

PLANNING COMMITTEE

THE FOLLOWING ALTERATIONS AND AMENDMENTS HAVE BEEN RECEIVED SINCE THE PLANNING OFFICER'S REPORT WAS PRESENTED TO MEMBERS

Amendment Sheet.

Item 6 P/00463/018 Cadent Uxbridge Road Gas Works

1.0 Impact on biodiversity and ecology

1.1 Delete paragraph 15.6 as further surveys were submitted as noted in paragraph 15.5.

1.2 *Net gains in biodiversity:*

1.3 A biodiversity net gain audit report has been received to address recommended condition 10 (Net gains in biodiversity). The report sets out an overall net gain in biodiversity of 10.85 % when considering the previously submitted ecology surveys and using Defra's Biodiversity Metric. This is achieved through the provision of new soft landscaped areas with habitat focused planting which set out in a detailed landscaping plan. The report also states that appropriate maintenance of these areas is important. This includes monthly weeding of undesirable species and reduced mowing at the correct time of year.

1.4 The proposed net gain in biodiversity is considered acceptable and condition 10 (net gains in biodiversity) is revised to a compliance condition. Condition 14 (landscaping) updated to be in compliance with the submitted landscape plan. In addition, condition 15 (landscape management plan) is revised to ensure the management plan is also pursuant to the submitted biodiversity net gain audit report and agreed by a suitably qualified ecologist.

2.0 Impact on Highways and Parking.

2.1. The applicant has submitted a revised junction design. The local highway authority has assessed the proposal and all the issues previously raised have been addressed. The highway authority has provided the following summarised response:

Vehicle Access:

No objection based on the revised design received 22/07/2022. Given this is an existing junction which is being improved I do not consider it necessary to complete the Stage 1 RSA prior to determination of the planning application as it would be proportionate to have this as part of the Section 278 Agreement in this instance.

Trip Generation Forecast:

SBC Highways and Transport have no objection to the proposed development due to its vehicle trip generation and expect a minimal negative impact on the capacity of the surrounding roads.

The proposed development results in a reduction in the quantity of office space and industrial units on site. The B1a Office space will be reduced from 2597m² to 2358m² and the industrial workshop space will be reduced from 1600m² to 1230m². In addition, the proposed development will provide 22 fewer parking spaces given 182 parking spaces are proposed compared to the existing 204 on site. Therefore, the reduced floorspace and reduced number of parking spaces makes it unlikely that there will be a significant increase in vehicle trips.

There maybe a slight increase in the vehicle trips associated with the site, given the existing buildings are understood to be underutilised. It is understood that they could be fully reoccupied at any time (with the associated 204 parking spaces, compared to the 182 proposed) without planning permission which would increase the trip generation of the site.

The applicant provided a trip generation forecast using TRICS which is the national trip generation database. However, SBC do not accept the applicant's trip generation forecast.

As outlined on 12th May 2022, SBC Highways and Transport do not agree that the TRICS survey sites used by the applicant are comparable with the proposed development site in terms of accessibility to rail services, bus access and parking ratio per 100sq.m for office space and industrial land use. Therefore, the applicant's survey sites are unlikely to have similar travel patterns and vehicular trip generation to the proposed development site.

SBC Highways and Transport have completed an internal assessment of the development's trip generation potential using their preferred methodology and survey data from the TRICS database. TRICS is the national trip generation database.

Car Parking: No objection.

Deliveries, Servicing and Refuse Collection: No objection.

Cycle Parking:

SBC request that further details of cycle parking are secured by planning condition.

As previously requested on 12th May, SBC Highways and Transport request that the cycle parking is relocated to a position south of the proposed office building, in order to be located closer to the proposed cycle way, access road and proposed buildings. The location shown may result in cyclists coming into conflict with vehicles circulating the proposed car park.

2.2. Planning Officer Note: Following requests from Officers, the applicant has not repositioned the proposed cycle store. It would not be suitable to secure this by condition as it would materially change the layout of the proposal and the approved plans. While the existing location is not ideal, there is a dedicated footway serving the cycle store, and the highways safety impacts would not be too dissimilar to those parking vehicles and walking toward the office building.

3.0 Drainage:

2.1. The recommendation includes the delegation of an acceptable drainage strategy. An additional recommendation should be added to ensure that if there are any material changes to the development as a result of any changes required to the drainage strategy, then this should be reported back to the Planning Committee.

4.0 Further Consultation Comments:

3.1. The following third-party consultation comments have been received:

Cadent (Plant Protection)	No objection
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5.0 Recommendation:

2.2. Change to the following:

Having considered the relevant policies and planning considerations set out above and in the planning committee report, it is recommended the application be delegated to the Planning Manager:

A. For approval subject to:-

1. An acceptable drainage strategy in consultation with the Lead Local Flood Authority.
2. Addressing any further consultation responses to the satisfaction of planning officers.
3. Finalising conditions; and any other minor changes.

