

Date of issue: Tuesday, 20 February 2024

MEETING	PLANNING COMMITTEE (Councillors Iftakhar (Chair), Stedmond, Carter, Gahir, Khawar, Mann, Naveed and Satti)
DATE AND TIME:	WEDNESDAY, 28TH FEBRUARY, 2024 AT 6.30 PM
VENUE:	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	MANIZE TALUKDAR 07871 982 919

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



STEPHEN BROWN
Chief Executive

AGENDA

PART 1

<u>AGENDA</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

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|----|--------------------------|--|----|
| 1. | Declarations of Interest | | -- |
|----|--------------------------|--|----|

All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 9 and Appendix B of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Guidance on Predetermination/Predisposition - To Note	1 - 2	--
3.	Minutes of the Last Meeting held on 23 January 2024	3 - 6	All
4.	Human Rights Act Statement - To Note	7 - 8	--
PLANNING APPLICATIONS			
5.	P/09190/038 - Upton Hospital, Albert Street, Slough, SL1 2BJ <i>Officer's recommendation: Delegate the planning application to the Planning Manager for approval.</i>	9 - 50	Herschel Park
6.	P/01615/007 - Former Merrymakers Public House and Former Bungalows, Slough, SL3 7QA <i>Officer's recommendation: Delegate the planning application to the Planning Manager for approval.</i>	51 - 104	Langley Marish
MATTERS FOR INFORMATION			
7.	Planning Appeal Decisions	105 - 110	--
8.	Members Attendance Record	111 - 112	All
9.	Date of Next Meeting 27 March 2024.		--

Press and Public

Attendance and accessibility: You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before any items in the Part II agenda are considered. For those hard of hearing an Induction Loop System is available in the Council Chamber.

Webcasting and recording: The public part of the meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The footage will remain on our website for 12 months. A copy of the recording will also be retained in accordance with the Council's data retention policy. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

In addition, the law allows members of the public to take photographs, film, audio-record or tweet the proceedings at public meetings. Anyone proposing to do so is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

Emergency procedures: The fire alarm is a continuous siren. If the alarm sounds Immediately vacate the premises by the nearest available exit at either the front or rear of the Chamber and proceed to the assembly point: The pavement of the service road outside of Westminster House, 31 Windsor Road.

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PREDETERMINATION/PREDISPOSITION - GUIDANCE

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially so in “quasi judicial” decisions in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

Predisposition

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

Pre-determination / Bias

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased’. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

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Planning Committee – Meeting held on Wednesday, 31st January, 2024.

Present:- Councillors Iftakhar (Chair), Stedmond (Vice-Chair), Carter, Gahir, Khawar, Mann, Naveed and Satti

Also present under Rule 30:- Councillors I. Ahmed, Dhillon, Muvvala, Shah, Shaik and Wright

Apologies for Absence:- None.

PART I

58. Declarations of Interest

Agenda item 5: P/03079/022 - 190-192 High Street, Slough, SL1 1JS – Councillor Mann declared that the previous application for the site had been to the Committee and that she had also participated in pre-application discussions on that application. She stayed in the Chamber and voted on the application.

Agenda item 7: P/00595/004 - 39-41 Elmshott Lane, Slough, SL1 5QU – all members of the Committee declared that they had been contacted by representatives of the applicant via email and/or telephone. Members stated they had not discussed the detail of the application. All members of the Committee participated and voted on the application.

59. Guidance on Predetermination/Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

60. Minutes of the Last Meeting held on 29th November 2023

Resolved – That the minutes of the meeting held on 29th November 2023 be approved as a correct record.

61. Human Rights Act Statement - To Note

The Human Rights Act Statement was noted.

62. Planning Applications

The Amendment Sheet, which included details of alterations and amendments received since the agenda was circulated had been sent to Committee Members and published on the Council website. Members confirmed they had received and read it prior to consideration of the planning applications.

Planning Committee - 31.01.24

Oral representations were made to the Committee under the Public Participation Scheme prior to the applications being considered by the Committee as follows:

Application P/03079/022 - 190-192 High Street, Slough, SL1 1JS – no oral representations were made to the Committee.

Application P/20307/000 - 127 Bath Road, Slough, SL1 3UW – the agent; and Councillor Iftakhar Ahmed addressed the Committee.

Application P/00595/004 - 39-41 Elmshott Lane, Slough, SL1 5QU – an objector (the lead petitioner); the agent; and Councillors Shah (ward councillor for Cippenham Green) and Wright addressed the Committee.

Resolved – That the decisions taken in respect of the planning applications as set out in the minutes below, be subject to the information, including conditions and informatives set out in the report of the Planning Manager and the Amendment Sheet circulated to Members prior to the meeting and subject to any further amendments and conditions agreed by the Committee.

63. P/03079/022 - 190-192 High Street, Slough, SL1 1JS

Application
Variation of condition 2 (Approved plans) of planning permission P/03079/018 dated 22/06/2023 (Minor internal layout changes).
Decision
Delegated to the Planning Manager to approve, subject to finalising conditions and any other minor changes.

64. P/20307/000 - 127 Bath Road, Slough, SL1 3UW

Application
Planning application for a proposed extraction for odours at cafe/restaurant (Class E).
Decision
Delegated to the Planning Manager to approve subject to finalising conditions and any other minor changes.

Planning Committee - 31.01.24

65. P/00595/004 - 39-41 Elmshott Lane, Slough, SL1 5QU

Application
Demolition of the existing ground floor commercial buildings and construction of a part 3, part 4 storey building to provide commercial floorspace (Class E) on the ground floor and residential units to the rear ground floor and above (comprising a mix of 1-bedroom, 2-bedroom and 3-bedroom units) with ancillary cycle storage, refuse storage and landscaping.
Decision
<p>The Officer's recommendation to delegate to the Planning Manager for approval, subject to the provisions in Paragraph 1.1 of the report, was proposed by Councillor Mann and seconded by Councillor Carter. The Committee voted as follows:</p> <p>Those voting in favour of the proposal...3</p> <p>Those voting against the proposal...5</p> <p>Those abstaining on the proposal...0</p> <p>The Officer's recommendation was therefore not approved.</p> <p>After further consideration of any reasons for potential refusal, Councillor Iftakhar proposed and Councillor Khawar seconded that the application be refused for the reasons set out in the resolution below.</p> <p>A member requested a recorded vote, the result of which was as follows:</p> <p>Those in favour of the proposal...5 (Councillors Khawar, Naveed, Satti, Stedmond and Iftakhar)</p> <p>Those against the proposal...3 (Councillors Carter, Gahir and Mann)</p> <p>Those abstaining on the proposal...0</p> <p>Resolved – That the application be refused for the following reasons:</p> <ol style="list-style-type: none">1. By virtue of the height, scale, design and massing of the development the proposal would lead to an overly prominent form of development that had a detrimental impact on the character of the area and streetscene contrary to the National Planning Policy Framework 2023, Policy EN1 of the Slough Local Plan 2004 and Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document (2008).2. There was insufficient parking provision and unacceptable mitigation measures resulting in highway safety issues contrary to Core Policy 7

Planning Committee - 31.01.24

of the Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document (2008) and Policy T2 of the Slough Local Plan 2004.

3. As the site sat within a Designated Shopping Area the reduction in commercial floorspace was unacceptable as it would lead to the permanent reduction of commercial provision contrary to Policy S1 of the Slough Local Plan 2004.

(Councillor Mann left the meeting at the conclusion of the item)

66. Planning Appeal Decisions

Members received and noted details of planning appeal decisions since the last meeting.

Resolved – That details on planning appeals be noted.

67. Members' Attendance Record 2023/24

Resolved – That the record of Members' attendance for the 2023/24 municipal year be noted.

68. Date of Next Meeting - 28th February 2024

The date of the next meeting was confirmed as 28th February 2024.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 9.24 pm)

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain expectations, be directly unlawful for a public authority to act in a way which is incompatible with a Convention Right. In particular Article 8 (Respect for Private and Family Life) and Article 1 of Protocol 1 (Peaceful Enjoyment of Property) apply to planning decisions. When a planning decision is to be made, however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act 1998 will not be referred to in the Officers Report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

Please note the Ordnance Survey Maps for each of the planning applications are not to scale and measurements should not be taken from them. They are provided to show the location of the application sites.

CLU / CLUD	Certificate of Lawful Use / Development
GOSE	Government Office for the South East
HPSP	Head of Planning and Strategic Policy
HPPP	Head of Planning Policy & Projects
S106	Section 106 Planning Legal Agreement
SPZ	Simplified Planning Zone
TPO	Tree Preservation Order
LPA	Local Planning Authority

	OLD USE CLASSES – Principal uses
A1	Retail Shop
A2	Financial & Professional Services
A3	Restaurants & Cafes
A4	Drinking Establishments
A5	Hot Food Takeaways
B1 (a)	Offices
B1 (b)	Research & Development
B1 (c)	Light Industrial
B2	General Industrial
B8	Warehouse, Storage & Distribution
C1	Hotel, Guest House
C2	Residential Institutions
C2(a)	Secure Residential Institutions
C3	Dwellinghouse
C4	Houses in Multiple Occupation
D1	Non Residential Institutions
D2	Assembly & Leisure

	OFFICER ABBREVIATIONS
DR	Daniel Ray
ADJ	Alistair de Jeux
PS	Paul Stimpson
NR	Neetal Rajput
HA	Howard Albertini
JG	James Guthrie
SB	Sharon Belcher
IK	Ismat Kausar
CM	Christian Morrone
AH	Alex Harrison
NB	Neil Button
MS	Michael Scott
SS	Shivesh Seedhar
NJ	Nyra John
KP	Komal Patel
WD	William Docherty

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Registration Date:	28-Nov-2023	Application No:	P/09190/038
Officer:	James Guthrie	Ward:	Herschel Park
Applicant:	Ms. Roseanna Cheeseman Frimley Health NHS Foundation Trust	Application Type:	Major
		13 Week Date:	27 February 2024
Agent:	Ms. Sarah Isherwood, Vail Williams LLP 2 Noel Street, London, W1F 8GB		
Location:	Upton Hospital, Albert Street, Slough, SL1 2BJ		
Proposal:	Full planning permission for the development of a new Community Diagnostic Centre with associated access, parking, landscaping and associated works		

Recommendation: Delegate to the Planning Manager



1.0 **SUMMARY OF RECOMMENDATION**

1.1 This application has been referred to the Planning Committee for consideration as the application is for a major development.

1.2 Delegate the planning application to the Planning Manager for approval, subject to resolution of outstanding transport/highway, land contamination and drainage matters, finalising of conditions, and any other minor changes.

1.3 Having considered the relevant policies below, the development is considered not to have an adverse effect on the sustainability and the environment for the reasons set out.

PART A: BACKGROUND

2.0 **Application Site**

2.1 The application site is within Upton Hospital, Albert Street. The proposed development will be within the north west of the wider site, adjacent to Church Street and Osborne Street. The site lies proximate to, although not within, the Slough Town Centre boundary to the north and west. The site is opposite St Mary's Church to the west on Church Street, which is a Grade II* listed building (St Mary's Church also comprises Grade II listed buildings in the form of a war memorial and boundary wall and gates). The site is approximately 200m north of Upton Park/Upton Village conservation area. Whilst there are several trees within the site, these are not subject to Tree Preservation Orders. The application site is approximately 0.54 hectares and does not fall within an area requiring a Flood Risk Assessment, being Flood Zone 1 (low probability of flooding from rivers).

2.2 Hershel Medical Centre is within the wider hospital site, although within separate ownership, and does not form part of the application site.

2.3 The north of the site borders Osborne Street, which is residential in character, with a series of terraced buildings, typically 2 or 2.5 storeys in height. The area of Church Street immediately opposite the site comprises St Mary's Church and a funeral director and is therefore not residential in character; there are numerous on-street "pay and display" parking bays immediately to the west of the site on Church Street.

2.4 The wider hospital site contains several Grade II listed buildings within the middle of the site, (Beech House, Oak House and Linden House), and several moderns buildings used as part of the hospital. The main hospital building, Pine House, is to the south of the proposed development; this is a 2 to 2.5 storey building, constructed in red brick. A series of five single storey blocks (previously physically attached to Pine House) have been demolished within the application site, and the land is undergoing clearance in anticipation of the proposed development. Existing access into the site is from Albert Street and

Church Street; the site is generally bordered by established hedges and trees. There are ground level changes within the site, reducing by 1.5m at the north of the site adjacent to Osborne Street, as stated within the Planning Statement.

3.0 **Proposal**

- 3.1 A full planning application has been submitted for the development of a new Community Diagnostic Centre (CDC) with associated access, parking, landscaping and associated works.
- 3.2 Prior approval (ref: P/09190/037) was granted on 25 July 2023 to demolish a series of 5 single storey brick blocks, attached to the main hospital building; to facilitate the proposed development.
- 3.3 The proposed building will be two storeys, plus roof plant, up to 12.1m high, arranged in a horseshoe shape, up to 46m deep and 30m wide. The building will provide such facilities as X-ray, ultrasound, cardiology, MRI and CT diagnostics. The external walls of the building will be brick, with recessed bays to provide texture and depth; the roof plant will be screened by louvred powder coated metal and a parapet wall 1.1m high.
- 3.4 Landscaping to the site will include new trees to the northwest corner, south of the site (adjacent to existing hospital buildings), and within the courtyard of the proposed new building. In addition to new trees, several trees will be retained, with a group of sycamore trees and an oak tree to be removed (which are either of poor health, or low amenity value (as recommended within the submitted tree survey and impact assessment)).
- 3.5 A total of 61 parking spaces will be provided: 34 staff, 26 patients/visitor (including 6 accessible bays) and a service parking space. The staff parking area will be to the north of the site, utilising an existing access from Osborne Street; the patient/visitor parking will require proposed new access from Church Street.
- 3.6 The applicant has provided a Statement of Clinical Need, which highlights that following national policy changes (the Richards Review: "Diagnostics Recovery and Renewal" 2020), there was a renewed impetus for "grouping diagnostics together in a convenient easily accessible location" within a Community Diagnostic Centre, which should provide one stop diagnostics capabilities close to patient's home and in areas of high health need which Slough falls within. Each Integrated Care System must provide Community Diagnostic Centres, and the applicant (Frimley Health NHS Foundation Trust) has opted to make Upton Hospital the central hub for the programme, linking to "spokes" at Heatherwood and Aldershot hospitals. The key drivers for change are: improving population health outcomes; increasing diagnostic capacity; and contributing to reducing health inequalities. The CDC will support treatment of cancer, cardiology, respiratory disease, and diabetes.

3.7 The applicants entered into pre-application discussions with the Council prior to submission of this application and advice was given with regards to what would be required to make the scheme acceptable in planning terms, including bulk, construction materials, parking provision, and impact upon the area (particularly the listed building of St Mary's Church).

3.8 The Statement of Community Engagement provided by the applicant states that a public consultation event was held between September and October 2023, and took the form of promotional activities (including, leaflets and posters, social media and partner communications). There were two drop-in events at Upton Hospital, with an online engagement portal, dedicated email address for interested parties to submit comments.

Furthermore, a survey concluded (undertaken by the agent) that over 82% of participants supported/ strongly supported the proposal.

3.9 The following documents have been submitted along with this planning application:

- Application Form
- Plans
- Planning Statement
- Need Statement
- Statement of Community Engagement
- Design and Access Statement for EDAR
- Tree Constraints Plan
- Tree Protection Plan
- Tree Survey and Impact Assessment
- Flood Risk Assessment and Drainage Strategy
- Ecological Assessment
- Transport Assessment
- Travel Plan
- BREEAM Pre-Assessment Report
- Noise Impact Assessment
- Archaeological Desk Based Assessment
- Initial heritage Assessment
- External Lighting Layout
- External Lighting Report
- Desk Study & Ground Investigation

4.0 **Planning Background**

4.1 Planning History:

P/09190/037 Prior approval for the demolition of single storey blocks 15-18 and 26 and removal of existing slab and foundation of block 34

Prior Approval; Granted/Informative 25-Jul-2023

- P/09190/036 APPLICATION FOR NON - MATERIAL AMENDMENT TO CHANGE THE TYPE OF PLANTING APPROVED BY THE PREVIOUS APPLICATION REF:- P/09190/035
Approved with Conditions; Informatives 11-Aug-2010
- P/09190/035 ERECTION OF A 1.6M HIGH FENCE AROUND THE NEW PLAY AREA OF THE EXISTING NURSERY
Approved with Conditions; Informatives 14-Jan-2010
- P/09190/034 ERECTION OF A 1.8 METRE HIGH WOODEN FENCE AROUND THE PLAY AREA OF THE EXISTING NURSERY
Refused 21-Jul-2009
- P/09190/033 CONSTRUCTION OF PART SINGLE, PART TWO STOREY REAR EXTENSION, WITH PITCHED AND FLAT ROOF, TO CREATE ADDITIONAL CLINIC FACILITIES.
Approved with Conditions; Informatives 10-Sep-2007
- P/09190/032 ERECTION OF A PART TWO, PART SINGLE STOREY REAR EXTENSION (LISTED BUILDING CONSENT)
Approved with Conditions; Informatives 10-Sep-2007
- P/09190/031 ERECTION OF SINGLE STOREY PITCHED ROOF EXTENSION WITHIN EXISTING COURTYARD (LISTED BUILDING APPLICATION) TO PROVIDE A CHILDREN'S / ADOLESCENT MENTAL HEALTH CLINIC
Approved with Conditions; Informatives 14-Apr-2005
- P/09190/030 ERECTION OF SINGLE STOREY PITCHED ROOF EXTENSION WITHIN EXISTING COURTYARD TO PROVIDE A CHILDREN'S ADOLESCENT MENTAL HEALTH CLINIC
Approved with Conditions; Informatives 14-Apr-2005
- P/09190/029 DEMOLITION OF EXISTING CHILDREN'S NURSERY AND ERECTION OF A REPLACEMENT BUILDING TO BE USED AS A NURSERY.
Approved with Conditions; Informatives 29-Apr-2004

- P/09190/028 ERECTION OF CONSERVATORY WITHIN COURTYARD (LISTED BUILDING APPLICATION)
Approved with Conditions; Informatives 22-Mar-2004
- P/09190/027 ERECTION OF CONSERVATORY WITHIN COURTYARD
Approved with Conditions; Informatives 22-Mar-2004
- P/09190/026 DEMOLITION OF EXISTING CHILDREN'S NURSERY AND A ERECTION OF A REPLACEMENT BUILDING TO BE USED AS A NURSERY
Withdrawn by Applicant 01-Mar-2004
- P/09190/025 ERECTION OF A PLAQUE ON THE FORMER UNION WORKHOUSE BUILDING AT UPTON HOSPITAL (LISTED BUILDING APPLICATION).
Approved with Conditions 04-Dec-2003
- P/09190/024 ERECTION OF TWO SINGLE STOREY FLAT ROOFED EXTENSIONS AND ERECTION OF SINGLE STOREY BUILDING FOR TEMPORARY PERIOD
Approved with Conditions 07-Jul-2003
- P/09190/023 REMOVAL OF EXTERNAL WALLING (LISTED BUILDING CONSENT)
Approved with Conditions 07-Jul-2003
- P/09190/022 DEMOLITION OF GROUND FLOOR WALL (TO TRENT WARD) (LISTED BUILDING CONSENT)
Approved with Conditions 12-Jul-2002
- P/09190/021 ERECTION OF GROUND FLOOR EXTENSION (TO TRENT WARD)
Approved with Conditions 09-Aug-2002
- P/09190/020 ALTERATIONS TO EXTERNAL APPEARANCE (AT GROUND AND FIRST FLOOR) (LISTED BUILDING CONSENT)
Approved with Conditions 19-Apr-2002
- P/09190/019 ERECTION OF A TWO STOREY EXTENSION AS SUN LOUNGES(IN ASSOCIATION WITH WARD 7) (AMENDED PLANS 15/02/02)
Approved with Conditions; Informatives 19-Apr-2002

