainable location, as it benefits from access to public transport, education, retail, leisure, and employment and community facilities, there remains an objection of principle to the formulation of this scheme.
- 8.11 Therefore, having regard to the National Planning Policy Framework 2021 and the Local Development Plan, there is fundamental objection to the principle of a new building on this plot, as it does not entail a brownfield site but would be a cramped form of development that represents overdevelopment that would prejudice the comprehensive development of adjoining land.

9.0 Impact on the character and appearance of the area

- 9.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings and of a good standard of amenity for all existing and future occupants of land and buildings.
- 9.2 Furthermore, Paragraph 8 of the NPPF sets out that achieving sustainable development means that the planning system has three over-arching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective. Of these, it is considered the proposals raise significant issues in relation to the environmental objectives of the thrust of the NPPF.
- 9.3 Paragraph 9 of the NPPF stresses that sustainable solutions should take local circumstances into account, to reflect the character, needs

and opportunities of each area.

- 9.4 In Core Policy 1 the Council seeks a scale and density of development that will be related to a site's current or proposed accessibility, character and surroundings.
- 9.5 In Core Policy 8 the Council seeks all development to be sustainable, of high-quality design that respects its location and surroundings, in that it should respect the amenities of adjoining occupiers and reflect the street scene and local distinctiveness of the area.
- 9.6 Accordingly, in Core Policy 9 the Council states development will not be permitted where it does not respect the character and distinctiveness of existing townscapes. The impact of the current proposals is considered in section 9.0 below.
- 9.7 As a scheme that entails an infilling of the street scene, attention must be paid to each limb of Policy H13, of which criteria (a), (b), (c), (d) and (f) are relevant.
 - (a) the type, design, scale and density of the [proposals] are in keeping with the existing residential area;
 - (b) appropriate access, amenity space and landscaping are provided
 - (c) appropriate car parking provision
 - (d) the scheme is designed ... so that [retained dwellings] do not suffer overlooking or loss of privacy, no substantial loss of amenity due to the creation of new access or parking areas
 - (e) *[not relevant]*
 - (f) the proposal optimises the potential for more comprehensive development of the area and will not lead to the sterilisation of future residential land.
- 9.8 In summary, were the proposals to be acceptable in principle, the issues would turn on the scale of any infilling development to ensure that it can be accommodated sensitively with the fullest regard to the character of the surroundings, as well as, the handling of any potential impact on the amenities of the neighbouring occupants.
- 9.9 As described above, the application plot lies in the Town Centre and forms an integral and operational part of the Verona complex. It is characterised by its function, which is to provide access and parking within that context. As the plot lies adjacent to the HTC roundabout and the pedestrian and vehicular routes to the Queensmere centre, it is considered to be a part of the functional town centre and its visual characteristics flow from these functions.
- 9.10 The existing form of the car park decks is unobtrusive and of modest scale; albeit, of no particular visual quality in the foreground of the

open-sided, larger scale of the Queensmere centre behind.

- 9.11 The proposals entail the new ten-storey, flatted block sited at the back-edge of the footway leading to and/from the Queensmere centre. This would represent a very overbearing form alongside the public footway.
- 9.12 The proposals entail a narrow gap of some 1500mm. between the northern face of the Queensmere centre and the Ground to Fourth floors of the new ten-storey, flatted block. So, the upper floors of the proposed building with its windows would effectively be borrowing amenity from the air space over the adjacent land, which is in a different ownership.
- 9.13 The setting of the current proposals is very similar to those under P/03596/070, when it was noted:

"The proposed form of the development would introduce a significant built form on the site where there has been none of significance. The proposals are described as "part 8/part 10" storeys in the application which would be out of scale with the adjacent existing forms of Verona 1 and the Observatory Shopping Centre.

The proposed development would be sited immediately at the back edge of the footway alongside the pedestrian route on the east side of the access from the HTC roundabout to the Shopping Centre. It would rise ten storeys on that façade.

The rear of the ten-storey structure would be some 2.5 to 3.0 metres from the northern façade of the Shopping Centre car park.