B. To reported back to the Planning Committee if there any material changes to the development because of any changes required to the drainage strategy

- C. Refuse the application if the above have not been finalised by 26th January 2023 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

6.0 Revised Conditions:

1. Net gains in biodiversity

The development hereby approved shall be completed in strict accordance with the detailed landscaping and tree planting scheme set out in drawing no. 1082-01A Rev A; dated 06/07/2022; rec'd 07/07/2022 and shall thereafter be permanently retained for the stated purposes of biodiversity conservation

REASON: In the interests of providing net gains in biodiversity in accordance with Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the National Planning Policy Framework

2. Landscaping

None of the buildings hereby approved shall be brought into first use until the detailed landscaping and tree planting scheme set out in drawing no. 1082-01A Rev A; dated 06/07/2022; rec'd 07/07/2022

The detailed landscaping and tree planting scheme set out in drawing no. 1082-01A Rev A; dated 06/07/2022; rec'd 07/07/2022 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 in the interests of providing net gains in biodiversity in accordance with Core Policy 8 & 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004

3. Landscape management plan

None of the buildings hereby approved shall be brought into first use 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 other than the privately owned domestic gardens, shown on the approved landscape plan, and should include time scale for the implementation. The management plan shall also be also pursuant to paragraphs 5.5 & 5.6 of the submitted biodiversity net gain audit report and agreed by a suitably qualified ecologist on behalf of the developer.

The use of the site carried out in accordance with the approved details for the lifetime of the development.

REASON To ensure the long-term retention of landscaping and net gains in biodiversity within the development to meet the objectives of Core Policy 8 & 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy EN3 of The Adopted Local Plan for Slough 2004.

1.0 ITEM 7 - P/00106/013 – Lady Haig Club, 70, Stoke Road, Slough, SL2 5AP

1.1 Additional consultation

2.0 Heritage Consultant

- 2.1 Planning consent was granted for the redevelopment of this site in 2017, under application P/00106/012. The current application proposes development of a similar scale to the previous application.
- 2.2 Lady Haig Hall is located to the east side of Stoke Road. The building dates from 1928-9 and was constructed as Slough's British Legion Headquarters. The frontage building has a symmetrical brick facade, with stone dressings and a hipped tile roof - there is a hall to the rear - it is described in more detail within the Heritage Statement accompanying the application.
- 2.3 The Council has not formally identified the existing building as a non-designated heritage asset but 2 buildings nearby (Gilliat Hall and Littledown Primary School) are included on Slough's Local List - as detailed within the 2004 Local Plan).
- 2.4 A Heritage Statement submitted as part of the previous application and referred to within the Heritage Statement for the current application, does acknowledge Lady Haig Hall as being a 'non-designated heritage asset' - BEAMS would agree with this designation, both for its architectural merit and its connections with the British Legion and Countess Haig.
- 2.5 The Heritage Statement also notes that Lady Haig Hall makes a slight positive contribution to the significance of the nearby locally listed Gilliat Hall and a neutral contribution to the significance of the locally listed Littledown Primary School.
- 2.6 The National Planning Policy Framework (The Framework) defines a heritage asset as "a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes assets identified by the local planning authority (including local listing)".
- 2.7 These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their

contribution to the quality of life of existing and future generations (NPPF, para. 189)

- 2.8 NPPF paragraph 197 states that: "In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality ...
- 2.9 The NPPF states at paragraph 203, "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 2.10 The proposal involves the complete demolition of the existing building and so the scale of the harm to the non-designated heritage asset would therefore be substantial. The proposal would result in the loss of all attributes forming the significance of the heritage asset. The harm arising from the total loss of the building therefore attracts great weight in the planning balance.
- 2.11 BEAMS is reluctant to support the proposed loss of Lady Haig Hall. It is unfortunate that options for retaining the 2-storey frontage property as part of the wider development site have not been explored. However, it is acknowledged consent has previously been granted for the scheme relatively recently, which found the demolition of Lady Haig Hall to be acceptable. In light of this it is hard to see how a different decision could now be reached.
- 2.12 It is recommended Slough Borough Council weighs the loss of this non-designated heritage asset in the planning balance when reaching its decision.
- 2.13 If consent is granted this should be subject to a condition requiring a Level 2 Historic Building Recording of Lady Haig Hall.

3.0 Additional considerations

- 3.1 The comments from the Heritage Consultant are noted and they have acknowledged that permission was previously granted for the removal of the building. The consultant concludes that there is a negative impact from the loss of the Lady Haig building and therefore this needs to form part of the balanced judgement of the application.