- P/09190/018 INSTALLATION OF MEZZANINE FLOOR AND VELUX ROOF WINDOWS AND CHANGE OF USE TO OFFICES (CLASS B1A)(AMENDED PLANS 04/05/01)
Approved with Conditions 01-Oct-2001
- P/09190/017 FORMATION OF ROOF OPENINGS AND INTERNAL ALTERATIONS (LISTED BUILDING CONSENT) (AMENDED PLANS 04/05/01)
Approved with Conditions; Informatives 01-Oct-2001
- P/09190/016 NEW PARKING SPACES ON SITE OF DEMOLISHED BUILDINGS
Refused 18-Feb-1998
- P/09190/015 APPLICATION FOR LISTED BUILDING CONSENT TO DEMOLISH CHAPEL & BOILER HOUSE
Refused 18-Feb-1998
- P/09190/014 INSTALLATION OF GLAZED LINK BETWEEN TWO BUILDINGS (LISTED BUILDING) (AMENDED PLANS RECEIVED 02.12.96)
Approved with Conditions 04-Dec-1996
- P/09190/013 INSTALLATION OF GLAZED LINK BETWEEN TWO BUILDINGS (AMENDED PLANS RECEIVED 02.12.96)
Approved with Conditions 04-Dec-1996
- P/09190/012 INSTALLATION OF NEW FLUE FOR GAS FIRED BOILERS
Approved with Conditions 16-Oct-1996
- P/09190/011 LISTED BUILDING CONSENT FOR INSTALLATION OF BOILER FLUE
Approved with Conditions 16-Oct-1996
- P/09190/010 INSTALLATION OF ILLUMINATED SIGN
Approved with Conditions 13-May-1996
- P/09190/009 CHANGE OF USE TO DOCTORS SURGERY (AMENDED PLANS RECEIVED 30.05.96)
Approved with Conditions 30-May-1996

- P/09190/008 ERECTION OF GROUND LEVEL COVERED LINKS AND EXTERNAL ALTERATIONS INCLUDING REMOVAL OF FIRE ESCAPE (LISTED BUILDING CONSENT).
Approved with Conditions 30-Aug-1995
- P/09190/007 ERECTION OF GROUND LEVEL COVERED LINKS AND EXTERNAL ALTERATIONS INCLUDING REMOVAL OF FIRE ESCAPE.
Approved with Conditions 30-Aug-1995
- P/09190/006 SITING OF PORTAKABIN FOR TEMPORARY USE AS DAY NURSERY
Approved with Conditions 08-Mar-1995
- P/09190/005 ERECTION OF SINGLE STOREY EXTENSION TO EXISTING CLINIC
Approved with Conditions; Informatives 11-Jul-1994
- P/09190/004 NEW EXTERNAL DOORWAY TO ADMINISTRATION BLOCK.
Approved with Conditions 01-Feb-1993
- P/09190/003 LISTED BUILDING CONSENT FOR ALTERATIONS TO PROVIDE NEW EXTERNAL DOORWAY TO ADMINISTRATION BLOCK.
Approved with Conditions 01-Feb-1993
- P/09190/002 LISTED BUILDING CONSENT FOR THE DEMOLITION OF OUTBUILDINGS CONSTRUCTION OF INTERNAL ACCESS WAY AND NEW CAR PARKING AREA. (AS AMENDED 25.11.92)
Approved with Conditions 16-Dec-1992
- P/09190/001 DEMOLITION OF OUTBUILDINGS AND CONSTRUCTION OF INTERNAL ACCESS WAY AND NEW CAR PARKING AREA. (AS AMENDED 25.11.92)
Approved with Conditions 16-Dec-1992
- P/09190/000 ERECTION OF HEALTH CENTRE AND ASSOCIATED CAR PARKING FRONTING OSBORNE STREET (AS AMENDED 11.08.92 & 13.08.92)
Approved with Conditions 07-Sep-1992

5.0 Consultation

5.1 Highways and Transport

“The below comments provide Slough Borough Council (SBC) consultation response regarding Highways and Transport matters for application P/09190/038 for a Community Diagnostic Centre. A Transport Statement (TS) has been submitted by SLR Consulting Limited.

Vehicle Access

Church Street Access

SBC Highways and Transport would have no objection to the creation of a new vehicle access on Church Street.

However, discussions regarding the exact junction design are ongoing and will be finalised as part of the Section 278 Agreement. SBC will require the applicant to provide a build-out for the vehicle access which improves visibility past parked vehicles; and provide measures to reduce vehicle speeds on Church Street.

The NPPF requires that applications for development ensure that ‘*Safe and suitable access to the site can be achieved for all users*’ (Paragraph 116).

A visibility splay of 2.4m x 43m is required for a speed limit of 30mph by Manual for Streets. The Transport Statement concluded that visibility splays of 2.4m x 16.8m could be provided (after the removal of 6 on-street parking bays) which is only suitable for a vehicle speed of 15mph according to MfS Table 7.1.

The applicant has identified that a splay of 2.4m x 43m (30mph speed limit) would result in the loss of 17 on-street parking bays and a splay of 2.4m x 25m (20mph) would require the removal of 10 on-street parking bays.

SBC Transport Officers consider the loss of 10-17 car parking spaces unacceptable to provide suitable visibility from the access given the impact on on-street parking availability.

[Officer response:

The detailed layout of the Church Street junction will be finalised as part of the Section 278 agreement, to provide adequate visibility balanced with an acceptable loss of on-street parking]

No collisions resulting in injury have been recorded at the proposed site access location during the most recent 5-year period. The Transport Statement provides analysis of 5 minor collisions at the junction of Church Street with Albert Street. Analysis of the collision reports concludes that these collisions were the result of driver error.

Osborne Street Access

The proposed development would utilise the existing vehicle access on Osborne Street to provide access to 34 staff parking spaces on the north side of the site. There have been no collisions causing injury recorded at the existing access in the most recently available 5-year period.

SBC Highways and Transport have no objection to use of the existing vehicle access on Osborne Street.

Section 278 Agreement

SBC require the applicant to enter into a Section 278 agreement for the delivery of the vehicle access to the site. The applicant will meet the costs of amending the on-street parking bays through the Section 278 agreement.

Access by Sustainable Travel Modes

SBC Transport Officers consider the proposed CDC to benefit from good access via sustainable travel modes which offer potential for staff and patients to travel to the site without using private cars. Slough Railway Station is located 800 metres (11 minutes' walk) from the site. The nearest bus stops are 350m (5 minutes' walk) north of the site on Herschel Street which are served by the No. 81 bus to Hounslow which provides a bus every 11 – 13 minutes. Further bus services are available from the Windsor Road Bus Stops (450m).

National Guidance provided by the Chartered Institute of Highways and Transport advises that reasonable walking distance to a bus stop is 400 metres (5 minutes) and 800 metres (10 minutes) for Railway Stations. These distances are used across the UK planning industry.

Proposed Car Parking

SBC Highways and Transport have no objection to the 61 car parking spaces proposed on site which are considered sufficient to accommodate expected car parking demand for staff and visitors. There is not expected to be a severe impact on parking capacity of the surrounding streets.

The NPPF states in Paragraph 115 that: *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.

61 car parking spaces are proposed for the 2,277sq.m Community Diagnostic Centre. The proposals include 34 car parking spaces for staff, 26 car parking spaces for visitors and 1 dedicated for sample collections. 34 staff (of a total 56) are forecast to drive to work on the basis of Census Data which showed that 61% of employees drive to work in the area surrounding the hospital.

A forecast based on TRICS survey site (LN-05-D-02 – BMI Private Hospital) which has 64 car parking spaces indicates that a maximum of 39 patients would drive to the site, based on the Lincoln hospital where (87.2% of those surveyed arrived by car, 62.4% by multi-occupancy journey and just 24.8% by single occupancy car journey). This means that **26 patients** could park on site and **13** would be required to park on-street or in nearby public car parks such as Herschel Street or Buckingham Gardens (300m walk to both).

The car parking survey completed by the transport consultant demonstrated 41 and 42 car parking spaces available at 10am on Tuesday 4th July and Wednesday 5th July 2023. The survey did not include car parking available at public car parks available on Herschel Street, Buckingham Gardens and on Windsor Road.

A summary of the parking survey results is provided below:

Street	Number of Bays	No. Spaces of Available at 10am (Tues)	No. Spaces of Available at 10am (Wed)
Albert Street	23 (Disabled bay has not been included)	8	8
Church Street	32	18	17
Church Lane	4	1	1
Mere Road	2	1	1
Osborne Street	22	10	10
Park Street	24	3	5
Total	107	41	42

Slough Local Plan Policy T2 states that: *‘Additional on-site car parking will only be required where this is needed to overcome road safety problems, protect the amenities and operational requirements of adjoining users, and ensure that access can be obtained for deliveries and emergency vehicles’.*

Disabled Car Parking

6 car parking spaces are proposed for blue badge/disabled drivers within the visitor car park with an additional 1200mm access strip. This equates to 10% of all car parking spaces on site and 23% of all visitor spaces.

This exceeds the requirements of DfT Guidance ‘Inclusive Mobility’ which requires that newly built employment premises provide Blue Badge Car Parking for 5% of car parking spaces.

DfT data released in March 2023 showed that 4.6% of the UK population (2.57 million people) hold a valid blue badge.

Trip Generation

SBC Highways and Transport have no objection to the application due to the forecast trip generation. The site is forecast to generate 1 additional vehicle movement every 2-3 minutes during the busiest hours and vehicles will have time to disperse across the road network before queues form.

SBC requested a revised trip generation forecast based on a more comparable survey site. A revised forecast has been provided by SLR Consulting using TRICS Site. This forecast is based on TRICS survey site LN-05-D-02 – BMI Private Hospital which has 64 car parking spaces and offers similar services to the proposed Community Diagnostic Centre including MRI scans, X-ray scans, CT scans, Ultrasound Scans, Echocardiogram (ECG).

The proposed CDC is forecast to generate 22 two-way vehicle trips during the AM Peak Hour (08:00 – 09:00) and 28 two-way vehicle trips between 13:00 – 14:00. Over the course of a day, the development is forecast to generate 223 two-way vehicle trips.

EV Car Charging Points

The revised Transport and Highways Technical Note offers 3 Active Electric Vehicle Charging Points and 3 spaces with 'Passive Electric Vehicle Charging Provision'.

SBC's Environmental Quality Team required the provision of 6 Active Electric Vehicle Chargers as required by the Slough Low Emissions Strategy (2018 – 2025). The Slough LES requires active chargers for 10% of spaces at employment generating facilities.

Cycle Parking

The site plan labels an area for 24 cycle parking spaces in the form of covered cycle stands. The number of spaces would be in accordance with the standards, however further details of cycle stand type and a secure store design should be secured by planning condition. The Slough Developer's Guide requires long stay employment cycle parking to be a weatherproof purpose-built store.

The Slough Parking Standards require the provision of 1 cycle space per 5 staff and 1 per 5 staff for visitors. The application documents advise that the site will have 56 staff on site.

Deliveries and Servicing

SBC Transport Officers are satisfied with the proposed delivery and servicing arrangements for the proposed CDC. The application demonstrates that there is sufficient space within the site to accommodate waste collection and delivery vehicles.

The Transport Statement includes swept path analysis which demonstrates a 9.4m long refuse vehicle can turn within the site, entering and exiting in a forward gear without reversing out onto the public highway. Frimley Health Trust have confirmed that the site would be serviced by a 9.4m long refuse vehicle. The swept paths are shown on Drawing No. 237479/AT/B01 in Appendix E. All other servicing vehicles will continue to make use of the main access point to the hospital, rather than the new access.”

[Conditions recommended by the Transport Planner relating to car and cycle parking; site layout; electric vehicle parking; and Construction Management Plan have been included in the conditions section of this report].

5.2 **SBC Tree Officer**

“I have checked the trees shown on the tree condition and removal and retention surveys and I am satisfied with the proposals with the possible exception of the Turkey Oak T2 along the western boundary of the site. Although this tree is in relatively poor condition, it is a prominent landscape feature and could be retained if the crown was reduced to remove weight and help reduce the possibility of structural failure at the stem union.”

5.3

Heritage Consultant (BEAMS)

“The site is at the northwest corner of the wider site and has a hedge boundary incorporating some trees to north (Osborne Street) and west (Church Street) - this hedge boundary is a feature of much of the hospital site and makes a positive contribution to the wider character of the area.

There are four designated heritage assets close to the site. The closest being St Mary's Church, a grade II* listed building (this grade of listing meaning a particularly important building of more than special interest), only 5.8% of listed buildings are grade II*. The Gothic Revival church of 1876-78 with additions of 1911 to 1913 has an elaborate design in the Decorate style, the later alterations were by John Oldrid Scott, son of the leading Victorian architect Sir George Gilbert Scott. The tall stone spire is a landmark within the town. The church is surrounded by a churchyard with boundary wall, gateways and gate piers - grade II listed. The east end of St Mary's Church faces on to Church Street and is almost immediately opposite the proposed development site - the impact of the proposed development upon the setting of St Mary's Church will need to be a key consideration. To the west of the church is the War Memorial (also grade II listed).

To the south-east of the site is the former Eton Union Workhouse Complex (now named Beech House, Oak House and Linden House, part of Upton Hospital). The main building, constructed in 1835-6 to the designs of Sampson Kempthorne, is grade II listed and a few other surrounding buildings, including the chapel and some outbuildings should be considered curtilage listed. There are a number of other modern hospital buildings within the wider site and between the listed hospital building and the proposed development site.

Osborne Street has a suburban, leafy character, in contrast with much of the development further to the north which is closer to the town centre. At present there are long views of St Mary's church and spire (with trees etc in foreground) from Osborne Street.

The application has been accompanied by a Heritage Statement by HCUK which provides a useful overview of the site, the wider Upton Hospital site and the proposed scheme.

The existing buildings on the site are of no merit and it is understood they are currently being demolished.

The replacement C-shaped building is a tall 2-storeys with a substantial amount of roof top plant. However, the plant is set back from the roof edges, reducing its visual impact and will be screened in some views, it is noted the amount of rooftop plant is reduced in scale towards the western end of the building and closest to Church St / St Marys Church. The new building will also be set in from the site boundaries to Church Street / Osborne Street with parking / an access road surrounding it.

The existing hedgerow is to be retained, along with the category A trees to the boundary - except where new openings are proposed. This will help to soften the visual impact of the new development and the retention of this 'green screening' is welcomed.

The building will be of brick construction with brick pattern / detailing and of a contemporary design which seems appropriate to its context. A red brick is recommended and details of the screening should be clarified.

Whilst there may be glimpsed views between the former Eton Union Workhouse building (grade II listed) and the site, the two are not closely associated and the new development will be seen in context with other modern and older hospital buildings to south and east. As such, the setting, and significance of this listed building will be preserved.

In relation to St Mary's Church, views of the church and its boundary wall from Church Street / the churchyard will not be adversely impacted. The new CDC building will be seen in longer views along Osborne Street and in context with the church however its visual impact will be minimised by the way the new building is set well back from Osborne Street. A key view of the church from the Church Street / Osborne Street junction will not be impacted.

In summary, BEAMS take the view the development will have a neutral impact upon the significance of St Mary's Church, its boundary wall and the former Union Workhouse (through development within their settings). As such, the significance of these designated heritage assets will be preserved.

As the upper part of the development (roof top plant) will be most visible within the wider street scene it is important the materials / appearance of this part is sympathetic in its design and detailing."

5.4 Berkshire Archaeology

“There are potential archaeological implications with this proposed development as demonstrated by Berkshire Archaeology’s Historic Environment Record. The site is situated on river gravel deposits and has potential for prehistoric activity. Adjacent to the historic core of Upton, there is additionally Medieval and Post-Medieval potential, along with a grade II listed Union Workhouse, 1835-6, built by Sampson Kempthorn. A gravel extraction pit is shown on 1877 mapping directly south of this site, but it is not known if this ever extended further north. Little development has occurred in this area until the existing buildings were erected, these are likely to have very shallow foundations, which will help with potential archaeological survival. It is noted the DBA submitted with the application suggests there may be some truncation for building platforms, however this needs to be established. As shown, the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. It is therefore recommended that the following condition is applied, should permission be granted, in order to mitigate the impacts of development. This is in accordance with Paragraph 211 of the NPPF (2023) which states that local planning authorities should *‘require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible’*.

Condition:

A) No development shall take place/commence until a programme of archaeological work, including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing.

The WSI shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

B) The Development shall take place in accordance with the WSI approved under condition (A). The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

In view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in situ, an archaeological Scheme of Works would represent an appropriate initial phase of investigation. This is likely to include both trenching and trial pits, in order to determine the archaeological potential, levels of previous truncation, and the need for any further phases of work.”

Officer response:

The recommended condition has been included.

5.5 **SBC Urban Design Advisor**

“General principles

Proposals are presented without full consideration of the wider masterplan for the future of the hospital campus. Whilst this is not a fundamental issue given the vacant nature of the of the proposal site, this portion of the wider opportunity site provides a key opportunity to integrate the hospital campus to the town centre.

The Design and Access Statement includes some reference in section 4.2 relating to future integration and connections to the wider campus, but it would be helpful to review the approach to ensure that key connections for both pedestrians and cyclists are delivered/safeguarded as part of this first phase of development, to maximise opportunities to integrate the site with key public transport interchanges.

In this regard it is suggested to consider further the new access to the CDC from Church Street both in terms of landscaping and permeability to ensure that this area can enable delivery of more meaningful pedestrian/cycle route connections through wider development of the hospital campus in future.

Officer response:

The proposal falls within the Council’s site allocation SSA15 (as detailed further within the “Principle of development” section), and upholds the objectives of health care provision; due to the proposed development occupying a relatively small proportion of the wider site there are still opportunities to provide links to the town centre, particularly via pedestrian and cycle routes. The variation in ground levels within the application site would limit the scope for additional access route however this may be deliverable within the wider site should further proposals be formulated.

Layout

The general U-shaped layout of the centre appears to be a robust approach to the redevelopment of the site. The central courtyard space would provide an opportunity for significant landscaping which is encouraging.