The building would be some 2.5 to 3.5 metres from the Verona 1 apartments. At this point the proposed building would be eight-storeys high.

The close proximity of a building that is also taller than the neighbouring structures would appear somewhat cramped and oppressive. Given its siting is also immediately adjacent to the footway between Wellington Street and the Shopping Centre, there is a concern that it would be somewhat overbearing for pedestrians at this point.

Therefore, for the reasons above, it is considered that the scale and height would appear out-of-keeping on the site within the context of its place in the street scene."

- 9.14 The current proposals involve a new building rising to 10-storeys, which would be sited a modest distance further from Verona Apartments (than those under P/03596/070) and negligibly different in relation to its southern and western boundaries.
- 9.15 As such, it is considered that these current proposals do not overcome Reasons for Refusal nos. 1, 2 and 3 of the earlier determination under P/03596/070, as set out in full at paragraph 4.1 (c) above.

9.16 Based on the above, the proposals would have an unacceptable impact on the character and visual amenity of the area. The proposals therefore do not comply with Policies EN1, H9 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policies 8 and 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework 2021.

10.0 **Impacts on the amenities of neighbouring occupiers**

- 10.1 The National Planning Policy Framework 2021 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 H13.
- 10.2 As set out above, there are the Prior Approval residential units in the converted former offices now called Verona Apartments. The western end of this block lies immediately to the north-east of the proposals.

In respect of daylighting and sunlight

- 10.3 A full Daylight and Sunlight Assessment has been produced for the impact of the proposed scheme on that property, with the following findings:

In terms of daylight criteria –

"The results of the detailed technical analysis demonstrate that the daylight VSC targets for existing residential windows will be achieved at 39 (75%) of the 52 assessed windows as the VSC measured at the centre of the window is greater than 27% and more than 80% its former value, in accordance with BRE guidance.

Further technical analysis for daylight was undertaken using NSL for existing residential living spaces. The NSL assessment demonstrates that 46 of the 46 assessed living spaces met the criteria for NSL by retaining more than 80% its former value and will therefore receive 'adequate' daylight."

In terms of sunlight criteria (this criteria is only applicable to those relevant windows that lie in relation to the path of the sun) –

"A sunlight assessment was undertaken for the existing residential living spaces surrounding the proposed development to determine the annual probable sunlight hours (APSH) and winter probable sunlight hours (WPSH). Of the 46 living spaces within existing residential properties, 21 living rooms contain at least 1 window facing 90 degrees due south, and 17 (80.95%) meet the BRE criteria for full year and winter periods. The remaining 25 living

spaces, which do not have a window facing within 90 degrees due south, are considered not to receive sufficient sunlight due to their orientation and therefore do not require APSH or WPSH assessment, in accordance with BRE guidance. It should be noted that it is acknowledged within BRE guidance that is ‘difficult to achieve good levels of sunlight in all spaces within a building.’”

- 10.4 It has to be noted that the NPPF sets out that at Paragraph 125 that:
- “Where there is an existing or anticipated ... [shortfall] ... to meet housing needs, it is especially important that ... developments make optimal use of the potential of each site. In these circumstances:*
- (c) *In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”*

- 10.5 So, it has to be noted that as the affected property at Verona Apartments lies in the Town Centre there may have to be an expectation that the tight urban grain will create difficulties with achieving full levels to meet BRE guidelines. So, further to the NPPF and the Council’s housing shortfall, ‘adequate’ levels may have to be accepted.
- 10.6 However, there are fundamental issues with the proposals that result in a recommendation to not support the scheme and as such the outcome of the daylight and sunlight study ought to be considered as further indicator of a cramped form of development.