- 3.2 It is considered that the loss of the Lady Haig building, in this instance is an adverse impact that can be attributed moderate negative weight. This is due to the loss of the non-designated heritage asset with the severity of impact reduced when considered against the planning history of the site and the condition of the building and site. This will be added to the planning balance consideration and summarised at the end of this update.
- 3.3 In respect of Natural England's comments and the Council's mitigation solution, the applicant has agreed to meet the contribution amount of £32,940.00 towards mitigation proposals at Upton Court Park, which reflects the required £570 per dwelling. As a result there is no requirement to notify Natural England of the decision if Members resolve to approve as the mitigation requirements are met.
- 3.4 The contribution is considered to be a benefit that can be given moderate positive weight due to the payment being a legislative requirement.

4.0 Reconsidered Planning Balance

- 4.1 Revised Planning Balance consideration to replace original at para 25.3
- 4.2 In the application of the appropriate balance, it is considered that there are significant benefits from:
- The provision of 57 residential units in a sustainable location should be given significant weight as the development would make a positive contribution to the supply of housing in the Borough, and would be located in a sustainable location.
 - While there are viability issues with the site the provision of 8 affordable units would provide a positive contribution to the supply of affordable housing provision in the Borough and is also a benefit that should be given significant weight.
 - The application includes the provision of some financial contributions towards infrastructure and these are considered to be positive benefits that should be given significant weight.
- 4.3 In respect of adverse impact the following are applicable:
- The under provision of parking is considered to be an adverse impact although one that should be given minor negative weight given the sustainable location of the site.

- The loss of the Lady Haig building is an adverse impact from a heritage perspective and should be given limited weight due to the planning history of the site.

4.4 Therefore, in applying the planning balance, it is considered that the demonstrable benefits of the scheme significantly outweigh the identified impacts and therefore, in accordance with Paragraph 11 of the NPPF, planning permission should be granted subject to the completion of a Section 106 agreement.

4.5 The recommendation remains the same as drafted.

1.0 ITEM 9 - P/04557/012 – Rai Solicitors, 19, Stoke Road, Slough, SL2 5AH

1.1 Additional consultation

2.0 Environmental Quality

2.1 Comments as summarised by the Environmental Quality Officer:

2.2 Air Quality:

The development proposes little parking so will not cause air quality impact. Although close to the road, comparing to data on similar roads suggests exposure will not be an issue here. The noise report suggests these units will have mechanical ventilation so as long as inlets are away from the road, the exposure risk will be low.

2.3 We had an issue with a previous application where transport was opposing developments with no parking but agreed that a car club bay would solve the issue. As there is an enterprise car club nearby, this might not be necessary so I have not included it in my comments, but you may want to check with Transport whether they are supportive of the development given the low parking provision.

2.4 Noise:

Regarding the noise report, I have requested some clarifications and conditions. As this is an outline application, I'm not sure at what stage the additional detail requested in the conditions is required. You may need to reword these. In summary, I have requested:

- A verification survey to be completed before the final design is confirmed (as the verification survey will determine the glazing and ventilation specifications).
- An updated noise assessment which considers plant noise and construction noise, once plant and construction methods have been finalised, and updated glazing and ventilation performance requirements once detailed designs are available.
- Submission of full glazing and ventilation specifications once at the detailed design stage.

3.0 Natural England

3.1 Advised that they are still considering the Habitat Regulations Assessment submitted.

4.0 Highways

4.1 Raised no objections following the submission of additional information.

5.0 Additional Considerations

5.1 Since the publication of the report the applicant has agreed to a number of financial contributions towards infrastructure. There is an error in the report at Section 20 which sets out the contribution requirements at para 20.4. There was an oversight in that the application site currently contains 2no dwellings and therefore, while the proposal is for 24 units, the number of new dwellings created is 22. Therefore contributions are required for the 22 unit increase on the site and not the 24 as set out in the report.

5.2 These offered contributions are set out in the table below against the revised required sums:

Contribution	Amount required	Amount offered
Education (overall)	£82,702	£84,427
EV Car Club (Highways)	£11,000	£11,000
Bus Shelter at Queens Road Stop on Stoke Road		
Signalised Ped Crossing Stoke Road / Stoke Gardens Junction	£36,000	£36,000
Recreation/Open Space	£16,500	£16,500
Travel Plan Monitoring	£3,000	£3,000
Natural England mitigation	TBC	

5.3 In anticipation of comments from Natural England, the applicant has made a contribution offer of £12,540 towards mitigation proposals at Upton Court Park which equates to a contribution of £570 per dwelling. At the time of considering this application comments from Natural England are not received and therefore it is not established whether the contribution is required or not.

5.4 It is reasonable to anticipate that the contribution will be required and for the purposes of informing the Committee, the amount offered aligns with the proposed mitigation strategy.