The only key question from a design perspective, is whether options have been explored to reconfigure the arrangement of the entrance to the building to provide a stronger connection to Church Street. It is strongly recommended to explore options to flip the arrangement of the entrance and lift/stair cores which could provide a more positive and legible entrance to the site from the Church Street access.

Scale and massing

The 2/3 storey massing of the proposal appears to be of an appropriate scale given the significant set-back of the proposals from the northern and western site boundaries, (and landscape features to be retained). Subject to further clarification regarding the appearance of detailing of the upper floor plant elements the approach is considered robust.

Architecture and appearance

The general principles of the scheme in terms of architecture and appearance appear well founded with the use of brick as the main interface material of the scheme helpful to embed the development within its context.

It is noted that the proposal is intended to be delivered through a modular construction process. This is encouraging, however it may be helpful to secure some additional details in terms of typical bays studies at this stage, to provide some illustrative material to understand the design of these features. Further clarification in relation to recessed bay features and textured brickwork finishes would be encouraged at this stage, to provide an indication of these details in future. (Flexibility to these elements could be provided to the developer through inclusion of a condition requiring final 1:20 details of these elements).

- Roof-top plant enclosures - The main element of query relating to the appearance of the building, is in relation to the enclosures and safety rails to the upper floor plant structures. Given their scale and cumulative massing, these elements will be highly prominent from surrounding views of the development. It is suggested that further detail of these elements is provided at this stage, to highlight how their visual prominence will be reduced. Whilst the use of permeable louvres to treat these elements is supported in principle, further clarity should be provided as to the future condition of these elements ahead of determination of the current application. At the upper floor level, it is also queried whether the scale and height of safety railings, (for access to PV panels), could be reconsidered and more successfully integrated within the form of the main screening enclosures.

Options to design these features as more decorative features within the building façade would be welcomed to link their appearance to the use of the building. Confirmation of the extent of translucency of these elements should be clarified. In terms of materiality, it is queried whether the approach to select a colour treatment which is of a similar tone to nearly

roofs would be the correct approach in this instance; instead have options been explored to link these details to the colour and composition of other elements of building, window frames etc., to give the building a more complete appearance overall.

- **Materiality and detailing** - Further details in relation to the materiality of the building, particularly the choice of brick and mortar for the main building façades would be welcomed. Although this could be subject of condition, it is strongly recommended to gain some further insight into these elements prior to determination of the application as the current information included within the DAS is quite vague in this regard. It would be helpful to establish whether the scheme would look to draw upon a brick relative to the existing main hospital building, other key townscape feature, (such as St Mary's Church), or seek to bring forward a contrasting detailing as the main interface of the scheme. Similarly, it would be helpful to clarify further insight into the treatment of fenestration and louvre screens to provide clarity of the approach. The DAS talks about these elements being of a neutral tone; could this be reconsidered as suggested above to allow the fenestration and louvre details to give the scheme a more robust detailing and appearance overall.

Treatment of retained building elevations - It is noted that the proposals include the partial demolition of buildings occupying the site, and retention of structures along the southern boundary. It would be helpful to clarify the approach to the treatment of the retained and repaired northern elevation of these buildings, given that they will be prominent in outward views from the new centre and from the entrance to the site from Church Street. This doesn't appear to be referenced in the plans for submitting information included with the application.

Officer response:

Revised elevations have been submitted, providing a parapet wall 1.1m high at roof level, which will provide an element of screening (when viewed from street level) to the roof plant, and will avoid the requirements for safety railings to the edge of the roof, which results in an improved visual impact; the construction materials for the parapet wall and external walls to the new building will match.

The demolition of the parts of the retained buildings has been undertaken (commenced although not concluded at the time of writing) via a prior approval process, with external walls to be made good, and any previously internal doors being replaced with appropriate external doors.

Landscaping and public realm

The general principles of the landscape plan supporting the application are welcomed, particularly the general courtyard landscaped area and retention of trees and hedgerows around the perimeter of the site. Further details of the materials for hard landscaping would be welcomed alongside further details of any additional tree planting, and details of soft landscape features in terms of species and mix. (These elements could be secured through conditions). It is

also encouraged to review the landscape proposals to integrate elements of external seating etc., for visitors to the centre and the benefit of the wider hospital campus.

Would there be an opportunity to incorporate additional planting along the southern aspect of the site boundary to screen the retained/repared walls of the current hospital buildings along this edge. Additional low-level planting/hedgerow features may be a more appropriate treatment along this condition rather than hard landscaping as currently proposed.

The relationship between boundary treatments of back of house and service areas adjacent to the retaining wall serving the staff car park, would benefit from review, particularly to the western extent of the site. Would there be benefit in bringing forward and repositioning secure access gates to avoid small areas of open spaces which could become problematic in future.”

Officer response:

The applicant has confirmed that the southern boundary of the site (northern boundary of existing buildings) is required for emergency and maintenance access, and is also used as pedestrian routes and therefore planting in this area would not be appropriate. A condition is recommended to require details of landscaping and planting, which will ensure the provision of appropriate landscaping to the site.

The secure access gate location has been altered by the applicant, and relevant amended plans submitted.

5.6 **Environmental Quality (Noise)**

“The proposal is for full planning permission for the development of a new Community Diagnostic Centre located towards the northwest side of Upton Hospital, with access, parking, landscaping and associated works. This includes the installation of new air source heat pumps (ASHPs), condensers, MRI chillers, and air handling units (AHUs) within a rooftop area, and a ground level stand-by generator to the east of the site.

Environmental Noise Comments

A noise assessment has been prepared by CPW Acoustics in support of this application. The assessment aims to assess the impact of proposed new plant on the nearest noise sensitive receptors which are located 25-35m to the north, east and west of the site, and comprise residential receptors, a church and a medical centre, with the latter two only considered as sensitive during the daytime hours.

Proposed development and assessment criteria

Section 2 of the report outlines the site, setting and proposed development, including figures showing the proposed plant location and a supporting table of plant details. Under Figure 2.2, the report states that the provided plant selections are indicative only and subject to change through detailed design. The report advises that a further noise impact assessment should be undertaken once final plant selections and layout drawings are available. A condition will be set which sets the plant noise limits that this plant will need to adhere to, as suggested in Paragraph 3.2 of the report.

Section 3 presents details of the assessment criteria considered (BS4142 [British Standards Institute:2019 Methods for rating and assessing industrial and commercial sound]) and relevant policy, including NPPF, NPSE and PPG [National Planning Policy Framework, Noise Policy Statement England and Planning Practice Guidance]. Reference is made to Slough specific criteria that the plant noise rating level ($L_{Ar,Tr}$) shall not exceed the typical background noise level at nearby noise sensitive receptors in line with BS4142. It is recommended that this is added as a condition. A planning condition specific to the operation of the back up generator in the event of an emergency has also been proposed, which suggests a 10dB relaxation of the noise limiting criteria, however the period that this relaxation is applied has not been suggested, nor has it been confirmed whether this generator will be regularly tested. Further clarification on the expected frequency of emergency generator will need to be supplied before the LPA can fully consider this condition.

Baseline noise survey

The baseline noise survey was conducted between 8th – 12th June 2023, to quantify the existing background noise levels representative of the nearest noise sensitive receptors.

Long term noise measurements undertaken at monitoring location 1 were undertaken at the northern area of the site, 15m south of Osborne Street. Results indicate daytime noise levels of 54dB LAeq16h, 45dB LA90 and 80LAm_{ax}, and night time noise levels of 51dB LAeq, 38dB LA90 and 75dB LAm_{ax}. Attended short term measurements undertaken from 11:00-11:30 at monitoring location 1 and 2 showed similar measurements, however the average noise level was highest at measurement location 2 at 63dB LAeq when compared to other locations. The noise survey confirmed that road traffic noise from the M4 dominated the background noise level at the measurement locations.

Plant noise limits

This section provides a statistical analysis on the background noise levels to determine a representative single figure daytime and nighttime background noise level. A modal or average LA90 has not been used. The report explains that using the 10th percentile value is a cautionary approach and is more relevant as the noise source to be assessed is continuous throughout the assessment period. This results in an LA90 that is lower than the modal LA90 and as such, supports a conservative approach and is therefore accepted.

These limits are presented as noise limits in Table 5.1. These limits are accepted as suitable to control plant noise.

Proposed noise limits for emergency generator use have been provided, however as mentioned above, it is not clear how often the generator will operate, particularly in regards to the testing regime, therefore this cannot be accepted until further clarification has been provided.

Noise emission calculations

CadnaA noise mapping software has been used to calculate the propagation of noise from the existing and proposed new generator equipment and embedded mitigation. This includes a 2m high louvred acoustic screen to enclose the rooftop plant, with a minimum sound reduction performance of 11dB Rw. AHUs will be housed within a fully enclosed plant room and ducted to a louvre. The ground level generator will be enclosed with a 2.5m high absorbent barrier with a minimum sound reduction performance of 20dB Rw. Each atmospheric side duct is also to be attenuated with a 900mm attenuator and 40% free area. Full details of the mitigation to be applied to the proposal should be submitted to the local authority as condition.

The modelling results are presented graphically in Figure 5.1 and Figure 5.2. In line with BS4142, a +3dB penalty has been applied to account for intermittency. No further penalties have been applied.

Daytime specific sound levels from the proposed plant are highest at Receptor A (west) at 41dB, followed by 40dB at Receptor B (north) and 35dB at Receptor C (east). The specific noise level is below the representative background noise level at all receptors. As such, the impact of the proposal is expected to be low during the day.

In regards to night time noise levels, the specific sound level is only applicable to Receptor B as it is the only identified residential receptor. The specific noise level is 32dB. As this is below the plant noise limit of 38dB, the impact to this receptor during the night is expected to be low.

The emergency generator has been modelled separately to determine the predicted noise levels at Receptor B. When considering a +3dB penalty to account for the potential distinctive nature of generator noise, the resultant rating level at Receptor B is 47dB. This is 9dB above the representative background noise level. It is noted however that the generator will only be in use in emergency situations and as such, its use is expected to be infrequent. Confirmation of the testing regime arrangements will be required to confirm the acceptability of this proposal.

Summary

In summary, the noise assessment provides evidence that the normal operation of plant associated with the development is not expected to result in significant noise impacts to any of the surrounding receptors during the day time or night time. It is noted that the calculations are indicative based on proposed plant which may be subject to change. Once at the detailed design stage, confirmation of the chosen plant will be required and evidence to ensure that the following plant noise condition can be met:

Plant noise Rating Level (L_{A,r},Tr) from the site shall not exceed the “typical” background noise level (L_{A90,T}) at nearby noise-sensitive receptors, when assessed in accordance with BS 4142:2014.

Clarification is required on the expected frequency and duration of the back up generator, in order to confirm the likely effects on the nearby receptors.”

Subsequent response following confirmation of generator testing once per month for 1 hour during daytime hours.

“The noise report indicates that Receptor B is the closest receptor to the generator, therefore this receptor is most likely to be affected by generator operations. The Rating Level (i.e. generator noise level at the receptor including character corrections in line with BS4142) is 47dB, which is 2dB above the daytime background noise level. Although we typically require no exceedance of the background noise level, as testing is limited to daytime hours only, the sensitivity of the receptors is reduced and as such, this noise level is accepted.

I would therefore suggest two conditions are applied – one that limits generator noise to 47dB at the nearest noise sensitive receptor (Receptor B), and another that limits generator testing to once a month for 1 hour during daytime hours only.”

5.7 **Land Contamination**

No response has been received at the time of writing this report. Members will be updated via the Amendment Sheet should any response be received.

5.8 **Lead Local Flood Authority**

No response has been received at the time of writing this report. Members will be updated via the Amendment Sheet should any response be received.

6.0 **Neighbour Notification**

6.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), five site notices were displayed on lampposts in the immediate vicinity of the site’s location on Church Street, Osborne Street and Albert Street 6 December 2023. The application was advertised as a major application in the 8 December 2023 edition of The Slough Express.

6.2 There have been no representations received.

6.3 Cllr Muvvala (Langley Marish ward) raised several queries regarding the proposed development, including vehicle and cycle parking, benefits to residents of Slough (including needs assessment), traffic generation, and pollution. A written response was provided to Cllr Muvvala in January 2024, and the key issues raised (as far as they relate to material planning considerations) are addressed within the relevant sections of this report.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The following policies are considered to be most relevant to the assessment of this application:

7.2 The National Planning Policy Framework, 2023 (NPPF) and the National Planning Practice Guidance

The NPPF states that unless material considerations dictate otherwise development proposals that accord with the development plan should be approved without delay and that weight should be given to existing local policies and plans will be dependent on their degree of consistency with the NPPF.

It also states that high quality design should be secured and a good standard of amenity for all existing and future occupants of land and buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

7.3 Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008

- Core Policy 1 (Spatial Vision and Strategic Objectives for Slough)
- Core Policy 5 (Employment)
- Core Policy 6 (Retail, Leisure and Community Facilities)
- Core Policy 7 (Transport)
- Core Policy 8 (Sustainability & the Environment)
- Core Policy 10 (Infrastructure)
- Core Policy 12 (Community Safety)

7.4 Adopted Local Plan for Slough, Adopted March 2004

- EN1 (Standard of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- EN11 (Advertisements on Commercial Buildings)

- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)

7.5 Other relevant documents

- The Slough Local Development Framework Site Allocations Development Plan Document, Adopted November 2010
- Site Allocation Policy 1 Site Specific Allocation SSA15
- Proposals Map Policy 1 Area of Major Change 2010
- Slough Borough Council Developer's Guide Parts 1-4

7.6 Composite Local Plan – Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist

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 Local Planning Authority has published a self assessment of the Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

It was agreed at Planning Committee in October 2012 that it was not necessary to carry out a full scale review of Slough's Development Plan at present, and that instead the parts of the current adopted Development Plan or Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

7.8 The main planning issues relevant to the assessment of this application are considered to be as follows:

- Principle of development
- Design and appearance on the character of the area
- Impact on neighbouring residents
- Transport and parking
- Other issues

- Equalities considerations

8.0 Principle of development

8.1 The principles of the Core Strategy are developed in the Site Allocations Development Plan Document. Site Allocations Policy 1 states that proposals in accordance with their Proposed Use and Site Planning Requirements will be considered acceptable in principle. It also confirms that proposals will need to be developed in accordance with the Development Plan and national planning guidance unless material considerations determine otherwise.

8.2 Site Allocation SSA15 allocates the wider hospital site for medical, healthcare and residential uses. The associated schedule for Upton Hospital provides the reasons for allocation:

- To allow the provision of enabling residential development;
- To ensure the continued provision of modern health care facilities on site;
- To preserve and enhance the special character of the Listed Buildings on and off site through high quality redevelopment;
- To secure the long-term future of the on site Listed Buildings through sympathetic re-use.

8.3 The Site Planning Requirements provided within SSA15 state that redevelopment proposals should:

- Ensure that opportunities for residential use of surplus land or building takes place as part of the comprehensive planning of the site.
- Enhance the setting of the listed buildings on and off site.
- Consider opportunities to intensify the healthcare provision on the site through careful re-use of buildings and redevelopment of the parts of the site which are known to have little historic importance.
- Open up pedestrian/cycle access in a north-south direction through the middle of the site to improve non-motorised links between the Town Centre and Herschel Park; creating a linear pedestrian link from Victoria Street to Albert Street.
- Not result in an overall increase in car parking provision on the site.

8.4 The current application seeks to develop part of the site (a little over 0.5 hectares within a site little under 3 hectares) to provide healthcare, and whilst there is no residential use proposed, there will be scope to provide this within the wider site (subject to long term plans by the health trust), and the proposed development will not frustrate the objectives of the site allocation in this regard. The application site does not incorporate the listed buildings, and therefore does not propose re-use of these building, however as detailed in the heritage consultant's comments, there is a neutral impact upon these buildings from the proposed development.

8.5 The proposal creates 26 additional parking spaces for visitors/patients (in addition to 34 existing staff parking); whilst this is an increase in parking spaces, and the linear pedestrian link detailed within the Site Planning Requirements has not been

provided, the proposal includes a small portion of the wider site, and does not impact upon the objectives of the site allocation.

8.6 The CDC has been specifically designed to meet the criteria and requirements of the NHS. The primary aims of a CDC are as follows:

- Improving population health outcomes
- Increasing diagnostic capacity
- Improving productivity and efficiency of diagnostic activity
- Contributing to reducing health inequalities
- Delivering a better, more personalised, diagnostic experience for patients

8.7 The layout and design need to be fit for purpose and adaptable for the future. The design of the CDC has had a large amount of input from stakeholders, clinical and other user groups, including:

- Imaging
- Pathology
- Physiological testing
- Frimley Health NHS Foundation Trust
- Facilities management staff
- NHS Property Services
- Service providers at Upton Hospital

8.8 The Planning Statement states that the CDC aims to:

- Alleviate health disparities by strategically locating the CDC in central Slough, ensuring that communities with poorer health outcomes can readily access high-quality diagnostic services.
 - Reduce unnecessary hospital visits by augmenting diagnostic capacity outside of acute hospitals, allowing them to focus on delivering urgent and emergency care more efficiently.
 - Establish a purpose-built, contemporary healthcare facility that is well-suited to its intended functions and offers adaptability to meet the evolving healthcare requirements of the local community in the short, medium, and long term.
 - Augment capacity in areas where current healthcare trends indicate a forthcoming demand that surpasses existing capabilities.
 - Craft an environment conducive to supporting both present and future healthcare models, ensuring an efficient and effective workspace for all staff members.
 - Create a sustainable facility, accounting for sustainability considerations during both its construction and operational phases.
 - Establish a therapeutic environment that sets a benchmark for the healthcare experience, benefiting all service users.
 - Both external and internal designs have been mindful of security issues.
 - Main entrance at the south-west corner will facilitate ease of wayfinding when entering the site.

8.9 A condition has been recommended with regards to the wayfinding signage to ensure that visitors are able to visit the site with ease. Furthermore, the proposal supports delivery of the Governments agenda for the proposal provision of

essential healthcare infrastructure and diagnostic provision, close to patient's homes and within an area of high health need.

9.0 Design and appearance on the character of the area

9.1 The National Planning Policy Framework confirms the following:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities” (para 131).

9.2 Core Policy 8 of the Core Strategy requires that, in terms of design, all development:

- a) *Be of high quality design that is practical, attractive, safe, accessible and adaptable;*
- b) *Respect its location and surroundings;*
- c) *Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
- d) *Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.*

9.3 Policy EN1 of the adopted Local Plan states that *development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.*

9.4 The site is currently a hospital, with a variety of building styles, heights and designs, including listed buildings within the curtilage of the wider site, and adjacent to the site. The immediate vicinity of the site has a mixed character of residential and non-residential buildings; the scale, height, bulk and mass of the proposed development must therefore be given careful consideration.