In respect of potential loss of privacy and light issues

- 10.7 As set out above, the proposed new building would be sited close to Verona Apartments. The application submission has been accompanied by a Design & Access Statement that has sought to demonstrate that the detailed design incorporates means to avoid overlooking and loss of privacy between both sets of potential and extant occupiers.
- 10.8 The introduction of blanking panels to the windows to block line-of-sight from the proposed block, as well as, the detailed treatment of window openings, reveals and angles of faces on the elevation and the introduction of fins to the external balconies with the intention of preventing direct overlooking, are somewhat artificial techniques. So, whilst it has to be recognised that these are remedies that could reduce or avoid the issues, this degree of attention to the design to overcome potential harm, is a further indication of the cramped setting and overdevelopment of the plot.

- 10.9 Furthermore, there is the matter of such proximity that would lead to a feeling of an overbearing form, which would be harmful to the amenities of the existing occupants at Verona Apartments.
- 10.10 Given the outlook from the residents' flats that face the direction of the proposed new building would be impacted by the scale, breadth and depth of the new form, it is considered that the proposals are unsatisfactory.
- 10.11 Given the close proximity of the proposed new building, there would be a significant level of light spillage that would be detrimental to the amenities of the existing occupiers at Verona Apartments.
- 10.12 Given the close proximity of the proposed new building, there would be a likelihood of noise and disturbance from the future occupants' use of their balconies upon the amenities of the existing occupiers' flats opposite.
- 10.13 Given the close proximity of the scheme to the southwest of Verona Apartments, there would be an effect on the amenity of the closest residents in particular on the western end of Verona Apartments, as the height of the proposal in conjunction with its proximity would lead to overshadowing.
- 10.14 As such, it is considered that whilst some mitigation of the potential impact of these current proposals has been included in the design, there remains a concern that the close proximity of the new building would detrimentally impact on the residential amenities of the existing occupiers of Verona Apartments.
- 10.15 So, whilst the submission seeks to demonstrate that the new building would have no adverse impact on the amenities of the existing residents, these factors ought to be considered as a further indicator of a cramped form of development.
- 10.16 Based on the above and taking into account the representations received on amenity grounds, objections are raised in terms of the impact upon neighbouring property at Verona Apartments. Therefore, the proposal is considered not to be consistent with the NPPF 2021, Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and H13 of the Adopted Local Plan.

11.0 **Housing mix**

- 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 C and Core Policy 4.

- 11.2 The proposals would provide a mix of one, two and three-bedroom flats, as follows:

1 bed/1persons = 3

1 bed/2persons = 8

2bed/4persons =11

3bed/5persons = 7

So, were the scheme to have been acceptable in all other terms, given the location of the plot and its particular circumstances, it is considered that the mix would be appropriate and thus would have been acceptable.

12.0 Living conditions for future occupiers of the development

- 12.1 The National Planning Policy Framework 2021 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 Polies EN1 and H13.

- 12.2 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."

Internal layout

- 12.3 All of the units would meet the Council's internal space standards, as set out in the Technical Housing Standards – Nationally Described Space Standard 2015.

In respect of day lighting and sunlight

- 12.4 The applicant's Daylight & Sunlight Assessment sets out that:

In terms of daylight criteria –

"Further assessment was undertaken to consider the daylight Factor (DF) within the proposed rooms. 83 proposed internal rooms which represent the 149 windows were assessed for DF. The DF assessment demonstrates that 56 (67.47%) out of the 83 rooms meet the DF criteria and will therefore receive 'adequate' daylight.

An additional assessment was undertaken to determine the level of Spatial Daylight Autonomy (SDA) within proposed rooms. The SDA assessment demonstrates that 73 (87.95%) out of the 83 rooms meet the BRE criteria and will therefore receive 'adequate' daylight."

In terms of sunlight criteria for the proposed accommodation (this

criteria is only applicable to those relevant windows that lie in relation to the path of the sun) –

"A sunlight assessment was also undertaken for the proposed living spaces to determine the Sunlight Exposure (SE). Of the 83 living spaces at the proposed development, 55 (66.27%) meet at least the respective requirement for minimum Sunlight Exposure.

It is recommended within the guidance that at least one habitable room in the dwelling should have exposure to at least 'adequate' sunlight. Therefore, of the 29 proposed habitable dwellings assessed, 28 (96.55%) meet the respective criteria for Sunlight Exposure. It should be noted that all 3 habitable rooms within the ground floor dwelling which did not meet the SE criteria, met at least one of the VSC, DF or SDA criteria."