6.0 Reconsidered Planning Balance

6.1 Revised Planning Balance consideration to replace original at para 25.3 of the report.

6.2 In the application of the appropriate balance, it is considered that there are significant benefits and impacts from the following:

- The provision of 22 (net) residential units in a sustainable location should be given significant weight as the development would make a positive contribution to the supply of housing in the Borough and would be located in a sustainable location.
- Some weight can be given to the provision of 2no affordable units as part of the scheme which would provide a positive contribution to the supply of affordable housing provision in the Borough.
- However, there is no completed Section 106 agreement that secures these units and the previously determined positive weight is subsequently negated by the negative weight applied for this reason. Failing to secure the affordable housing proposal means that the scheme does not make a positive contribution to the supply of affordable housing in the Borough and significant negative weight is applied to this impact.
- As confirmed through viability assessment, issues with the site means that the applicant is unable to demonstrate a benefit of policy complaint affordable housing. While this is not an adverse impact, it is not one that is considered to be positive either.
- The lack of parking provision is considered to be a neutral impact.
- The unjustified loss of the existing non-designated heritage asset on site. The loss of this unit would result in a negative impact on the built heritage of the town and is considered to be an adverse impact that should be given considerable weight.
- The loss of commercial floorspace in a designated shopping area is an adverse impact due to it having a negative contribution to the vitality of the neighbourhood shopping centre that should be given some negative weight for the reasons already discussed.
- The adverse impact on the character and appearance of the area by virtue of the scale and bulk of the proposal is negative should be given significant weight.
- The adverse impact on the setting of 21 Stoke Road as a non-designated heritage asset would result in a negative impact on the built heritage of the town and should be given significant weight.
- The failure of the scheme to provide suitable levels of amenity for occupiers of the whole development results in an adverse impact on living conditions that should be given significant negative weight.
- The impact on daylight and sunlight to the first floor window of 21 Stoke Road is an adverse impact on neighbouring amenity that should be given limited negative weight as it serves a kitchen.

- The impact on habitats is undetermined and unmitigated and should be given limited negative weight as an adverse impact, subject to a formal response from Natural England.
- Although the site is subject to viability, the applicant has proposed a number of financial contributions towards infrastructure projects. The contributions are considered to be positive benefits that should be given significant weight.
- However, no completed Section 106 agreement is provided to secure this and this result in a negative impact in terms of provision of affordable housing and other mitigation proposal which can be given considerable negative weight.

7.0 Amended recommendation:

7.1 Having considered the relevant policies set out below, the representations received from all consultees, as well as all other relevant material considerations, it is recommended that the decision be delegated to the Planning Manager to be **REFUSED** following the receipt of comments from Natural England, for the following reasons:

1. The proposed development would, by virtue of its scale and bulk, results in a incongruous, dominant and prominent addition to the streetscene that would not achieve a high quality of design and would not enhance the quality of the built environment. The proposal is therefore contrary to policies EN1 and EN2 of the Local Plan for Slough March 2004 and Core Policy 8 of the Local Development Framework Core Strategy 2008 and the requirements of the National Planning Policy Framework 2021.
2. The proposed development will result in residential accommodation that fails to achieve appropriate levels of natural daylight and sunlight and fails to provide amenity space for all units and will therefore provide a substandard level of amenity for future occupiers of the development to their detriment. The proposal is therefore contrary to policies EN1 and EN2 of the Local Plan for Slough March 2004 and Core Policy 8 of the Local Development Framework Core Strategy 2008 and the requirements of the National Planning Policy Framework 2021.
3. The proposed development will result in the demolition and therefore permanent loss of a non-designated heritage asset that is an example of 19th Century architecture in the town. The adverse impact from the loss of the heritage asset is not outweighed by the benefits and the proposal is therefore contrary to Policy 9 of the Local Development Framework Core Strategy 2008, saved policy EN17 of the Local Plan for Slough March

2004 and the requirements of the National Planning Policy Framework 2021.

4. The proposed development, by virtue of its scale and bulk will have an overly dominant and overbearing impact on the setting of 21 Stoke Road, a non-designated heritage asset. The adverse impact on the setting of the heritage asset is not outweighed by the benefits and the proposal is therefore contrary to Policy 9 of the Local Development Framework Core Strategy 2008, saved policy EN17 of the Local Plan for Slough March 2004 and the requirements of the National Planning Policy Framework 2021.
5. The proposal would, if acceptable in other respects, be required to legally secure affordable housing units, provide for necessary infrastructure by way of appropriate financial contributions, and to secure a late stage financial viability review in respect to on-site and / or off-site affordable housing contributions, all of which would need to be secured by the completion of a section 106 agreement. No such agreement has been completed, contrary to Policies 4, 9 and 10 of the Slough Local Development Framework Core Strategy 2006 - 2026, Slough Borough Council's Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106) and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.