9.5 *Visual Impact:*

The proposed building will be 12.1m in height, and set in from the boundaries with Church Street and Osborne Street by at least 19m (34m to the front walls and windows of dwellings on Osbourne Street), which is sufficient to avoid an overly bulky structure; the overall height will be consistent with the main hospital building (Pine House) within the wider site, and the 2.5 storey height residential buildings to the north (and considerably lower than the spire of St Mary's Church to the west). The external materials at ground and first floor will be a red brick, which reflects Pine House; whilst the plant at roof top level will be powder coated metal, and therefore potentially introducing materials with a utilitarian appearance, this will set in from the walls by between 1.5m and 2.4m to minimise visual impact,

and would be appropriate for the hospital setting. Following comments from the urban design advisor, a parapet wall has been proposed, which will screen the roof plant to a degree when viewed from ground level, and minimise visual impact.

9.6 Existing boundary hedging and trees will generally be retained, offering a degree of screening to the proposed building, however the visual impact is considered to be acceptable in any event; particularly when viewed within the context of existing hospital buildings.

9.7 *Soft Landscaping/ Trees:*

The application proposes additional landscaping within the site in the form of trees and greening within the courtyard near the entrance to the building (which will supplement the existing trees and hedges to the boundary). The landscaping to the courtyard will be visible from the wings of the new building, providing a “green outlook” from the circulation route and patient waiting areas.

9.8 In addition to new trees, several trees will be retained, with a group of sycamore trees and an oak tree to be removed; the Council’s Tree Officer has raised concerns regarding the removal of the oak tree, however there are no protected trees within the site, and this tree could be removed without a permission. The oak tree to be removed has been identified within the submitted tree survey and impact assessment to be of poor health, and in any event would be adjacent to the proposed new access from Church Steet and therefore its removal would be required.

9.9 Details of the proposed landscaping, including species of trees can be secured by planning condition.

9.10 *Hard Landscaping:*

The Planning, Design & Access stamen submitted by the applicant states that concrete blocks would be used for hard surfacing, including vehicular access, parking bays, and footways, with a variety of block size, colour and block pattern to distinguish between these areas. The applicant proposes grey blocks for vehicular surfaces, and buff/brindle blocks for footways and parking bays.

9.11 *Impact upon Listed Buildings:*

The wider site includes listed buildings, and St Mary’s Church to the west (outside of the site). The Council’s Heritage Consultant has confirmed that the proposed development will have a neutral impact upon the adjacent heritage assets, and is acceptable in this regard.

9.12 Core Policy 9 of the Slough Core Strategy (2006 – 2026) Development Plan Document (2008) states that development will not be permitted unless it enhances and protects the historic environment, and respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations.

- 9.13 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a Local Planning Authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 9.14 Chapter 16 of the NPPF intends to preserve and enhance the historic environment. Specifically, paragraph 197 states that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional (para 200).
- 9.15 Paragraph 201 states, where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.16 Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 9.17 The proposal has been reviewed by the Council's Heritage Consultant, who has confirmed there will be a neutral impact upon the significance of St Mary's Church, its boundary wall and the listed building within the wider site, and the significance of these designated heritage assets will be preserved.
- 9.18 The application site is some 200m north of the Upton Park/Upton Village conservation area; due to the relatively modest height, and existing buildings within the hospital site, views towards the site from the conservation area will be limited. The design of the proposed CDC is considered to be acceptable in any event, and will not have a significant impact upon the conservation area. A condition with regards to materials has been included to ensure that materials are of a high quality and suitable given the contexts of the site.
- 9.19 On balance, it is considered that the proposal will not have a detrimental impact upon the character and appearance of the surrounding area (including heritage

assets and the conservation area), and is considered to be consistent with Core Policy 9 of the Slough Core Strategy (2008), and the NPPF, and is acceptable.

10.0 **Impact on neighbouring residents**

10.1 Paragraph 130f of the National Planning Policy Framework requires planning decisions to ensure developments create places with a high standard of amenity for existing and future users.

Core Policy 8 states *“The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”*.

10.2 As detailed above in the design and appearance section, the proposed building is not considered to have a detrimental visual impact upon the character of the area, and given the generous separation distanced between the rear wall of the new building and the front walls and windows of properties on Osborne Street (34m), coupled with the relatively modest height, there is not considered to be a visual impact on these neighbours.

10.3 Whilst the proposed building would be to the south of residential properties on Osborne Street, the separation distance will avoid overshadowing; the separation distance also prevents overlooking (or perceived overlooking) towards these properties.

10.4 The proposed use of the site (with highly technical and sophisticated equipment) requires back-up generators to ensure seamless electrical power; these generators will produce noise when operating (albeit in isolated incidents) and will also need to be regularly which will be tested for reliability once per week for 1 hour. The Council’s Environmental Quality officer has provided comments regarding the noise levels of the generator, and is supportive of these levels in terms of impact upon the sensitive receptors, subject to conditions restricting the hours and frequency of testing

10.5 Given this distance and the relationship of the site with neighbouring properties, it is considered that there would be no adverse impacts on the amenities of these neighbouring properties as a result of the proposed development. It is therefore considered that the proposals provide a scheme which will not have any adverse impact the surrounding occupiers and complies with the relevant policies.

11.0 **Transport and Parking**

11.1 The National Planning Policy Framework states that development should be designed to create safe and suitable access and layouts which minimise conflicts between traffic and pedestrians. Paragraph 111 of the National Planning Policy Framework 2023 states that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.

Core Policy 7 (Transport) seeks to ensure that all new developments are sustainable, located in accessible locations and hence reduces the need to travel. It requires that development proposals will, either individually or collectively, have to make appropriate provisions for:

- *Reducing the need to travel;*
- *Widening travel choices and making travel by sustainable means of transport more attractive than the private car;*
- *Improving road safety; and*
- *Improving air quality and reducing the impact of travel upon the environment, in particular climate change.*

11.2 The proposal seeks to provide 61 car parking spaces, including 34 spaces for staff, 26 car parking spaces for visitors (including 6 accessible spaces) and 1 dedicated for sample (service) collections. The Transport Statement submitted by the applicant specifies there will be 24 cycle parking spaces, indicated within the plans to be to the western boundary of the site. Staff parking will be accessed from an existing vehicle crossing on Osbourne Street, and the visitor/servicing spaces will be accessed from a new crossing on Church Street.

11.3 The new access from Church Street will require the removal of on-street (pay and display) car parking bays to facilitate the new vehicular access to the site, ensuring suitable visibility splays. The quantity of parking bays to be lost are under discussion between the Council’s Transport Planner and the applicant’s consultants, and it is clear that a balance must be struck to provide safe access (with adequate visibility) and an acceptable loss of on-street parking bays.

12.0 **Other Issues**

12.1 *Flooding / Drainage:*

Paragraph 173c of the National Planning Policy Framework requires the incorporation of sustainable drainage systems unless there is clear evidence that this would be inappropriate. This is also required by Paragraph 175 of the National Planning Policy Framework for all major developments. Core Policy 8 of the Core Strategy requires development to manage surface water arising from the site in a sustainable manner.

A Flood Risk Assessment and Drainage Strategy has been submitted with the application confirms that the site is within Flood Risk 1 area (low probability of flooding). Based on the above (and subject to confirmation from the Lead Local Flood Authority), the proposal would not increase flood risk elsewhere outside of

the application site, and the flood risk and drainage issues would comply with Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework.

12.2 *Ecology:*

The Ecological Assessment submitted by the applicant concluded that there were no protected species including bats, which would be impacted by the proposed development; the site does not support reptiles or amphibians, and is of low ecological interest. The Ecological Assessment recommends retention of trees and shrubs, in addition to new planting to provide additional habitats, and that species should be native and known to value wildlife.

12.3 *Archaeology:*

Berkshire Archaeology have confirmed that there is the potential for the site to contain archaeological remains and the proposed development may impact such remains so a condition should be added to secure a programme of archaeological works prior to the commencement of works.

12.4 *Sustainability:*

Core Strategy Policy Core Policy 8 (Sustainability and The Environment) seeks development proposals to be sustainable, of a high-quality design, improve the quality of the environment and address the impact of climate change.

A BREEAM Pre-Assessment has been submitted which confirms that a rating of excellent will be achieved, as such this has been conditioned accordingly. The BREEAM criteria seeks to ensure that the development is sustainable in terms of design by reducing carbon emissions outputs.

12.5 *Contaminated Land:*

Paragraphs 183 and 184 of the National Planning Policy Framework require a site to be suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This is reflected in Core Policy 8 of the Core Strategy.

The Council's Contaminated Land Officer has been consulted, and comments regarding the submitted desk study and ground investigation are expected shortly (an update will be provided via the Amendment Sheet should any response be received).

12.6 *Air Quality:*

Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. The proposal should not result in unacceptable levels of

air pollution. This is reflected in the National Planning Policy Framework which also goes on to require any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

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

The applicant entered into pre-application discussion with the LPA, and it was concluded that as the site does not fall within an Air Quality Management Area, or Clean Air Zone, and given the scale of development proposed, an Air Quality Assessment has not been submitted as part of the application.

There are identified areas where there could be a temporary impact during the construction phase, such as dust, however these can be mitigated through the approval of a construction management plan.

On the basis of the above considerations there are no objections in respect of air quality impacts.

13.0 **Equalities considerations**

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 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).

It is considered that there will be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the proposed works are taking place, by virtue of their nature. It is also considered that noise and dust from the demolition and construction have the potential to cause nuisances to people sensitive to noise or dust. However, conditions are imposed to mitigate

such impacts and measures under other legislation covering environmental health will be exercised as and when required.

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.

14.0 **Conclusion**

The proposal will make an important contribution towards health infrastructure in the borough and meeting Slough's diagnostic needs both now and in the future

The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development." The report identifies that the proposal, subject to addressing the issues set out in the delegation to Planning Manager would comply with all of the relevant policies in the current Development Plan and the relevant parts of the NPPF. The proposal would comply with the Development Plan as whole. The application is therefore recommended for to be delegated to the Planning Manager for approval in accordance with the recommendation set out below.

15.0 **PART C: RECOMMENDATION**

Recommendation

- 15.1 Delegate the planning application to the Planning Manager for approval, subject to resolution of outstanding transport/highway, land contamination and drainage matters, finalising of conditions, and any other minor changes.

16.0 **PART D: DRAFT CONDITIONS AND INFORMATIVES**

- 16.1 Please note that this is not the final list of conditions and amendments may be made prior to planning permission being granted.

1. Time limit

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

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

2. Approved Plans

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

- a) Drawing No. 3379 - MPA - ZZ - XX - PL - A - 05000 Rev P1, Dated 24/11/23, Recd On 28/11/2023
- b) Drawing No. 3379 - MPA - ZZ - XX - PL - A – 05005 Rev P1, Dated 24/11/23, Recd On 28/11/2023
- c) Drawing No. 3379 - MPA - ZZ - XX - PL - A - 05100 Rev P4, Dated 14/02/24, Recd On 15/02/2024
- d) Drawing No. 3379 - MPA - ZZ - XX - PL - A - 05300 Rev P2, Dated 06/02/24, Recd On 15/02/2024
- e) Drawing No. 3379 - MPA - ZZ - 00 - PL - A - 05101 Rev P1, Dated 24/11/23, Recd On 28/11/2023
- f) Drawing No. 3379 - MPA - ZZ - 00 - PL - A - 05109 Rev P1, Dated 24/11/23, Recd On 28/11/2023
- g) Drawing No. 3379 - MPA - ZZ - 01 - PL - A - 05110 Rev P1, Dated 24/11/23, Recd On 28/11/2023
- h) Drawing No. 3379 - MPA - ZZ - 02 - PL - A - 05111 Rev P1, Dated 24/11/23, Recd On 28/11/2023
- i) Drawing No. 3379 - MPA - ZZ - 03 - PL - A - 05112 Rev P1, Dated 24/11/23, Recd On 28/11/2023
- j) Drawing No. 3379 - MPA - ZZ - XX - PL - A - 05200 Rev P2, Dated 06/02/24, Recd On 15/02/2024
- k) Drawing No. 3379 - MPA - ZZ - XX - PL - A - 05201 Rev P2, Dated 06/02/24, Recd On 15/02/2024
- l) Drawing No. 3379 - MPA - ZZ - XX - PL - A - 05202 Rev P2, Dated 06/02/24, Recd On 15/02/2024

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the policies in The Local Plan for Slough, 2004.

3. Details of external materials

Prior to the commencement of the development hereby approved, details of external materials to be used on the development, including hardstanding hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the details approved. Details of the recessed bays and textured brickwork should be represented by plans to a scale of 1:20.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the

Adopted Local Development Framework Core Strategy 2006-2026, Development Plan Document, December 2008 and Policy EN1 of the Adopted Local Plan for Slough, 2004.

4. Contaminated Land - TBC

5. Construction Management Plan

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

1. A site set up plan displaying hoarding/fencing extents, vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries, site office and wheel cleaning facilities during the construction period.
2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 0800 – 0900 and 1700 – 1800, and outside of 1430 – 1530 where the development is located in proximity to a school.
4. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
5. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
6. Details of dust control measures and wheel washing facilities to be provided on site.
7. Confirmation of whether any abnormal loads will be required for the construction or demolition. If so, the LHA must be notified of any abnormal loads at the following location:
<https://www.slough.gov.uk/licences-permits/abnormal-loads/1>.

The plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON: In the interest of minimising danger and inconvenience to vehicular traffic and pedestrian highway users in accordance with policies 7 and 8 of the Core Strategy 2008 and the requirements of the National Planning Policy Framework 2023.

6. Archaeology

(A) No development shall take place/commence until a programme of archaeological work, including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing.

The WSI shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

B) The Development shall take place in accordance with the WSI approved under condition (A). The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with Paragraph 211 of the NPPF which states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

7. Cycle Parking

Prior to the commencement of the development hereby approved details showing the provision of a secure cycle store for 24 cycles and an unobstructed footway link to accord with the Local Planning Authority's "Cycle Parking Standards" shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall then be occupied until the cycle store and footway link have been laid out and constructed in accordance with the approved details and that area shall not thereafter be used for any other purpose.

REASON To ensure that adequate and convenient cycle storage is provided to accord with Local Plan standards.

8. Electric Vehicle Parking

Prior to the commencement of any development hereby approved, details of the 6 active electric vehicle charging points (Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase) shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully installed, and the active charging points shall be fully operational prior to the first occupation of the development and be retained in good working order at all times in the future.

REASON: to provide mitigation towards the impacts on air quality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the Slough Low Emission Strategy 2018 – 2025 Technical Report, and the requirements of the National Planning Policy Framework 2021.

9. Landscaping Strategy

Prior to the commencement of any development hereby approved a detailed landscaping and tree planting scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme should include the trees and shrubs to be retained and/or removed and the type, density, position and planting heights of new trees and shrubs. The approved scheme shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

10. BREEAM 'Excellent' Rating

Evidence confirming that the development achieves a BREEAM New Construction rating of no less than 'Excellent' shall be submitted to and approved in writing by the Local Planning Authority. The evidence required shall be provided in the form of a post construction assessment, conducted by an accredited Assessor and supported by relevant BRE accreditation certificate, shall be submitted within 6 months following the first occupation of the development.

REASON In order to comply with the requirements of Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

11. Wayfinding

Prior to first use of the proposed development, details of the way-finding signage (including access to the facility and parking provision, showing the siting, height, materials, colour and illumination levels if applicable) shall be submitted to and approved in writing by the Local Planning Authority. The approved way-finding signage shall be implemented within 3 months of the first use and retained thereafter.

Reason: To ensure the satisfactory provision of facilities in accordance Policies EN1 and EN11 of The Adopted Local Plan for Slough 2004, Policy 8 of the adopted Core Strategy 2006 - 2026 and the National Planning Policy Framework (2023).

12. Car Parking

Prior to the development hereby approved first being brought into use, 64 no. car parking spaces shall be provided and made available for use in connection with the community diagnostic centre and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business, commercial or residential use.

REASON: In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of the amenities of the area in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

13. Site Layout

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

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

14. Noise Control

Plant noise Rating Level (L_{Ar},Tr) from the site shall not exceed the "typical" background noise level (L_{A90,T}) at nearby noise-sensitive receptors, when assessed in accordance with BS 4142:2014. The generator shall be tested no more than once a month, and for 1 hour only during daytime hours; the noise from the generator shall not exceed 47dB within 1m of the nearest noise sensitive receptor (Receptor B, as detailed in the Noise Impact Assessment, Dated Nov 2023, Recd On 28/11/2023).

REASON To protect local residents from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

15. External Lighting

The external lighting shall be provided in accordance with the External Lighting Report, Rev. P02, Dated 14/11/2023 Recd On 28/11/2023 and Proposed External Lighting Layout, dated November 2023, Recd On 28/11/2023. The external lighting shall be provided in accordance with these details prior to the first occupation of the development and shall be retained at all times in the future for this purpose.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Core Policy 8 of the Adopted Local Development Framework Core Strategy 2006-2026, Development Plan Document, December 2008 and Policy EN1 of the Adopted Local Plan for Slough, 2004.

INFORMATIVES

1. All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.
2. The development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system.
3. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.
4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority.
5. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction.
6. Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable

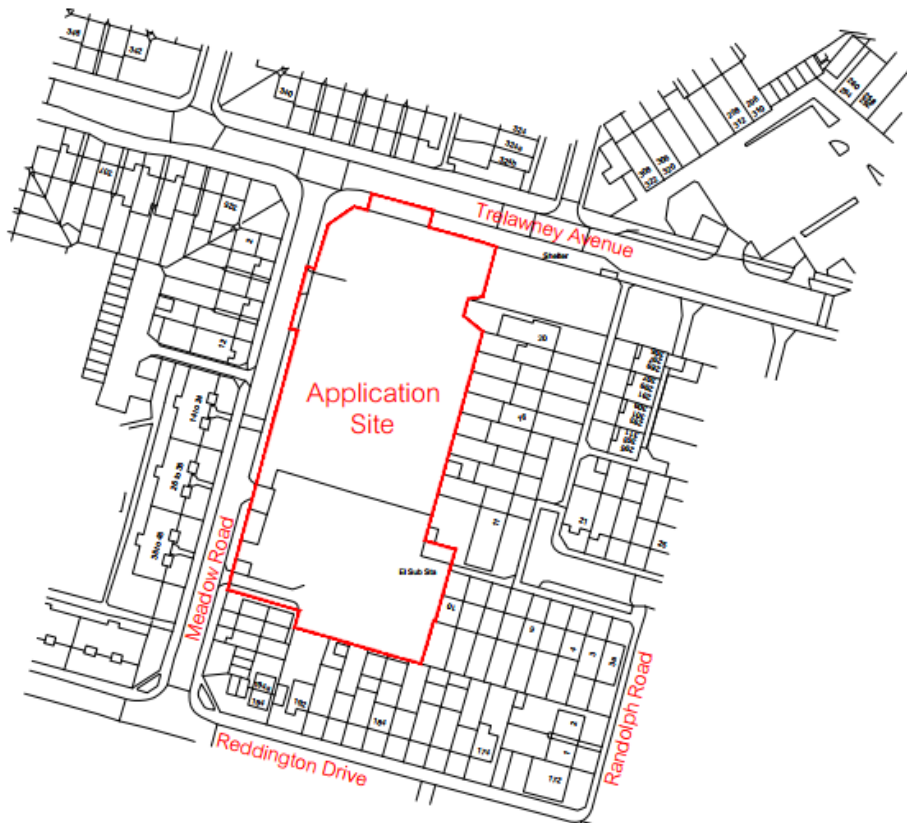
under this agreement for any requirements that burden the highway authority with additional future maintenance costs.