- 12.5 In conclusion, it is considered that in accordance with the BRE guidelines for a setting in the Town Centre and the context of a dense urban grain, there would be reasonable levels of light, both daylight and sunlight, and as such these findings would not warrant a reason for refusal.

In respect of potential loss of privacy and light issues

- 12.6 It is noted that work has been done to refine the design of the proposed block to avoid the direct issues of loss of privacy for future occupiers between both the proposed flats and their accompanying balconies and the close proximity of the existing Verona Apartments.
- 12.7 However, the close proximity of the two buildings would raise the potential issue of light spillage to the detriment of the amenities of any future occupiers.

Amenity space

- 12.8 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities.
- 12.9 All 28 upper floor flats would have a reasonably proportioned balcony.
- 12.10 The single ground floor flat shown as for family accommodation has potentially an outside 'defensible' space – it is not indicated that the area is dedicated to this unit and it would have required some means of enclosure were it to have been included in a scheme that were otherwise acceptable .

12.11 However, other than a communal landscaped area to the north side of the proposed building which would particularly open and overlooked, there would be no ground level area for future occupiers. As such, their needs for such recreational space would have to have been met by public open spaces. There are no meaningful such parks or gardens close by – both Herschel Park and Lascelles Park lie just under one kilometre from the proposals.

Proximity to the Observatory Shopping Centre access

12.12 Furthermore, the ramps to the shopping centre would lie immediately to the western side of the proposed block of flats. The scheme has bedrooms and living rooms, as well as, balconies on this façade. The future occupants' amenities would be severely impaired by the proposed juxtaposition.

Conclusion

12.13 Based on the above, there are outstanding issues relating to the living conditions for future occupiers that would have required mitigation and amendments, in order to have considered the overall level of living conditions satisfactory and to have been in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H13 of the Adopted Local Plan.

13.0 Safe environment and accessibility

13.1 Paragraph 92 of the NPPF 2021 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other
- Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

13.2 These objectives are consistent with Core Strategy Policies 8 and 12, and Local Plan Policy EN5.

13.3 The Police Architectural Liaison Officer has reviewed the submission – their comments re set out in full at 6.6 above – and states that a suitable level of security is particularly pertinent due to the location.

- 13.4 As such, they require a Security & Access Strategy prior to any approval. None is included in the submission. Accordingly, they make comments to confirm matters but also to seek amendments and additional information.
- 13.5 They comment that the proposed bin store is too large, as it would serve not only the new building of 29 flats but also Verona Apartments, which has over 130 units; so, this is not a preferred approach to the matter of bin/recycling facilities, especially if it were to be insecure. A number of smaller stores would foster greater sense of “ownership”.
- 13.5 They comment that although the Design & Access Statement refers to such issues, there are no details of how postal services would be managed, no clear sign of compartmentalisation to prevent ease of access to, throughout and within the building, no surveillance/CCTV, nor access controls on car parking.
- 13.6 However, given the form of the scheme is detrimental to the character and appearance of the area – so, it is considered the proposals are not capable of being supported – these matters have not been progressed or amendments sought, as that would have been unproductive and abortive for the applicant.

14.0 Highways, sustainable transport and parking

- 14.1 The National Planning Policy Framework states that planning should seek to promote development that is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians and where appropriate local parking standards should be applied to secure appropriate levels of parking.
- 14.2 This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 109 of the National Planning Policy Framework states that '*Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.
- 14.3 It is noted that the plot lies within the designated Town Centre and benefits from a high level of accessibility to a range of public transport and all the facilities for retail, entertainment, employment, education and health. So, it is acknowledged that the plot lies in a sustainable location
- 14.4 It has been noted that the proposals entail closing the existing access from the HTC roundabout and then reversing the current circulation pattern within the Verona site complex. The Highway Authority (HA)

fundamentally objects to the premise of this matter on safety grounds, as set out in full at 6.1 above.

- 14.5 Furthermore, the HA would require a justification for removing 14 car parking spaces serving Verona Apartments.
- 14.6 Overall the HA set out that were the proposed circulation pattern to be reversed and the extant one-way system be re-imposed it would still seek information and amendments to address: cycle stands for visitors, swept path diagrams, provision of disabled parking spaces, as well as, upgrades to the cycle and pedestrian connectivity of the proposed scheme.
- 14.7 The HA acknowledges that the quantum of car parking to serve the proposed building and EV charging facilities would be acceptable.
- 14.8 Based on the above, the HA objects to the current proposals and seeks significant changes, as well as, further information to clarify certain issues. Otherwise, it requests the application be refused.
- 14.9 However, given the form of the scheme is detrimental to the character and appearance of the area – so, it is considered the proposals are not capable of being supported – these matters have not been progressed or amendments sought, as that would have been unproductive and abortive for the applicant.

15.0 Flood risk and surface water drainage

- 15.1 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document states that development must manage surface water arising from a site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 15.2 According to the EA flood maps, the plot is located in Flood Zone 1. It is at low risk of tidal, fluvial, groundwater flooding, surface water flooding and flooding from artificial sources. As the plot is located in Flood Zone 1, the proposals do not require a Flood Risk Assessment.
- 15.3 As this is a major application, the application includes a drainage strategy. The Lead Local Flood Authority has commented that the relationship between the proposals and the adequacy of the system to cope with the scale of the scheme meets their requirements.
- 15.4 Changes in government legislation from April 2015, require major developments to provide measures that will form a Sustainable Drainage System. Sustainable Drainage Systems (SuDS) are an effective way to reduce the impact of urbanisation on watercourse

flows, ensure the protection and enhancement of water quality and encourage the recharge of groundwater in a natural way. The National Planning Policy Framework states that the surface run-off from a site cannot lead to an increase from that existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. In the scenario where infiltration techniques are not possible, attenuation will be required in order to reduce surface water run-off.

- 15.5 Submission documentation setting out the applicant's drainage strategy was forwarded to the Council's consultant, who acts as the Local Lead Flood Authority. Their views are set out in full at 6.2 above; so, were the proposals to have been acceptable, this matter would have been dealt with by appropriate conditions.

16.0 Trees & Landscaping

- 16.1 The scheme entails new hard and soft landscaping in the area to the front of the proposed flatted block utilising the space created by closing the existing access from the HTC roundabout.
- 16.2 Whilst, that would provide some scope for soft landscaping, and new trees could be provided, it is considered that the degree of benefit to the visual amenities of the area would be modest, if at all, and that given the significant harm to the character and appearance of the area from the proposals, this does not overcome the objection to the application

17.0 Heritage and Burnham Beeches issues

- 17.1 There are no heritage assets in the vicinity of the proposed new building. The nearest is the Church of Our Lady Immaculate & St. Ethelbert, which lies some distance to the west along Wellington Street.
- 17.2 As such, it is considered that there would be no impact on any heritage assets nearby nor affect the setting of any conservation areas.
- 17.3 As noted above the proposed site would lie within the scope of the agreed scheme for mitigation of new residential development upon Burnham Beeches. However, as the proposals are not acceptable the issue of meeting the terms of the agreement for mitigation does not arise.

18.0 Environmental issues

- 18.1 The application site is situated within an Air Quality Management Area (AQMA). As is fully set out above at 6.3, the Council's Environmental

Quality officer has concluded that there would be a minor air quality impact that could be mitigated by integrating a set of measures within the Council's scheme.

- 18.2 It is noted that electric charging points have not been shown and thus the proposals do not accord with the Local Environmental Strategy, which seeks to mitigate air quality concerns from additional traffic and parking.
- 18.3 As is fully set out in 6.3 above, the Council's Environmental Quality officer has examined the proposals and concluded that the scheme is capable of being completed to a level that ensures future occupants would be able to satisfactorily occupy the accommodation were the appropriate measures introduced at the detailed stage.
- 18.4 Based on the above, were the application to have been supported, it is considered that these issues could have been covered by the appropriate conditions to ensure compliance and a satisfactory outcome.