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

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Registration Date:	01-Dec-2023	Application No:	P/01615/007
Officer:	Alex Harrison	Ward:	Langley Marish
Applicant:	Elstree Land Ltd	Application Type:	Major
		13 Week Date:	1 March 2024
Agent:	Mr. Sam Dargue, Savills 33, Margaret Street, London, W1G 0JD		
Location:	Former Merrymakers Public House and Former Bungalows, Slough, SL3 7QA		
Proposal:	Redevelopment of the site to provide 53 no. residential dwellings (Use Class C3) comprising self-contained flats and houses along with associated car parking, access, landscaping, and other associated infrastructure		

Recommendation: Delegate to the Planning Manager



1.0 **SUMMARY OF RECOMMENDATION**

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

A) Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure affordable housing, education contribution and highways works (vehicle access junctions, proposed loading bays and footway connections to the site, via a Section 278 agreement) which are required to mitigate the impact of the development.
- (ii) Finalising conditions and any other minor changes.

or

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 31 August 2024 unless a longer period is agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.

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 more than 10 dwellings.

PART A: BACKGROUND

2.0 **Proposal**

2.1 The application proposal seeks full planning permission to redevelop the site to provide 53 residential dwellings. The dwellings will comprise 20 houses and 33 flats in the following mix:

- 1-bed flats - 12
- 2-bed flats - 21
- 2-bed house - 5
- 3-bed house - 15

2.2 The proposal is characterised by a principle 3.5-storey building at the northern part of the site, fronting Trelawney Avenue and turning the corner into Meadow Road. As the site frontage moves south along Meadow Road the built form changes to 2no rows of terrace dwellings that start at 3 storeys in scale before dropping to 2

storeys. Within the site are two terrace rows providing dwellings at 2.5 and 3 storey.

- 2.3 The development is proposed to be principally constructed in red facing brick with slate roof and with windows and doors in grey.
- 2.4 Amenity space is provided for the houses in the form of rear private gardens and some raised terraces. Each of the flats will have access to their own private balcony. Structural amenity landscaping is proposed at the peripheries of the site as well as within the site which softens the impact of the built form.
- 2.5 The proposal provides a total of 71 parking spaces which is a ratio of 1.34 spaces per dwelling. 33 of these spaces are allocated to the flats which works out at 1 space per flat and 38 are allocated to the 20 houses. Access to the development will be provided through two junctions created onto Meadow Road for the flats and internal terraces and the houses fronting Meadow Road will have their own private driveway access. The application proposes the formation of 2 no laybys (one on Trelawney Avenue and one on Meadow Road) that will be used for servicing and deliveries for the flats. These laybys will become part of the adopted public highway.
- 2.6 The plans were amended to address a number of issues raised by the Planning Officer, Highways Officer and Urban Design Advisor.
- 2.7 As well as full plans, the application is accompanied by the following documents:
- Application Forms and Certificates
 - Planning Statement
 - Design and Access Statement
 - Transport Assessment
 - Flood Risk Assessment and Drainage Strategy
 - Daylight and Sunlight Assessment
 - Arboricultural Impact Assessment
 - Air Quality Assessment
 - Energy and Sustainability Statement
 - Noise Impact Assessment
 - Preliminary Ecological Assessment
 - Landscape Proposals
 - Draft S106 Agreement

Following the amendments being submitted to the Council the following additional documents were received:

- Flood Risk Assessment

- Updated Transport Assessment
- Design and Access Addendum
- Updated Landscape Proposals

3.0 **Application Site**

3.1 The application site is a cleared area of land that sits to the south of Trelawney Avenue and east of Meadow Road. It is currently boarded on all boundaries. Previously, the site contained a terrace of 6no bungalows that fronted Trelawney Avenue, The Merrymakers Public House and associated parking and garden which fronted Meadow Road and a number of Council garages. The site is approximately 0.6ha in size.

3.2 The site is located east of Slough Town Centre (falls outside the Town Centre boundary) and is within the village of Langley, located approximately 1km south of Langley Railway Station and adjacent to Kedermister Park.

3.3 In terms of surroundings, the land uses immediately adjacent the site are residential with the predominant house type being two storey terraced dwellings although there are variations in the area with 3 storey flat blocks apparent in the locality.

3.4 To the northeast of the site lies a local centre, characterised by 3 storey buildings which provides a number of retail units at ground floor with maisonettes above with the provision of a public car park.

3.5 The site is cleared of any buildings, but some trees remain on the eastern boundary of the site. The site is not within a Conservation Area and there are no listed buildings within close proximity to the site.

4.0 **Relevant Site History**

4.1 S/00745/001
Construction a mixed-use development including a community hub, comprising council offices (use class E), library (use class F.1), community space (use class F.1) and 21 residential units (use class C3), parking and landscaping works.
Application withdrawn

S/00745/000
Construction a mixed use development including a community hub, council offices (use class E), library (use class F.1), community space (use class F.1), construction of 4 residential units (use class

C3) and 20 Sheltered Housing units (use class C2), parking and landscaping works.
Application withdrawn

5.0 Neighbour Notification

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) site notices were displayed outside the site on 12/12/2023. The application was advertised as a major application in the 08/12/2023 edition of The Slough Express.

5.2 At the time of writing this report, there have been 12 objections received which are below:

- The site of the former Merrymakers included premises historically used for social gatherings, a community hall benefitting the local population in the neighbourhood, meeting a social need. The proposed plans are apparently solely for residential building, seemingly without any provision whatsoever for any community buildings, which are much needed in the locality, which would be in keeping with the previous use of the land. Members of the public have previously attended various public meetings over many years and verbally expressed a need and want for community facilities on this site, yet despite this, this application is solely directed towards building residential premises. Why is there absolutely no provision for a community hall and, or other such premises, such as (by way of example) a much needed space for a local police office, acting as a policing hub and a point of contact in the absence of a local police station? It seems the focus of this application is solely directed towards a residential build to maximise profit, without catering for wider social and community need. As a local resident and 'neighbour', I object to this planning application on the basis that it represents a change of use of the land when compared with previous use, and the proposed build fails to address a clear and obvious need for community building aside of any aspirations towards a proposed new residential build.
- Langley is over-populated for the public services that are available a police station/hub is required as are community facilities the crime rate is riding year by year public disturbances are increasing also NO MORE HOUSES!!!!!! Where are these people going to park? Where are they going to school! Where are they going to the doctors?? It is ridiculous already and just because slough borough council are bankrupt there is no need to sell off land for developments that will impact the lives of current residents! I have lived in Langley for 61 years and I can

honestly say that it has steadily gone down hill and I blame the council and the lack of community locations and police - enough Uris enough!

- This effectively changes the use of this land from a community facility to housing with a very large number of occupants. The area already struggles with access to community facilities (GP surgeries, dentists, schools), and the traffic at peak times is overwhelming. There are long queues already at peak times on both sides of Trelawney Avenue because of the volume of people, cars and buses. Adding this development as housing will significantly increase the traffic in this area, further constraint local services, and cause further limitations on available parking.
- Not enough infrastructure in the area ie police, doctors schools etc plus not enough parking for the amount of dwellings. Totally unacceptable
- There are many new housing being erected within Langley, I have a block being built at the top of my road. The infrastructure of the village cannot cope with more residences without the provision of doctors, dentists, schools and parking. As this is such a large site surely can a provision be made and built to support these extra people.
- Roads, doctors surgery, police force cannot cope with the residents and housing we do have let alone adding 53 more flats!! Parking is atrocious, crime rate is high I object to this plan for SBC to line their own pockets!! Widen the roads, cancel the bus lanes, build more doctors and bring the police back before you even consider more housing!!
- Overdeveloping what is a densely populated part of Langley is absolutely ridiculous. There are no provisions being made for additional doctors, schools and overparking. Beggars belief that this developments is even being considered in this area. Give us the extra doctors surgery, community hub and police offices we were promised. Certainly do NOT need all these extra people and cars!!
- Trying to shoehorn more dwellings into Langley in an area which is already overly saturated with housing without developing local amenities is outrageous. We were promised a community hub to help members of the local community, with a Thames valley Police desk, a council hub to help people paying bills or seeking help and a community space and a GP surgery. instead all of that goes out of the window while the council chase more income and the community grows without the expansion of key services desperately needed by residents.
- There's far too many new housing and flats being erected within Langley. The infrastructure of the village cannot cope, there needs to be more provisions of doctors, dentists, policing and parking. Traffic is already a nightmare on both ends of Trelawney Avenue during peak times. This was a community

place, it needs to be used for similar purpose to serve the community which Langley desperately needs.

- At the moment getting out of Trelawney Avenue in the morning is difficult let alone when you add at least 50 extra cars. This does not also factor in anywhere near enough parking as there will be more cars than houses and will be removing the parking available to the people that already live here.
- There are already too many houses in Langley Area and so much of traffic (especially during School hours), we can't drive through near River's schools. Can you please provide more infrastructure in terms of extending the roads before you start thinking on building more flats and houses. It is getting horrible in this area. We need to be mindful of so many flats which means so many people in this area. Can you please be considerate to the fact that we already have problems and you are going to increase the problems by bringing in so many more flats.

There was one representation received as 'no objection' which stated the following comments:

- Landscape sacrifice for more parking places. The site is next to Kedderminster Park. Getting people to park on site puts less pressure on street parking. The area is also busy during school runs with lots of road obstructions.

Office response:

A number of comments have been made with regards to the land use and no provision of a community facility (including police station, GP surgery, community hub etc) and that existing services such as GP surgeries, dentists, schools are at capacity. This application is solely for residential use and the previous planning application for a mixed-use community facility have been withdrawn, therefore there is no material consideration or fallback position for a community use. The Local Planning Authority is only able to determine the land use submitted and it should be noted that this site is not designated for community use under any planning policies. The site comprises brownfield land which is currently hoarded and was formerly home to 'The Merry-makers Pub' and 6 no. bungalows, all of which have since been demolished.

An education contribution has been sought, however it is not incumbent on a planning application to resolve existing issues but must only mitigate the impact of the development.

A secure by design condition has been recommended with regards to comments relating to crime.

In terms of overdevelopment of the site, an assessment with regards to design, scale, height and impact on the local character has been undertaken within section 10 of this report.

A detailed response has been received from the Local Highway Authority, this can be found in section 6.5 and 13.0 of this report which raises no highway safety concerns and where appropriate mitigation has been sought. It should be noted that the cancellation of the bus service is not within the control of the applicant and sits outside the remit of this planning application.

6.0 **Consultations**

6.1 **Thames Water**

No comments received.

6.2 **Lead Local Flood Authority**

Raised no objections subject to conditions.

6.3 **Environmental Protection – Noise**

An Environmental Noise Assessment has been prepared by Cass Allen in support of this application. The assessment aims to assess the suitability of the site in the context of existing noise levels, identify measures to optimise acoustic design of the development and achieve acceptable noise levels in habitable areas, following guidance provided within ProPG.

Monitoring Results

The assessment was informed by a noise survey undertaken between 28th July to 1st August 2023, and consisted of two long term and four short term noise measurement locations. The survey indicated that the dominant noise sources were distant traffic and aircraft overflights. Noise levels were highest at the northern part of the site due to frequent vehicle traffic on Trelawney Avenue (59dB LAeq16h, 50dB LAeq8h, 43dB LA90, 70dB LAmix), and lowest at the southern part of the site (53dB LAeq16h, 44dB LAeq8h, 39dB LA90, 63dB LAmix).

Design Principles and External Amenity

The applicant has considered good design principles such as locating garden spaces behind dwellings so that they are screened from road traffic noise, and a buffer around the existing substation, which is welcomed. When taking into consideration existing noise

levels, the report states that external noise limits of 55dB will be achieved in all external amenity areas. The monitoring results show however that monitoring locations L1 and N2 (on the frontage of Trelawney Avenue) exceed this value, which would impact the north facing balconies. However, as the exceedance is small, and the development is nearby Kedermister Park to provide alternative open space, this is accepted.

Mitigation

In terms of internal noise levels, neither the construction details for the development nor the ventilation strategy have been finalised, therefore assumptions on building fabric and use of trickle ventilation have been applied. Calculations were undertaken for worst case habitable rooms, including bedrooms and living rooms closest to and facing Trelawney Avenue. The calculations provided in Appendix 3 indicate that internal noise levels will be achieved in these worst case areas with standard thermal double glazing (minimum 27dB Rw+Ctr) and trickle ventilators (minimum 31dB Dnew+Ctr), however this is under the assumption that windows are closed. Part O of the Building Regulations is referenced, specifically overheating in the context of external noise, and highlights that due to external noise levels, open windows cannot be relied upon for ventilation purposes during the night, therefore a mechanical ventilation solution will be required. This approach is accepted, however detail of the glazing and ventilation system chosen for the development will be required via condition.

Additional Considerations

Plant Noise

It is noted in the assessment that no noise was observed from the substation during the survey. There is a lack of clarity on the positioning of the substation and whether it will be utilised by the development. For example, in the noise assessment, the substation is marked outside of the red line boundary, whereas the landscaping plans (8302.LSP.1.0.) shows the substation to be within the red line boundary and states that it is to be retained, however the substation is not mentioned in the Energy and Sustainability Statement. This requires clarification.

Confirmation is also needed on whether the substation was operational during the noise survey, to determine whether the mitigation proposed is sufficient.

In addition, the landscape plans and the site layout drawings appear to show a new substation close to Block 1 that has not been considered in the noise assessment, therefore it is not clear whether it will cause noise disturbance to future occupants of the

development. This requires clarification. A condition will be imposed which restricts plant noise to not exceed the background noise level at the nearest noise sensitive receptor.

Construction Noise

Noise disturbance arising from the construction phase of the development has not been considered, however it is likely that noise can be controlled on site through the implementation of a Construction Environmental Management Plan (CEMP). The CEMP will need to outline the measures to be implemented to reduce noise disturbance to the nearest noise sensitive receptors of the development and include a noise monitoring regime which aligns with the ABC method detailed within BS5228.

Summary

In summary, the noise assessment demonstrates that the site is suitable for residential development, however mitigation will be required in the form of glazing and ventilation, to ensure that future occupants are not disturbed by noise from road and air traffic sources.

Further detail is required on the existing and proposed substations on the site, to ensure that any risk of noise nuisance is adequately mitigated. A condition on plant noise is recommended to ensure that noise impacts are limited.

In addition, a Construction Environmental Management Plan will be required to ensure that the construction phase of the development does not cause disturbance to nearby noise sensitive receptors.

6.4 **Environmental Protection – Air Quality**

An Air Quality Assessment has been prepared by Cass Allen in support of this application, which considers both construction and operational emissions associated with the development.

Site Context and Methodology

The review of the site context provided in Section 3 indicates that the site is not located within an existing Air Quality Management Area (AQMA), with the closest being AQMA 1 approximately 1.25km southeast of the site. In recent years, air pollution levels within AQMA 1 have been low, particularly after the pandemic. As such, the risk of the development significantly affecting this AQMA is low.

Section 5 outlines the methodology to be followed for both the construction dust and operational emissions of the development. The Transport Assessment indicates that the development will

generate a traffic flow of up to 324 LDV AADT, with fewer than 100 LDV AADT expected to reach AQMA 1 due to traffic dispersion. As such, this element has been scoped out of the assessment. This approach is accepted.

Section 6 provides a review of the baseline conditions in the vicinity of the development site. Paragraph 6.2 explains that no exceedances of the annual mean NO₂ air quality objective were recorded at the closest diffusion tubes to the site from 2018 to 2022. As the development is on a minor road, it is likely that concentrations are lower than those recorded at nearby sites, and as such, the exposure risk of future occupants to poor air quality is low. The remainder of the report therefore considers impacts associated with the construction phase only.

Construction Dust Impacts

The IAQM methodology has been followed in the assessment of dust. The assessment indicates that the sensitivity of the area to dust soiling is high, however potential human health impacts are low due to low background PM₁₀ concentrations. The development is therefore considered medium and low risk for dust soiling and human health effects, respectively. To mitigate this, reference has been made to IAQM guidance which outlines mitigation measures for different risk levels. The applicable mitigation for medium risk sites has been presented in Appendix 3 of the assessment. It is expected that all of the recommended mitigation measures outlined within this appendix is replicated within the Construction Environmental Management Plan, which will be required by condition.

Mitigation

In line with the Slough Low Emission Strategy, the scheme is considered to have a minor impact on air quality. As such, the scheme requires the integration of Type 1 Mitigation measures, contained in the LES Planning Guidance.

It is noted within Paragraph 6.75 of the Planning Statement that “air pollution contributions will be negligible on site and minimised on a national scale through use of air source heat pumps (ASHPs) for space heating and domestic hot water heating (DHW) with the contribution of solar PV to reduce the use of mains electricity”. Although this is not mentioned in the air quality assessment, this additional mitigation is welcomed and will help to minimise emissions from the development.

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As stated in

the Planning Statement, it is expected that all parking spaces will have access to electric vehicle charging.

- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works, which includes the mitigation outlined within Appendix 3 of the air quality assessment.
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report and all construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall be Air Source Heat Pumps (ASHPs) for space and domestic hot water heating, as outlined in the Planning Statement.

6.5 **Highways and Transport**

Vehicle Access

SBC Highways and Transport are satisfied with the proposed vehicle access junctions for the proposed development and have no objections to vehicle access. Paragraph 114 of the NPPF which require that applications for development provide '*safe and suitable access to the site for all users*'.

The submitted drawings demonstrate suitable visibility is available from the site access junctions. 2.4m x 25m of visibility is available in accordance with MFS guidance for a 20mph speed limit (Drawing No. ITB19040-GA-001 titled '*Potential Site Access Arrangements – Visibility*' dated 15.09.23).

The vehicle access roads measure 6.0m wide and 5.0m wide which is suitable width to accommodate two-way traffic flow on each access.

The application includes swept path analysis for a standard car. The application also provides swept paths which demonstrates there is suitable turning space within the site for a Mercedes Sprinter (L2 H2 6.96m long) and a 7.9m long Fire Engine (Drawing No. ITB19040-GA-002-Rev-A titled '*Swept Path Analysis – Fire Appliance*').

Two vehicle access junctions were previously approved on Meadow Road by SBC as part of application no. S/00745/001. These junctions were very close to those proposed within the new application.

Collision Data

There have been no collisions resulting in injury recorded on Meadow Road during the most recent 5-year period for which data is

available. Two slight injuries were recorded 50m east of the Meadow Road/Trelawney Avenue junction in 2021 and 2022. The injuries were adjudged to be the result of 'human error' within the accident reports compiled by police.

Section 278 Agreement

The applicant will be required to enter into a Section 278 agreement with Slough Borough Council for the completion of the vehicle access junctions, proposed loading bays and footway connections to the site. A Stage 1 and 2 Road Safety Audit of the proposed access junctions and laybys will be completed by an independent safety auditor as part of the Section 278 agreement.

Car Parking

Slough Borough Council (SBC) Highways and Transport Officers are satisfied with the 71 car parking spaces proposed on site for 53 dwellings and would not wish to object. This provides 1.34 car parking spaces per dwelling in accordance with recorded car ownership levels in the 2021 Census. Therefore 71 spaces are considered suitable for this location.

The Slough Core Strategy (2006 -2026) states that: *'Maximum restraint will be applied to parking for residential schemes in the town centre. In the rest of the Borough, the level of parking within residential development will be appropriate to both its location and the scale of the development and taking account of local parking conditions, the impact upon the street scene and the need to overcome road safety problems and protect the amenities of adjoining residents'*.

The 71 car parking spaces for 53 dwellings provides a ratio of 1.34 car parking spaces per dwelling which accords with the average car ownership levels recorded during the census.

The 71 spaces proposed are a shortfall of 23 spaces against the 94 car parking spaces required by the Slough Borough Council Car Parking Standards. The SBC Car Parking Standards are summarised in the Table below:

Slough Borough Council Car Parking Standards (Allocated Layout)		
Dwellings (53)	Spaces Per Dwelling	Total Spaces
1-Bedroom Dwelling (x12)	1	12
2-Bedroom Dwelling (x26)	2	52
3-Bedroom Dwelling (15)	2	30
Total Car Parking		94

The applicant proposes the allocation of 38 spaces to the 20 houses (1.9 spaces per house) and 33 car parking spaces for the flats (1 space per flat).

2021 Census – Car Ownership Data

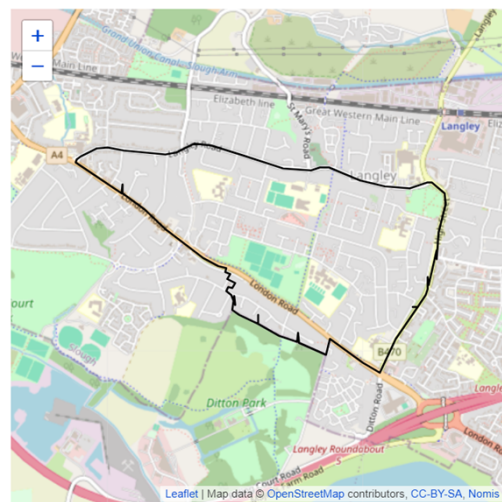
Car ownership data from the 2021 Census for this area of Langley is presented in the Table below which shows an average of 1.35 cars per dwelling were recorded in March 2021.

Census Area of Slough	Number of Cars or Vans in the Area	Total Households	Cars per Dwelling
Slough 012 (Langley Marish Ward)	4,742	3,507	1.35

Source: 2021 Census Datasets CT21_0007 and RM204).

Map of E02003418 : Slough 012

Close



Electric Vehicle Charging Points

SBC Transport Officers require the provision of 1 Electric Vehicle (EV) Charging Point per dwelling, a total of 53 EV Charging Points. Further details of EV Charging provision should be secured using a suitably worded condition. The Slough Low Emissions Strategy (2018 – 2025) requires the provision of 1 EV Charging Point per dwelling where parking spaces are allocated to the dwellings.

The NPPF requires that applications for development: *'Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations'* (Paragraph 116).

Disabled/Blue Badge Car Parking Spaces

Four parking spaces should be provided for disabled/blue badge drivers in order to comply with guidance in the DfT Guidance 'Inclusive Mobility' which advises that 5% of car parking spaces in residential developments are designed for Blue Badge users.

DfT data released in March 2023 showed that 4.6% of the UK population (2.57 million people) hold a valid blue badge.

Two car parking spaces (2.8% of spaces) on the proposed site layout are designed and designated for blue badge drivers with a 1200mm access strip around the space.

A revised car parking layout should be secured by pre-commencement condition.

Trip Generation

SBC Highways and Transport have no objection to the proposed development on the basis of the site's expected trip generation.

The Transport Assessment forecasts 29 two-way vehicle trips during the AM Peak Hour (08:00 – 09:00) and 29 two-way trips during the PM Peak Hour (17:00 – 18:00). The forecast is based on surveys of similar housing sites provided within the TRICS Trip Generation Database. This would equal 1 vehicle trip every two minutes and would not be expected to have a significant impact on the queue lengths or congestion on the surrounding road network.

Over the course of a day (07:00 – 19:00) the site is forecast to generate 70 two-way pedestrian trips, 9 two-way cycling trips and 13 two-way public transport trips.

Cycle Parking

Further details of cycle storage should be secured by planning condition pre-commencement so that the buildings are designed to accommodate cycle parking before construction begins.

No cycle parking is displayed on the proposed site plans, although the Transport Statement outlines that the development will provide cycle parking in accordance with the Slough Developer's Guide at a ratio of 1 per dwelling and will comprise secure Sheffield Stands with visitor cycle parking also provided for short-stay visitor trips.

Deliveries, Servicing and Refuse Collection

The proposed development provides two laybys on street for unloading of delivery vehicles. One layby is proposed on Trelawney Avenue and one layby is proposed on Meadow Road. The proposed laybys will ensure that delivery vans for the proposed development

can unload clear of the public highway be without interrupting the free flow of traffic. The laybys will also be available for use by deliveries for the existing dwellings.

Swept path analysis has been submitted which demonstrates that a 7.5t truck (7.17m long) and a Mercedes Sprinter panel van (6.95m long) can ingress/egress the proposed loading bays.

6.6 **SBC Urban Design Advisor**

Provided initial feedback prior to amendments being received. Members will be updated on any additional comments via the Amendment Sheet.

6.8 **Crime Prevention Design Advisor**

No comments received.

6.9 **SBC Education**

Thank you for sending this through and we note that the developer accepts that Early Years, SEND and Post-16 contributions would be required. We do not accept the argument put forward by the applicant regarding Primary and Secondary contributions.

Education requires contributions as set out in the Developer's Guide Part 2, this would include primary and secondary contributions.

Should there be a viability issue then we understand that you will assess this and the Council may decide to take a decision to reduce the overall request from the applicant.

6.10 **Ward Member**

Comments were received from Cllr Muvvala stating the following:

- i) S106 contribution that we have secured and various negotiations that were attempted to get best S106. Consider S106 contributions to resurface Trelawney avenue, improve play equipment at Kedermister park or to have more trees planted in Langley or build a tennis court in Kedermister park or a cricket pitch in Kedermister park etc
- ii) S106 in the context of the same developer potentially coming up with their 2nd application at police station in future.

- iii) Is the merry makers development going to be a secured gated development (like Aldenham close and Gibson court, by securing the premises we can protect the residents and less burden to SBC/TVP.)
- iv) There are talks about 30% for social housing and 100% of units to be used by housing association – updates on this
- v) If we implement CPZ on Meadow road/Trelawney avenue, all permits may be taken over by new residents and existing households may not have permits, how do we tackle this. We are considering CPZ in this area hence the question.
- vi) Can we consider to construct only houses in this development
- vii) How can we ensure homes are sold to local residents first then to others.

Officer response:

In response to the matters raised by Cllr Muvvala, in respect of points i to iii the obligations sought and that what would be secured by way of a section 106 agreement would comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that the obligations are considered to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

It is not incumbent on a planning application to resolve existing issues but must only mitigate the impact of the development. The below report sets out the appropriate policy compliant obligations and where there is a shortfall of any obligations this is taken into consideration in the planning balance, which weighs the benefits and adverse impacts of the proposal.

In addition, with regards to point ii) each application is determined on its own merits, in accordance with local and national planning policy. With respect to point iii), the development will not be a gated development, a secure by design condition has been included to ensure that the development is safe and meets Thames Valley Secure by Design accreditation.

In relation to point iv) the application proposes 30% affordable housing and that is what is considered within this report. This does not preclude or prejudice the developers ability to explore enhancement of the Affordable Housing provision beyond what is secured as part of the application.

Addressing point v) the current baseline is that there is no CPZ present, and such cannot be considered as part of this application.

Finally, considering points vi) and vii), the Local Planning Authority (LPA) cannot instruct or require an applicant to submit an application for purely housing development, instead when determining planning applications the LPA is reactive and can only consider what is presented to it and then determine that application in accordance with national and local policy as well as all relevant planning considerations. In terms of ensuring homes are sold to locals first, there is no mechanism that can control market housing being offered to locals first while affordable housing is secured in line with the Councils Affordable Housing policies.

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 Slough Local Development Plan and the National Planning Policy Framework (NPPF)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The current version of the National Planning Policy Framework (NPPF) was published on December 2023. Significant weight should be attached to the policies and guidance contained within the NPPF particularly where the policies and guidance within the Development Plan are out-of-date or silent on a particular matter. Relevant paragraphs of the NPPF are outlined below. However, before doing so officers first identify the relevant policies in the Development Plan which is the starting point of an assessment of the application consistent with the statutory test in

section 38(6) as above. The weight to be attached to the key Development Plan policies, and an assessment of the proposal against them, is set out within this report.

The National Planning Policy Framework 2023 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2023, the Local Planning Authority can not demonstrate a Five Year Land Supply. Therefore, when applying Development Plan Policies in relation to the distribution of housing, regard will be given to the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2023 and refined in case law.

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

- Limited
- Moderate
- Considerable
- Substantial

Planning Officers have considered the revised National Planning Policy Framework 2023 which has been used together with other material planning considerations to assess this planning application.

7.2 National Planning Policy Framework 2023:

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

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

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

Local Plan for Slough March 2004 policies:

- EN1 (Standards of Design)
- EN3 (Landscaping Requirements)
- EN5 (Design and Crime Prevention)
- H14 (Amenity Space)
- T2 (Parking Restraint)
- T8 (Cycling Network and Facilities)
- OSC17 (Loss of Community, Leisure or Religious Facilities)

Other Relevant Documents/Statements:

- Slough Local Development Framework Proposals Map (2010)
- Technical Housing Standards – Nationally described space standards.
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017
- Residential Extensions Guidelines Supplementary Planning Document 2010

7.3 National Planning Practice Guidance (NPPG)

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

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

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

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

7.5 Equality Act

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

7.6 Written Ministerial Statement (2021) – First Homes

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

Specifically, First Homes are discounted market sale units which:

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

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

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

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

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 Regulation 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 Planning (Listed Buildings and Conservation Areas) Act 1990

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

8.0 **Planning Assessment**

8.1 The planning considerations for this proposal are:

- Principle of development
- Design, impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Highways and parking
- Crime prevention
- Air quality
- Sustainable design and construction
- Flooding and surface water drainage
- Affordable housing and Infrastructure
- Equalities considerations
- Planning balance

9.0 **Principle of development**

9.1 Both the National Planning Policy Framework 2023 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. The site is considered to be located in a sustainable location, as it benefits from access to public transport, education, retail, employment and community facilities. Core Policy 1 states that proposals for high density housing should be located in Slough town centre.

9.2 Core Policy 4 of the Core Strategy states that high density housing should be located in Slough town centre. In the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure. Hence Core Policy 4 does not rule out flats within the urban areas of the town, subject to the site's context location and availability of services.

- 9.3 Core Policy 4 also states that there should no net loss of family accommodation. All sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing. 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.
- 9.4 The residential proposal would provide 53 units within the site as a mix of flats and houses. The units proposed will provide some family housing which will form part of the affordable housing units, this can be considered to be a significant benefit of the scheme. The Council has a shortfall against its Housing Delivery target and the proposed housing will contribute towards the shortfall. The proposed residential accommodation in the Borough has to be met, subject to consideration of all other planning policies, in particular an assessment of the character and appearance, which relates to the density of the area, which are considered in the section below.
- 9.5 Whilst the site is located outside of the Town Centre, the site is close to local services and amenities and there are also flatted properties in the locality which characterises the area. Therefore, the principle of flatted development at this specific location is considered to be acceptable. In addition, the proposals do include houses which contributes towards meeting the need for larger units of accommodation within the borough. As such it considered the proposals for flatted development with houses are in this case not inappropriate in the context of the site. The scheme provides a mix of housing which will cater to the needs of the local area.
- 9.6 As stated, the site is considered to be in a sustainable location. There are bus stops within a short walking distance of the site and a local centre offering local services and amenities to the north east meaning the residential units would be close to necessary facilities. The principle of this type of accommodation in this location is therefore acceptable. The other requirements are considered later in this report.
- 9.7 The development is therefore considered to be acceptable as a matter of principle and the development would result in the redevelopment of previously developed land in line with the goals of the NPPF. The acceptability of the scheme will be considered with the individual merits of the proposal.
- 10.0 **Design, impact on the character and appearance of the area**

- 10.1 The National Planning Policy Framework confirms the following:
“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities” (para 131).

Core Policy 8 of the Core Strategy requires that, in terms of design, all development:

- a) *Be of high quality design that is practical, attractive, safe, accessible and adaptable;*
- b) *Respect its location and surroundings;*
- c) *Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
- d) *Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.*

Policy EN1 of the adopted Local Plan states that *development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.*

- 10.2 The site sits on a prominent corner in the area. Trelawney Avenue is a well-used through road subject to significant vehicle and pedestrian movements on a daily basis. Meadow Road is more of a secondary street used primarily as access to residential properties on the road and the roads beyond. The scale of building in the area is predominantly two storeys in height but it is noted that there are instances of 3 storey buildings as well as bungalows that make up the area as well.

- 10.3 The layout of the site is proposed as such that it results in frontage development onto both Trelawney Avenue and Meadow Road with a building that turns the corner successfully. The scale of the building steps in as it turns into Meadow Road ensuring that the Trelawney Road frontage forms the principle part of the site, and the bulk of the building is broken up. This is considered to be positive as it serves as an enhancement to the character of the area. The development will introduce built form to this area on a site that has been boarded up for a significant period.

- 10.4 The design of the principle building has been amended since its original submission to take account of comments made by the Urban Design Advisor. Changes were made to the loft units to improve

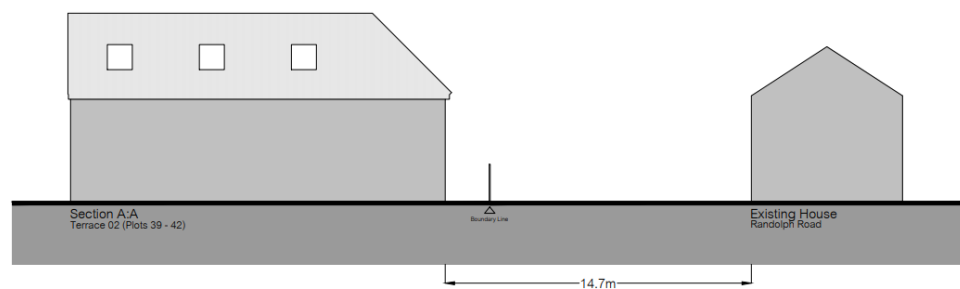
their natural light which is considered to be a positive change to allow for better living condition. The external detailing of the building ensures there is a high-quality appearance on all elevations such as the inclusion of brick detailing to add visual interest and dark colours for glazing and balconies to add contrast.

- 10.5 The terrace dwellings fronting Meadow Road have been amended to provide consistency in design with the principle block which strengthens the visual rhythm of the development on this road in terms of both scale and detailing. Given that there are 3 storey buildings adjacent to the site, the scale of the proposed development overall is considered to be in keeping with the character of the area.
- 10.6 Within the site the scale of development reduces to 2-2.5 storeys with terraces that continues the design approach for the frontage units on Meadow Road.
- 10.7 In terms of layout the proposal the scheme as successfully acknowledged the character of surrounding development. Great emphasis is made on providing highway frontages incorporating soft landscaping which will enable the development to integrate into the area. The proposed layout includes a footway link to the existing housing area to the east which will allow for east/west permeability through the site and integration with the existing area.
- 10.8 The layout was amended over the course of the application to amend the parking layout for the internal terraces as the original scheme was dominated by parking spaces and hardstanding. The revised layout proposed tandem spaces leading to a parking court area which is an improvement. Pedestrian routes to this area are within the roadway which will necessitate a condition to ensure a suitable hard landscaping scheme is implemented to demarcate the pedestrian walkways.
- 10.9 The development proposes structural landscaping on the northern part of the site which continues the softened borders that are apparent to the immediate east. The need for landscaping was emphasised on the Meadow Road frontage to ensure that the proposal is not parking dominated. The landscaping proposals are considered to succeed in breaking up the impact of multiple driveways and access points without compromising the parking space provision of the development. Strong landscape proposals continue into the site along the access road to the internal terraces which, again, ensure the layout is not dominated by parking spaces.

- 10.10 The layout provides private garden areas for all the proposed houses which are divided by enclosures, a boundary treatment condition has been included for future details to be provided. Each garden can be accessed directly without going through the houses. Landscaping proposals will provide a softer character to the area and aid the visual enhancement of the site. The application is accompanied with an Arboricultural Impact Assessment which identifies a number of trees in the site There is a loss of 1 B category tree required to make the development implementable which is unfortunate but outweighed through new planting opportunities that result from the scheme. Other trees on the site are of lesser quality and can be removed without impact as they are not protected by a Tree Preservation Order.
- 10.11 It is considered that the proposal will result in a development that will enhance the wider area through a comprehensive redevelopment. There will be a visual prominence to the development but not one that is out of character or has an adverse impact and the proposal is therefore considered to be acceptable in light of Policy 8 of the Core Strategy and the requirements of the National Planning Policy Framework.
- 11.0 **Impact on amenity of neighbouring occupiers**
- 11.1 Paragraph 130f of the National Planning Policy Framework requires planning decisions to ensure developments create places with a high standard of amenity for existing and future users.
- Core Policy 8 states “The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area ... Development shall not give rise to unacceptable levels of pollution including air pollution, dust, odour, artificial lighting or noise”.*
- 11.2 The site is currently vacant and the development would have a visual impact in terms of outlook to surrounding properties and their occupiers. The existing outlook onto the site is currently open due to the site having been cleared for a significant period. The site is in a predominantly residential area with residential properties adjacent to the site on all sides.
- 11.3 The presence of the roads at Trelawney Avenue and Meadow Road mean that the siting of the proposed buildings achieves suitable separation distances to the development of approximately 20m. As a result, while there will be a visual impact from the introduction of buildings at the site, it is considered that there would not be an adverse impact in terms of an overbearing character and

overlooking to existing dwellings on Trelawney Avenue and Meadow Road.

- 11.4 The plans were amended to address concerns relating to the impact of the development on dwellings at Randolph Road. Plot 42 of the scheme was originally considered to be overbearing when viewed from the rear of the dwellings to the immediate east of the site. The plans were amended to introduce a hipped roof that reduces the bulk of the dwelling. The section below shows a separation distance of 14 metres to the dwellings which, when couple with the new roof structure, is considered to be a relationship that does not result in adverse harm.



- 11.5 In terms of dwellings to the south, the scheme is considered to propose a suitable relationship with 47 Meadow Road, aligning to its siting to ensure that the building does not affect light to this property. There are no side windows on the existing dwelling or proposed units that would create or affect and overlooking impact. Due to the layout of the scheme and presence of existing gardens to the south there is not considered to be any adverse impact on the amenity of occupiers of adjacent dwellings on Reddington Drive.