19.0 Infrastructure and Section 106 requirements

- 19.1 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
- 19.2 Were the application to have been supported the following Section 106 financial contributions would have been required:

Financial contributions	
Education	£96,837
Recreation and open space.	£8,700
Burnham Beeches SAC mitigation	£16,530
Total	£122,067

Affordable housing

- 19.3 The NPPF requires that planning policies should specify the type of affordable housing required, and that in most cases this need should be met on-site.
- 19.4 Core Policy 4 provides for residential developments for 15 or more dwellings to have between 30% and 40% of the dwellings as social rented units, along other forms of affordable housing, with the affordable housing to be secured by a section 106 planning obligation. The Council's updated Developer Guide Part 2, (September

2017) requires developments of 25 to 69 units to make a 30% on-site provision of affordable housing (split between Slough Affordable / Social Rent, Slough Living Rent Intermediate).

- 19.5 The application sets out an offer of Affordable Housing amounting to 11 units comprising of 4 x 1-bedroom, 4 x 2-bedroom and 3 x 3-bedroom entailing the units on the ground to xx floor respectively.
- 19.6 Notwithstanding the initial submission offer by the applicant, they have subsequently provided details of an interest from Metropolitan Thames Valley (MTVH) “*in taking on and delivering 29 flats in this location*”.
- 19.7 This would entail their “*use of Grant funding to facilitate delivering this scheme as fully affordable, with all Homes being delivered as Rent to Buy*”.
- 19.8 In their letter, MTVH state “*there are some amendments we may need to make to the scheme to ensure it fully meets our technical requirements. However, I can confirm that the principle of delivering 29 Rent to Buy homes in this location, meeting the housing mix provided, is of strong interest to us*”.
- 19.9 Given the consideration that the proposed form of development could not be supported, no further analysis and negotiation has been pursued regarding this matter.

20.0 Presumption in favour of sustainable development/Tilted Balance

- 20.1 The application has been evaluated against the Development Plan and National Planning Policy Framework 2021 (NPPF) and the Local Plan Authority (LPA) has assessed the application against the core plan principles of the NPPF and whether the proposals deliver “sustainable development.”
- 20.2 The application has been evaluated against the Development Plan and the National Planning Policy Framework 2021 (NPPF) and the Local Planning Authority (LPA) has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.”
- 20.3 The LPA cannot demonstrate a Five-Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing, as set out in Paragraph 11 of the NPPF and refined in case law, should be applied.
- 20.4 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 conflicts with the NPPF and the Local Development Plan.
- 20.5 It is noted that the scheme would create employment at the construction stage and subsequently the occupiers of the proposed

accommodation would help to support local facilities and services; so there would be economic benefits arising from the implementation of these proposals.

- 20.6 Therefore, in coming to a conclusion, officers have given due consideration to the benefits of the proposal in providing 29no. new dwellings towards the defined housing need at a time where there is not a Five-Year Land Supply within the Borough, as well as, some economic benefits
- 20.7 However, the LPA considers that the potential adverse impact of the development upon the character and appearance of the area must be given substantial negative weight, to be applied to the planning balance.
- 20.8 Therefore, it is considered that the current scheme would significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the NPPF taken as a whole.

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 (e.g.: 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 It is noted that were the proposals to otherwise be acceptable the scheme would be required: to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access; a condition would be imposed to ensure level thresholds at any entrance to the block; and, furthermore, proposals will be required to make provision for wheelchair accessible car parking spaces.
- 21.3 Likewise, were the proposals to otherwise be acceptable, it is

considered that there would have been only temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development was under construction, by virtue of the construction works taking place. People with the following characteristics would have had the potential to be disadvantaged as a result of the construction works associated with the development e.g.: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction would have had the potential to cause nuisances to people sensitive to noise or dust. However, measures under other legislation covering environmental health would have been exercised as and when required.

- 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.