- 11.6 The application was submitted with a Daylight and Sunlight Assessment, the assessment itself was not a full assessment of each property and chose a select number of neighbouring dwellings to assess. An addendum assessment was submitted which considered all windows potentially affected by the development. The report concluded that while there were impacts on light to residential units on the eastern boundary of the site as a result of the development, the impacts were such that these properties continued to received suitable levels of daylight and sunlight in accordance with the guidance and therefore there is no adverse impact on daylight and sunlight to existing properties and the scheme is acceptable in this respect.

- 11.7 The application was also submitted with a Noise Assessment which surveyed existing noise levels at the site although it did not include levels from the existing sub-station. No objection is raised in respect of noise impacts subject to a number of conditions. Conditions detailing glazing and ventilation will be required to ensure the dwellings achieve suitable internal noise levels. A Construction Environmental Management Plan will also be required to ensure this phase at the site does not adversely affect neighbours.
- 11.8 The Officer has requested clarification and information relating to the existing sub-station. This will be retained at the site and is already located in a residential area. There is also a new sub-station at the northeast corner of the site. The presence of sub-stations in residential areas is not uncommon and therefore the clarifications have not been sought as they are considered to be acceptable in principle. Rather, a condition will be proposed that requires additional monitoring of the existing sub-station and any identified mitigation along with mitigation proposals for the new sub-station to ensure noise impacts are minimal. This would address the issues raised with respect to noise.
- 11.7 On the basis of the considerations above, the proposal is therefore considered to be acceptable in light of Core Policy 8 of the Local Development Framework Core Strategy and Policies EN1 and EN2 of the Adopted Local Plan and the NPPF.
- 12.0 **Living conditions for future occupiers of the development**
- 12.1 The NPPF states that planning should always seek to secure a quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 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."*
- 12.3 The dwellings and flats all meet and exceed the national space standards for the size of units proposed, which is acceptable in planning terms.
- 12.4 The proposed dwellings all have private rear gardens which provide the recommended size as set out in the Council's adopted Residential Extensions Guidelines SPD, which is a garden depth of 9 metres for 2 and 3-bed houses. These depths are achieved throughout the development which satisfies this consideration. Although to ensure suitable amenity space retention, a condition to

remove permitted development rights for the houses is both necessary and reasonable in terms of Class A (extensions, enlargement, improvement or alteration) and Class E (outbuildings and enclosures).

- 12.5 Each of the proposed flats has a private balcony area that gives amenity space for its occupiers aside from 2 of the ground floor units which have patio areas that look out onto the car park area. They can also be looked into from the car park area and the perception of these areas is that they are not private and would not be used by occupiers. A condition is required to amend these areas to enclosed terraces that increase the level of privacy achieved.
- 12.6 The flats do not benefit from any open, soft landscaped areas as outdoor space. The nature of the development proposed is such that it cannot be provided however, in this instance, it is noted that there is a large recreation area in the form of Kedermister Park to the south of the site within close walking distance which would provide recreation space and therefore there are no concerns in planning terms as a result of a lack of soft landscape area for the future residents of the flats.
- 12.7 The proposal is considered to be acceptable in light of the requirements of the National Planning Policy Framework, Core Policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan.

13.0 Highways and Parking

- 13.1 The National Planning Policy Framework states that planning should seek to development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 115 of the National Planning Policy Framework states that *'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'*.
- 13.2 Initial comments from the Highways Officer raised no objections in principle but provided a number of points to be addressed as set out in the consultee section. Further information was submitted which addressed the points raised and the Highways Officer therefore has

no objections subject to conditions that are included as part of the recommendation.

- 13.4 In terms of vehicular parking, the proposal provides 71 spaces at a ratio of 1.34 spaces per dwelling. The spaces will be split as to provide 33 spaces to the flats at a ratio of 1 space per unit and 38 spaces to the houses at a ratio of just under 2 spaces per house. The parking standards state that the housing mix proposed would require 94 spaces, making a shortfall of 23. Parking across the site will be allocated or within a curtilage driveway for the houses but the parking for the flats is shown as unallocated. This is not considered to be acceptable given the significant shortfall in parking from the flats and therefore it will be necessary to ensure these spaces are managed so that the car park is efficiently used, a car park management scheme condition has been therefore included to address this.
- 13.5 No objection is raised to the parking provision as proposed as the site is noted as being in a sustainable location with access to public transport and close location of services. The level of parking proposed also reflects the level of ownership of vehicles in the Borough and there is not considered to be an adverse impact on highway safety and convenience as a result.
- 13.6 The two new access points are acceptable and would not adversely affect the free flow of traffic in the area. The access to the terraced dwelling within the site can be used by service and delivery vehicles and the Council's waste collection vehicle.
- 13.7 The provision of 2no laybys and inclusion of these and the realigned paths as part of the public highway are considered to be positive. The parking court for the flats is not designed to accommodate servicing and delivery vehicles or waste collection vehicles. The provision of the laybys ensures there is space for such vehicles without them having to stop on the highway and block traffic. A Section 106 Agreement can secure the laybys works as part of the public highway which will safeguard their dedication and condition as well as allowing for enforcement against parking if required.
- 13.8 In respect of cycles parking, spaces are provided at a ratio of 1 per unit which is acceptable. The scheme has also made provision for visitor cycle parking stands on the flat block.
- 13.9 In terms of Electrical Vehicle (EV) charger spaces the Transport Assessment proposes 1 space per unit where the space area allocated, which for this proposal equates to the spaces for the

houses only. The Planning Statement proposes that all parking spaces will have access to EV Parking. It is considered that the planning statement proposal shall be adopted and that a condition detailing the EV Charger scheme be included to secure installations.

13.10 As a result of the considerations above, the shortfall in parking is a recognised impact of the development that will be balanced accordingly in this report. Although to ensure adequate car parking spaces for the houses is retained, a condition to remove Class D (porches) is required to ensure that no front extension reduces the size of the driveway and also to remove Classes B (addition or alteration to roof) and C (other alterations to the roof) to prevent further bedrooms within the loft space. This condition will ensure that the site is not intensified with reducing the proposed parking provision or increasing its demand. All other highways aspects are considered to be acceptable in planning terms.

14.0 **Crime Prevention**

14.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour.

14.2 No comments were received from the Crime Prevention Design Advisor at the time of writing this report. Members will be updated of any comments made via the Amendment Sheet and, in anticipation of comments being received, a condition requiring the development to achieve a secured by design accreditation is included as part of the recommendation.

14.3 As a result, a condition is included in the recommendation that will require the development to achieve a secured by design accreditation and no objections are raised as a result.

15.0 **Habitat Impacts**

15.1 In accordance with the Natural Environment and Rural Communities Act 2006 Local Planning Authorities have a statutory duty to show regard for conserving biodiversity in the exercise of all public functions.

15.2 With respect to considerations of development on the Burnham Beeches Special Area of Conservation (SAC), it is noted that the site falls outside of the 5.6km catchment area from this site and therefore no impacts are apparent on this area.

- 15.3 The application was submitted with a Preliminary Ecological Appraisal which concluded there are no habitats of importance affected by the proposal and that the site is of low ecological value. The assessment has suggested some mitigation measures to be included within the development which includes native species for landscaping and wildflowers, raising of boundary fences to allow animals to pass underneath and inclusion of new habitats opportunities through nest boxes, bug hotels, bat boxes, hedgehog houses, pollinator nest sites.
- 15.4 It is considered that the inclusion of these recommendations are necessary to make the scheme acceptable in planning terms and a condition will be required to ensure that fences are raised as per the recommendations and that a scheme of habitat opportunities is proposed and implemented. On this basis there would be no adverse impacts from the development in respect of habitat impacts.
- 16.0 **Sustainable Design and Construction**
- 16.1 Core Policy 8 combined with the Developers Guide Part 2 and 4 requires both renewable energy generation on site and BREEAM/Code for Sustainable Homes. The Developers Guide is due to be updated to take account of recent changes and changing practice. In the interim to take account of the withdrawal of Code for Sustainable Homes new residential buildings should be designed and constructed to be better than Building Regulations (Part L1a 2013) in terms of carbon emissions. Specifically designed to achieve 15% lower than the Target Emission Rate (TER) of Building Regulations in terms of carbon emissions.
- 16.2 The proposed development has taken account of this requirement and has proposed a number of measures to ensure it meets the required standard. For this scheme the statement advises that the dwellings will have a high performing fabric, be fitted with water saving devices, air source heat pumps (ASHP) for space and domestic hot water (DHW) heating with flats utilising a communal ASHP system and houses utilising individual. The units are additionally equipped with photovoltaic (PV) panels to lower water use and energy consumption.
- 16.3 On the basis of the considerations above the proposed development is considered to be acceptable in light of Core Policy 8 of the Core Strategy in respect of sustainable design and energy subject to a condition requiring the development to be implemented in accordance with the proposals in the statement.

17.0 Air quality

- 17.1 The application site is not situated within an Air Quality Management Area (AQMA). The Council's Technical Officer notes that there would likely be a minor impact on air quality due to trip numbers associated with the development.
- 17.2 The Environmental Quality Officer has raised no objections subject to mitigation including all parking spaces having access to EV Chargers as set out in the Planning Statement and for the development to be served by air source heat pumps as set out in the Air Quality Assessment. A Construction Environmental Management Plan is also requested by condition to ensure no adverse impacts would arise during the construction phase.
- 17.3 It is therefore considered that the proposed scheme does not have a harmful impact in respect of air quality impacts and conditions are able to address outstanding matters. Therefore, the proposed development is considered to be acceptable in light of Core Policy 8 of the Core Strategy in respect of sustainable design and energy.

18.0 Flooding and Surface Water Drainage

- 18.1 The site is located within flood zone 1 and therefore flood risk is minimal. The application was accompanied with a Flood Risk Assessment and Drainage Assessment. Since April 2015, major developments have been required to provide measures that will form a Sustainable Drainage System. It has been recognised that 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.
- 18.2 The National Planning Policy Framework (2023) states that the surface run-off from 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. Paragraph 169 of the NPPF 2023 requires major developments to incorporate SuDS unless there is clear evidence that this would be inappropriate.
- 18.3 Core Policy 8 of The Slough Local Development Framework, Core Strategy, Development Plan Document states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.

18.4 The Lead Local Flood Authority has raised no objections subject to conditions and there are no objections in planning terms as a result. No comments have been received from Thames Water and an update will be provided on the Amendment Sheet should comments be received.

19.0 **Affordable Housing and Infrastructure**

19.1 Core Policy 1 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

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

19.3 The application is liable to affordable housing provision and financial contributions, it was not accompanied with a viability assessment.

19.4 Without prejudice, in accordance with the Developers Guide, this scheme results in the following contributions being sought:

Affordable Housing

The application proposes 53 units. Of these units 16 are proposed as affordable housing units equating to 30% of the development which aligns with the requirement set out in the Developer's Guide for developments on this scale. The proposed tenure mix for affordable housing is as follows:

- 4no 1-bed flats
- 4no 2-bed flats
- 8no 3-bed houses

Education

In accordance with the Developer's Guide and on the basis of the housing mix proposed, the following contributions towards education will be required:

1-bed flats – 12no x £903	= £10,836
2-bed flats – 21no x £4,828	= £101,388
2-bed houses – 5no x £8,753	= £43,765
3-bed houses – 15no x £13,182	= £197,730

Total = £353,719

The application proposes the following amount for education:

Early Years Contribution = £15,170

Post-16 years Contribution = £41,203

SEN Contribution = £19,773

Total = £76,146

To clarify, this is not an amount formed on the basis of viability considerations but the amount formally proposed by the applicant.

Recreation/Open Space

No contribution is sought in this instance as the proposal provides private amenity space for all units and there are public open spaces close by within walking distance of the site.

Highways

The applicant will be required to enter into a Section 278 agreement with Slough Borough Council for the completion of the vehicle access junctions, proposed loading bays and footway connections to the site.

- 19.5 The scheme includes the provision of 16 affordable housing units and as these are considered to be a significant benefit of the scheme. The level of provision and mix of tenures is compliant with the Developer's Guide and it is considered a significant benefit that the stock will include 8no 3-bed houses.
- 19.6 The education contribution is significantly less than required under the Developer's Guide. The applicant sought to provide evidence that there is not a need for contributions at primary and secondary school level, therefore proposing a lesser amount. The argument was dismissed by Officers and therefore the education is an under-provision and an adverse impact resulting from the proposal. This will be balanced accordingly as part of planning considerations.
- 19.7 The proposed highways works are necessary to ensure the proper implementation of the scheme and its long term management and maintenance, the detail of the work will be part of the Section 278 Agreement.

19.8 Based on the information assessed, such obligations are required to ensure the proposal will have acceptable impacts. The obligations would comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 in that the obligations are considered to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

20.0 **Planning Balance**

20.1 The application has been evaluated against the Local Development Plan and the National Planning Policy Framework 2023 (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.”

20.2 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.

20.3 In the application of the appropriate balance, it is considered that there are some benefits from the scheme, these include the following:

- The provision of 53 residential units in a sustainable location should be given substantial positive weight.
- The provision of compliant affordable housing should also be given substantial positive weight, especially when acknowledged that it includes family homes in the mix.
- The proposal will bring a long-redundant site back into use, making the best use of previously developed land which is a benefit that should be afforded moderate positive weight.
- Sustainable energy measures to be secured at the site are a benefit that should be afforded moderate positive weight.
- Ecological enhancements are a benefit that should be afforded moderate positive weight.

The following impacts were identified:

- Under provision of education contributions of approximately £280,000
- Shortfall of parking of 23 spaces.

20.4 Therefore, in coming to a conclusion, officers have given due consideration to the benefits of the proposal in providing a net gain of 53no. dwellings towards the defined housing need at a time where the Council is unable to meet it's housing need within the Borough, as well as, some economic benefits and the positive contribution to the streetscene and character of the area as a result of the improvement to the quality of the environment. These factors create a range of limited, moderate and considerable benefits which weigh in favour of the development in the planning balance.

20.5 On the basis of the arguments above, it is considered that the benefits of the current scheme would significantly and demonstrably outweigh the identified impacts when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 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 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access. The layout plans shows that the ground floor units proposed will be constructed to meet Part M of Building Regulations requirements to provide units for wheelchair users. In relation to the car parking provisions, the plans show the provision of two disabled spaces that are closely located to access points to the building, although a condition has been included for four spaces to ensure adequate provision. Internal corridors are designed to accommodate the needs of residents and visitors with disabilities.

21.3 It is considered that there would be temporary (but limited) adverse impacts upon all individuals with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development eg: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction would have the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects which will be secured by condition.

21.4 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, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager:

A) Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure affordable housing, education contribution and highways works (vehicle access junctions, proposed loading bays and footway connections to the site, via a Section 278 agreement) which are required to mitigate the impact of the development.
- (ii) Finalising conditions and any other minor changes.

or

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by 31 August 2024 unless a longer period is agreed by the Planning Manager, in consultation with the Chair of the Planning Committee.

DRAFT CONDITIONS AND INFORMATIVES**1. Time Limit**

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

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

2. Approved plans

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

- (a) Drawing No. 022301-ELS-06, dated 27/11/2023, received 22/01/2024
- (b) Drawing No. 022301-ELS-TEN01 Rev A, dated 31/10/2023, received 22/01/2024
- (c) Drawing No. 022301-ELS-01 Rev A, dated 27/11/2023, received 22/01/2024
- (d) Drawing No. 022301-T01-E1 Rev A, dated 31/08/2023, received 22/01/2024
- (e) Drawing No. 022301-T01-E2 Rev A, dated 31/08/2023, received 22/01/2024
- (f) Drawing No. 022301-T01-E3 Rev A, dated 31/08/2023, received 22/01/2024
- (g) Drawing No. 022301-T01-P1, dated 31/08/2023, received 22/01/2024
- (h) Drawing No. 022301-T01-P2, dated 31/08/2023, received 22/01/2024
- (i) Drawing No. 022301-T01-P3, dated 31/08/2023, received 22/01/2024
- (j) Drawing No. 022301-T02-E1 Rev A, dated 31/08/2023, received 22/01/2024
- (k) Drawing No. 022301-T02-E2 Rev A, dated 31/08/2023, received 22/01/2024
- (l) Drawing No. 022301-T02-E3 Rev A, dated 31/08/2023, received 22/01/2024
- (m) Drawing No. 022301-T02-P1, dated 31/08/2023, received 22/01/2024
- (n) Drawing No. 022301-T02-P2, dated 31/08/2023, received 22/01/2024
- (o) Drawing No. 022301-T02-P3 Rev A, dated 31/08/2023, received 22/01/2024

(p) Drawing No. 022301-T03-E1 Rev A, dated 31/08/2023, received 22/01/2024

(q) Drawing No. 022301-T03-E2 Rev A, dated 31/08/2023, received 22/01/2024

(r) Drawing No. 022301-T03-E3 Rev A, dated 31/08/2023, received 22/01/2024

(s) Drawing No. 022301-T03-P1, dated 31/08/2023, received 22/01/2024

(t) Drawing No. 022301-T03-P2, dated 31/08/2023, received 22/01/2024

(u) Drawing No. 022301-T03-P3 Rev A, dated 31/08/2023, received 22/01/2024

(v) Drawing No. 022301-T04-E1 Rev A, dated 31/08/2023, received 22/01/2024

(w) Drawing No. 022301-T04-E2 Rev A, dated 31/08/2023, received 22/01/2024

(x) Drawing No. 022301-T04-E3 Rev A, dated 31/08/2023, received 22/01/2024

(y) Drawing No. 022301-T04-P1 Rev A, dated 31/08/2023, received 22/01/2024

(z) Drawing No. 022301-T04-P2 Rev A, dated 31/08/2023, received 22/01/2024

(aa) Drawing No. 022301-T04-P3 Rev A, dated 31/08/2023, received 22/01/2024

(bb) Drawing No. 022301-ELS-APT-E1 Rev A, dated 29/08/2023, received 22/01/2024

(cc) Drawing No. 022301-ELS-APT-E2 Rev A, dated 29/08/2023, received 22/01/2024

(dd) Drawing No. 022301-ELS-APT-P1, dated 29/08/2023, received 22/01/2024

(ee) Drawing No. 022301-ELS-APT-P2, dated 29/08/2023, received 22/01/2024

(ff) Drawing No. 022301-ELS-APT-P3 Rev A, dated 29/08/2023, received 22/01/2024

(gg) Drawing No. 022301-ELS-APT-P4 Rev A, dated 29/08/2023, received 22/01/2024

(hh) Drawing No. 022301-ELS-APT-SEC01 Rev A, dated 31/08/2023, received 22/01/2024

(ii) Drawing No. 022301-BS01, dated 08/09/2023, received 22/01/2024

(jj) Drawing No. 022301-BS02, dated 08/09/2023, received 22/01/2024

(kk) Drawing No. 022301-BS03, dated 08/09/2023, received 22/01/2024

(ll) Drawing No. 022301-CS01, dated 08/09/2023, received 22/01/2024

(mm) Drawing No. 022301-CS02, dated 08/09/2023, received 22/01/2024

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

3. External Materials

Notwithstanding the details in the approved plans, no development shall take place above ground works level, until details of the proposed external facing materials, including any paint colours, glazed facades and roof material of the buildings hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied prior to the implementation of the approved details and retained thereafter.

REASON: To ensure a satisfactory external appearance of the development and to respect the setting of nearby listed buildings in accordance with Policies EN1 of the Local Adopted Plan for Slough 2004, Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2023.

4. Surfacing Materials

Notwithstanding the details in the approved plans, no development shall take place above ground works level, until details of the proposed external materials to be used in the construction of the access road, car park, pathways and communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the details approved and retained thereafter.

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

5. Lighting

The development hereby approved shall not be first occupied until details have been submitted to and approved in writing by the Local Planning Authority of a proposed external lighting scheme, design in accordance with the recommendations and conclusions of the Exterior Lighting Assessment from Desco Ltd, Ref: 2458-63-RPT-01, Issue 02, dated 02/10/2024, received on 17/11/2023. No external lighting shall be provided at the site other than in accordance with the approved scheme. The scheme shall be

implemented in accordance with the approved details prior to the first occupation of the development hereby approved and thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

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

6. Hard and Soft Landscaping

Notwithstanding the details in the approved plans, the development hereby approved shall not be first occupied until full details of hard and soft landscaping proposals have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004.

7. Landscape Maintenance

The development hereby approved shall not be first occupied until a landscape management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall set out the long term objectives, management responsibilities and maintenance schedule for the landscape areas shown on the approved landscape plan, and should include a time scale for the implementation and be carried out in accordance with the approved details and retained thereafter.

REASON To ensure the long term retention of landscaping within the development to meet the objectives of Policy EN3 of The Adopted Local Plan for Slough 2004.

8. Secured By Design

No development shall take place above slab level until written details as to how the development will achieve the Secured by Design Award shall be submitted to and approved by the authority. The development (and subsequent access control system) shall be carried out in accordance with the approved details and shall not be

occupied or used until confirmation of that said details has been received by the Local Planning Authority.

REASON In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; in accordance with Core Policy 12 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and to reflect the guidance contained in the National Planning Policy Framework 2023.

9. Construction Environmental Management Plan

No development shall begin until details of a Construction and Environmental Management Plan to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. A site set up plan displaying hoarding/fencing extents, vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries, site office and wheel cleaning facilities during the construction period.
2. Construction vehicles and to comply with Euro VI Emissions Standard (to a minimum Euro 6/VI Standard) and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 07:00 – 10:00 and 16:00 – 19:00, and outside of 14:30 – 15:30 where the development is located in proximity to a school.
4. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
5. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
6. Details of dust control measures and wheel washing facilities to be provided on site.
7. Confirmation of whether any abnormal loads will be required for the construction or demolition. If so, the LHA must be notified of any abnormal loads at the following location:
<https://www.slough.gov.uk/licences-permits/abnormal-loads/1>.
8. Measures for the control of noise
9. Measures for control of surface water run off
10. Proposed method of piling for foundations if applicable
11. Confirmation that machinery to comply with the emission standards in Table 10 in the Low Emissions Strategy Guidance.

The development shall be carried out in accordance with the approved scheme or otherwise, as agreed by the Local Planning Authority.

REASON: In the interests of the amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the guidance set out in the National Planning Policy Framework 2023.

10. EV Parking

Prior to the first occupation of the development hereby approved, details of the 53 active electric vehicle charging points (Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase) shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully installed and the active charging points shall be fully operational prior to the first occupation of the development and be retained in good working order at all times in the future.

REASON: to provide mitigation towards the impacts on air quality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the Slough Low Emission Strategy 2018 – 2025 Technical Report, and the requirements of the National Planning Policy Framework 2023.

11. Car Park Management Scheme

None of the flats hereby permitted shall commence until a car park management scheme has been submitted to and been approved in writing by the Local Planning Authority. The Scheme shall include provisions to:

- a) Ensure that spaces cannot be owned/let/allocated to anyone who is not a resident or does not have a car/need a parking space.
- b) Demonstrate the allocation of residential and non-residential parking spaces.
- c) Set out the EV charging space arrangements showing location of EV chargers at each space.

None of the flats hereby approved shall commence until the car park management scheme has been implemented as approved. Thereafter the allocation and use of car and electric vehicle parking spaces shall be in accordance with the approved scheme.

REASON to provide mitigation towards the impacts on the adjacent Air Quality Management Area and to ensure the parking spaces are in optimum use in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2023.

12. Plant Details

Prior to commencement of the development, details of the plant noise emissions (both proposed plant and the existing substation on the site) shall be submitted to the Local Planning Authority for approval in writing. The resulting plant rating level will be limited to the modal background noise levels measured at the nearest noise sensitive receptor.

The installation of any plant and machinery shall be carried out in accordance with the approved details prior to any occupation of the development, and such details shall be permanently retained thereafter.

REASON In the interest of the living conditions of receptors within the development, to reduce noise pollution and to ensure the satisfactory ventilation of rooms when windows are closed, to comply with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and the National Planning Policy Framework 2023.

13. Energy and Sustainability

The development hereby approved shall not be first occupied until details have been submitted to and approved in writing by the Local Planning Authority of a scheme that incorporates the recommendations of the energy and Sustainability Statement from SRE Version 2 Rev A dated 22/09/2023, received 17/11/2023. The works shall be carried out in accordance with the approved details and thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

REASON To ensure that the development provides sustainable energy benefits to the development in the interests of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008

14. Arboricultural Impact

The development hereby approved shall be implemented in accordance with the recommendations and conclusions of the arboricultural impact assessment from Goodger Design Associates

dated 09/2023, received 17/11/2023 unless otherwise agreed in writing with the Local Planning Authority.

REASON To ensure that the development does not affect the amenity value provided by retained trees in the interests of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008

15. Access

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

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

16. Stop Up Existing Access

No part of the development shall be occupied until the redundant means of access has been removed and the footway re-instated and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Design Guide.

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

17. Visibility Splays

No part of the development hereby approved shall be occupied until the visibility splays as shown on drawing no. ITB19040-GA-001 Rev A, daed 15/09/2023 included as part of the Transport Statement from i-Transport Ref: PH/AI/ITB19040-002C, dated 19/01/2024, received 22/01/2024 have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

18. Surface Water from the Highway

No development shall take place until details of the disposal of surface water from the highway have been approved in writing by

the Local Planning Authority and no dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details. No surface water from the development shall drain onto the public highway.

REASON: To minimise danger and inconvenience to highway users, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

19. Cycle Parking

No part of the development hereby approved shall be occupied until details showing the provision of a secure cycle store, cycle store stands and an unobstructed footway link to accord with the Local Planning Authority's "Cycle Parking Standards" has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall then be occupied until the cycle store and footway link have been laid out and constructed in accordance with the approved details and that area shall not thereafter be used for any other purpose.

REASON: To ensure that adequate and convenient cycle storage is provided to accord with Local Plan standards.

20. Parking in Place

Prior to the development hereby approved first being brought into use, 71 no. car parking spaces shall be provided and made available for use in connection with the residential development and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business, commercial or residential use. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

REASON: In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of the amenities of the area in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

21. Bin Stores

No part of the development shall be occupied until the bin storage areas that serve that particular unit hereby approved have been implemented in accordance with the approved plans. The bin storage shall be provided in accordance with these plans prior to the

occupation of the development and shall be retained at all times in the future for this purpose.

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

22. Drainage

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) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which will include a 10% allowance for urban creep.
- iii) 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.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008 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.

23. Drainage

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

24. Drainage Management

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy, ref P/01615/007(018) Flood Risk and Drainage Report has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the surface water drainage system is free from defects, damage, and foreign objects
- f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site

25. Noise

No construction work in connection with the buildings hereby approved above ground floor slab level shall commence until details of the development meeting the following have been submitted to and approved in writing by the Local Planning Authority:

- a. glazed windows with a minimum sound reduction performance of minimum 27dB Rw+Ctr.
- b. manufacturer details which demonstrate that the above sound reduction performance can be achieved
- c. schematic drawings indicating locations of specific glazing types

The development hereby approved shall be implemented on site in full accordance with the approved details and retained in a working condition thereafter.

REASON: To ensure that the amenities of the future receptors are not adversely affected by noise in accordance with Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and the National Planning Policy Framework.

26. Mechanical Ventilation

No construction work in connection with the buildings hereby approved above ground floor slab level shall commence until details of the development meeting the following have been submitted to and approved in writing by the Local Planning Authority:

- a. details of the chosen ventilation scheme which meets the minimum performance requirements of 31dB Dnew+Ctr
- b. manufacturer details which demonstrate that the above specification can be achieved with the chosen product
- c. schematic drawings indicating the locations of ventilation units, ducts, extract and exhaust locations
- d. an overheating assessment which demonstrates that the chosen ventilation scheme is suitable in regards to thermal comfort

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

REASON: To ensure that the amenities of the future receptors are not adversely affected by noise in accordance with Core Policy 8 of the Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and the National Planning Policy Framework.

27. Disabled Parking

Prior to commencement of hardsurfacing works to the car parks hereby approved, details of 4 no. car parking spaces designed for Blue Badge/Disabled Drivers shall be submitted to and approved in writing by the Local Planning Authority. The spaces shall comply with the requirements of DfT Guidance: Inclusive Mobility. The disabled car parking spaces shall be laid out and constructed in accordance with the approved details and retained thereafter.

REASON: In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of the amenities of the area in accordance with Core Policy 7 of the Slough Local

Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

28. Terraces

Notwithstanding the details in the approved plans, the development hereby approved shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority of revised amenity spaces for the flats that remove patio areas at ground floor and replace these with terraced amenity spaces that offer greater privacy. The works shall be carried out in accordance with the approved details and be in place prior to the first occupation of the flats hereby approved.

Reason: To ensure suitable levels of private amenity space are provided for all residents in the interests of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and saved policy EN1 of the Slough Local Plan 2004.

29. No additional windows

Notwithstanding the terms and provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no windows /dormer windows / rooflights other than expressly authorised by this permission shall be constructed on the buildings hereby approved.

REASON To protect the amenity and privacy of adjacent occupiers in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

30. Ecology

None of the dwellings hereby approved shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of proposed measures to secure biodiversity enhancements at the site in accordance with the recommendations and conclusions of the Ecological Report from AA Environmental Ltd Ref 233267, dated 09/2023, received 17/11/2023. The measures shall include raised boundary treatments to garden areas to allow passing for animals. The works shall be carried out in accordance with the approved details and be in place prior to the development being fully occupied.

Reason: To ensure that the development provides biodiversity enhancements in line with its recommended measures in the interests of Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan

Document, December 2008 and the requirements of the National Planning Policy Framework 2023.

31. Permitted Development Rights Removed

Notwithstanding the terms and provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (As amended) (or any order revoking and re-enacting that Order), Schedule 2, Part 1, Classes A, B, C, D and E, no extension to the house hereby permitted or buildings or enclosures shall be erected constructed or placed on the site without the express permission of the Local Planning Authority.

REASON The rear garden(s) and parking areas are considered to be only just adequate for the houses of the size proposed. It would be too small to accommodate future development(s) which would otherwise be deemed to be permitted by the provision of the above order. In the interests of ensuring the limited parking provision is unaffected through future development and ensuring amenity standards are retained in accordance with Policies EN1, T2 and H14 of The Adopted Local Plan for Slough 2004.

32. Boundary Treatments

Notwithstanding the details in the approved plans, no part of the development hereby approved shall be occupied until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details on site prior to the first occupation of the development and retained thereafter.

REASON In the interests of the visual amenity of the area and accordance with saved policies EN1 and EN3 of The Local Plan for Slough 2004.

INFORMATIVE(S):

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.
2. Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.

No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.

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

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

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

SLOUGH BOROUGH COUNCIL

REPORT TO: PLANNING COMMITTEE

DATE: February 2024

PART 1**FOR INFORMATION****Planning Appeal Decisions**

Set out below are summaries of the appeal decisions received recently from the Planning Inspectorate on appeals against the Council's decisions. Copies of the full decision letters are available from the Members Support Section on request. These decisions are also monitored in the Quarterly Performance Report and Annual Review.

WARD(S)**ALL**

Ref	Appeal	Decision
APP/J0350/D/23/3327102	194, Burnham Lane, Slough, SL1 6LE Construction of a single storey front, single storey rear, part first floor rear and first floor side extension and revert bay window to original	Appeal Dismissed 5 th February 2024
APP/J0350/W/23/3326184	89, Burnham Lane, Slough, SL1 6JY Internal alterations and insertion of 3no roof lights to side elevation The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions. The application, reference P/01596/007 for internal alterations and insertion of 3no roof lights to side elevation was approved on 19 April 2023 and planning permission was granted subject to 6 conditions. Condition 5 and 6 of the planning permission sought to remove permitted development rights, firstly by removing the right to a change of use from C3 to C4, and secondly by seeking to ensure that the extension is only used for domestic ancillary purposes. The appeal decision stated: Condition 5: The change of use from C3 to C4 does not normally require planning permission. Whilst the surroundings are mostly characterised by detached single dwellings, there is no substantive evidence before me why such a change of use would not preserve the character and appearance of the area, or that such a change of use is likely due to the approved development. Condition 6 Any formal subdivision and use as a 'separate self-contained residential accommodation or for any industrial, commercial or business use' would require separate planning permission. The Inspector concluded that the conditions were unnecessary and unreasonable, the permission was therefore varied by deleting condition 5 and 6.	Appeal Granted 9 th February 2024

APP/J0350/W/23/3323648	Garages Rear Of 83-89, The Myrke, Slough, SL3 9AB Construction of 2no three bedroom dwellings	Appeal Dismissed 14 th February 2024
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Appeal Decision

Site visit made on 31 January 2024

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 February 2024

Appeal Ref: APP/J0350/W/23/3326184

89 Burnham Lane, Slough SL1 6JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
- The appeal is made by Mr Pradeep Kololgi against the decision of Slough Borough Council.
- The application Ref P/01596/007, dated 7 February 2023, was approved on 19 April 2023 and planning permission was granted subject to conditions.
- The development permitted is internal alterations and insertion of 3no roof lights to side elevation.
- The conditions in dispute are Nos 5 and 6 which state that:
Condition 5:
'Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), the dwelling hereby permitted shall not be used in multiple occupation, including any use within Class C4 of The Town and Country Planning (Use Classes) Order 1987 (as amended) or such other legislation as may subsequently supersede it.'
Condition 6:
'Notwithstanding the terms and provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the side extension hereby permitted shall only be retained and continue to be used for domestic purposes ancillary to the enjoyment of the main dwelling, with no cooking facilities installed, unless otherwise agreed in writing by the Local Planning Authority. The side extension shall not be used as separate self-contained residential accommodation or for any industrial, commercial or business use.'
- The reasons given for the conditions are:
Condition 5:
'To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area, which may occur if the property is sub-divided or used in multiple occupation in accordance with the provisions of Policy H20 of The Adopted Local Plan for Slough 2004'.
Condition 6:
'To protect the amenities of the adjoining occupiers and the character of the area in accordance with Core Policies 4 and 8 of the Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008 and the Slough Local Development Framework, Residential Extensions Guidelines, Supplementary Planning Document, January 2010'

Decision

1. The appeal is allowed and the planning permission Ref P/01596/007 for internal alterations and insertion of 3no roof lights to side elevation at 89 Burnham Lane, Slough SL1 6JY granted on 19 April 2023 by Slough Borough Council, is varied by deleting conditions 5 and 6.

<https://www.gov.uk/planning-inspectorate>

Background and Main Issues

2. Planning permission was granted for 3 roof lights and internal alterations to an existing single storey side projection at the appeal property, subject to 6 conditions.
3. Condition 5 and 6 sought to remove permitted development rights, firstly by removing the right to a change of use from C3 to C4, and secondly by seeking to ensure that the extension is only used for domestic ancillary purposes.
4. The appellant considers that there are no justifiable reasons why the Council have imposed a condition restricting permitted development rights for the property, and that condition 6 is unnecessary.
5. The main issues in this case therefore are whether or not the conditions are reasonable and necessary in order to preserve the character and appearance of the area and to protect the living conditions of neighbours.

Reasons

Condition 5

6. The above planning approval did not grant permission of the side extension, which was existing. The Council assert that due to a side door and layout, that a condition is necessary to prevent any sub-division of the property, however the side door was existing, and it is unclear why the internal alterations or roof lights would make the sub-division of the property or its use as a house in multiple occupation any more likely.
7. Condition 5 refers to Policy H20 of The Adopted Local Plan for Slough (2004) (LP), which relates to applications for the use of houses for multiple occupation. The approved application was not for such a proposal, and as such this policy has little relevance in this instance.
8. Paragraph 54 of the Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification for doing so. The Planning Practice Guidance (PPG) advises that conditions restricting the future use of permitted development rights should only be used in exceptional circumstances.
9. The change of use from C3 to C4 does not normally require planning permission. Whilst the surroundings are mostly characterised by detached single dwellings, there is no substantive evidence before me why such a change of use would not preserve the character and appearance of the area, or that such a change of use is likely due to the approved development.
10. No exceptional circumstances are therefore put forward by the Council, and I do not consider that this condition is necessary or reasonable. It does not therefore meet the tests set out in PPG.

Condition 6

11. Any formal subdivision and use as a *'separate self-contained residential accommodation or for any industrial, commercial or business use'* would require separate planning permission.

12. As such, again, a condition preventing such potential development is not necessary, and would not therefore meet the test in the PPG.
13. The removal of this condition would not therefore result in conflict with Policies 4 and 8 of the Slough Local Development Framework Core Strategy 2006 – 2026 (2008) which relate to type of housing and sustainability and the environment, or the general design and protection of living conditions advice set out in the Supplementary Planning Document Residential Extensions Guidelines (2010).

Conclusion

14. For the reasons given above, I find that the disputed conditions are unnecessary and unreasonable. The permission should therefore be varied by deleting the disputed conditions.

B Phillips

INSPECTOR

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MEMBERS' ATTENDANCE RECORD 2023/24
PLANNING COMMITTEE

COUNCILLOR	31/05 Cancelled	28/06	26/07	06/09 Extraordinary	27/09	25/10 Cancelled	29/11	20/12 Cancelled	31/01	28/02	27/03	24/04
Iftakhar		P	P	P	P		P		P			
Carter		Ap	P	P	P		P		P			
Mann		P	P	P	P		P		P			
Gahir		P	P	P	P		P		P			
Khawar		P	P	P	Ap		P		P			
Manku*		P	P									
Naveed		Ap	P	P	P		P		P			
Satti		Ap	P	P	P		P		P			
Stedmond*				P	Ap		P		P			

P = Present for whole meeting
Ap = Apologies given

P* = Present for part of meeting
Ab = Absent, no apologies given

* Councillor Manku resigned from the committee and was replaced by Councillor Stedmond on 31st August 2023.

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