22.0 **PART C: RECOMMENDATION**

- 22.1 Having considered the relevant policies set out below, the representations received from all consultees and residents; as well as all other relevant material considerations, it is recommended that the application be refused for the reasons set out in full at 1.1 above.

23.0 **PART D: INFORMATIVES**

- 1 It is the view of the Local Planning Authority that the proposed development does not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.
- 2 The development hereby refused was submitted with the following plans and drawings:
- (a) Drawing No. 15-569-WCA-V2-XX-DR-A-PL001-P03, Dated 18/10/22, Recd On 18/10/2022
 - (b) Drawing No. 15-569-WCA-V2-XX-DR-A-PL002-P04, Dated 18/10/22, Recd On 18/10/2022
 - (c) Drawing No. 15-569-WCA-V2-XX-DR-A-PL003-P01, Dated

- 17/10/22, Recd On 18/10/2022
- (d) Drawing No. 15-569-WCA-V2-XX-DR-A-PL004-P01, Dated 17/10/22, Recd On 18/10/2022
- (e) Drawing No. 15-569-WCA-V2-000-DR-A-PL99-P01, Dated 12/05/22, Recd On 18/10/2022
- (f) Drawing No. 15-569-WCA-V2-00-DR-A-PL100-P01, Dated 12/05/22, Recd On 18/10/2022
- (g) Drawing No. 15-569-WCA-V2-01-DR-A-PL101-P01, Dated 16/09/22, Recd On 18/10/2022
- (h) Drawing No. 15-569-WCA-V2-02-DR-A-PL102-P01, Dated 15/09/22, Recd On 18/10/2022
- (i) Drawing No. 15-569-WCA-V2-05-DR-A-PL105-P01, Dated 16/09/22, Recd On 18/10/2022
- (j) Drawing No. 15-569-WCA-V2-09-DR-A-PL109-P01, Dated 05/12/22, Recd On 18/10/2022
- (k) Drawing No. 15-569-WCA-V2-RF-DR-A-PL110-P01, Dated 09/13/22, Recd On 18/10/2022
- (l) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL200-P01, Dated 20/05/22, Recd On 18/10/2022
- (k) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL201-P02, Dated 03/10/22, Recd On 18/10/2022
- (l) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL202-P02, Dated 03/10/22, Recd On 18/10/2022
- (m) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL300-P01, Dated 20/06/22, Recd On 18/10/2022
- (n) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL301-P01, Dated 22/06/22, Recd On 18/10/2022
- (o) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL302-P01, Dated 25/07/22, Recd On 18/10/2022
- (p) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL303-P01, Dated 25/07/22, Recd On 18/10/2022
- (q) Air Quality Assessment by Air Quality Consultants ref: J10/13792A/10/1/F1, Dated 29 September 2022, Recd On 18/10/2022
- (r) Construction Management Plan Framework by Patrick Parsons ref: 10937 Rev. 2.0, Dated 29/09/2022, Recd On 18/10/2022
- (s) Daylight, Sunlight & Overshadowing Assessment by NALO Tetra Tec ref: 784-B028672, Dated 4th October 2022, Recd On 18/10/2022
- (t) Design & Access Statement by Whittham Cox Architects ref: 15-569 Issue 02, Dated October 2022, Recd On 18/10/2022
- (u) Gateway One Fire Statement by Artec Fire ref: 00022-XX-XX-RP-FE-0001 Rev. 01, Dated 14/10/2022, Recd On 18/10/2022
- (v) Noise Assessment & Mitigation Strategy by Tetra Tec ref: 784-B028672, Dated 3rd October 2022, Recd On 18/10/2022
- (w) Planning Statement by Tetra Tec ref: 784-B028672, Dated October 2022, Recd On 18/10/2022
- (x) Transport Statement by Patrick Parsons ref: 10937 Rev. 3.0, Dated 07.10.2022, Recd On 18/10/2022
- (y) Travel Plan Framework by Patrick Parsons ref: 10937 Rev. 1.0, Dated 26.09.2022, Recd On 18/10/2022

