

Registration Date:	15-Feb-2023	Application No:	P/20153/000
Officer:	Alex Harrison	Ward:	
Applicant:	Chris Connaught House (Slough) Limited (CHSL) and Oxford House (Slough) Limited (OHSL)	Application Type:	Major
		13 Week Date:	17 May 2023
Agent:	Chris Brown, Rolfe Judd Planning Rolfe Judd Planning, Old Church Court, Claylands Road, Oval, London, SW8 1NZ		
Location:	46-56 High Street, Slough, SL1 1EL		
Proposal:	Demolition and construction of an 8-storey mixed-use development comprising flexible retail (class E) and residential (Class C3) use with associated communal terraces, cycle parking, accessible car parking and waste storage		

Recommendation: Delegate to Planning Manager to approve



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 for:

A. Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure affordable housing, and infrastructure contributions, a viability review mechanism and highway works, including clarification and conclusion of adoption discussions relating to the unadopted part of Burlington Avenue.
- (ii) The satisfactory acceptance of Natural England over habitat impacts and mitigation.
- (iii) Finalising conditions and any other minor changes; OR

B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 1 January 2024 unless a longer period is agreed by the Planning Manager, or Chair of the Planning Committee.

1.2 The proposals comprise a major planning application; therefore the development is required to be determined by Slough Borough Council Planning Committee.

PART A: BACKGROUND

2.0 Proposal

2.1 The application seeks full planning permission for the demolition of the existing buildings on site and the redevelopment to provide a new single building that provides 390sq.m of commercial floorspace which is subdivided into 4no units and 104 residential units. The building will range between 6 and 8 storeys in scale.

2.2 Accommodation will be provided in the following housing mix:

- 33no – 1 bed flats
- 69no – 2 bed flats
- 2no – 3 bed flats.

The proposed commercial floorspace would be occupied by Class E uses which is defined as:

Use Class E – Commercial, Business and Service –

Use, or part use, for all or any of the following purposes—

- a) *for the display or retail sale of goods, other than hot food, principally to visiting members of the public,*
- b) *for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,*
- c) *for the provision of the following kinds of services principally to visiting members of the public—*
 - i. *financial services,*
 - ii. *professional services (other than health or medical services),*
or
 - iii. *any other services which it is appropriate to provide in a commercial, business or service locality,*
- d) *for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,*
- e) *for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,*
- f) *for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,*
- g) *for—*
 - i. *an office to carry out any operational or administrative functions,*
 - ii. *the research and development of products or processes, or*
 - iii. *(iii) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*

2.3 The proposed building will be between 6-8 storeys and will effectively occupy the entire footprint of the site. The building is proposed to be finished in predominantly brickwork with variations in materials proposed. Soft landscaping is provided through plants and communal garden areas.

2.4 Vehicle access to the site is gained via Burlington Avenue to a car park that provides 19 parking spaces, 5 of which are accessible. Pedestrian access to the commercial units are provided via the High Street and Burlington Avenue and pedestrian access to the residential units is also of Burlington Avenue through 2 entrance cores. The site will be serviced from Burlington Avenue with a new layby proposed for service vehicles and bins are located in a communal arrangement that can be accessed from the layby.

2.5 The application was originally submitted with the following technical content:

- Planning Statement
- Daylight/Sunlight Report
- Statement of Community Involvement
- Design and Access Statement
- Townscape and Visual Appraisal

- Energy Statement
- Overheating Statement
- Surface Water Drainage Strategy
- Transport Assessment
- Travel Plan
- Pedestrian Level Wind Desk-Based Assessment
- Preliminary Roost Assessment
- Landscape Concept Drawings
- Noise Assessment
- Air Quality Assessment
- Concept Fire Strategy
- Gateway 1 Fire Statement
- Phase 1 Desk Study for ground conditions
- Viability Assessment

Since first submission, the plans have been amended to accommodate comments relating to Fire Safety and the following additional reports were received:

- Amended Fire Safety Assessment
- Habitat Regulations Screening Assessment
- Amended Microclimate Study

2.6 The development proposed at this site has been subject to lengthy pre-application discussions with the applicant and the application is brought to the Committee under a Planning Performance Agreement that has committed the Council and applicant to pro-active working and a timely management and consideration of the application.

3.0 Application Site

3.1 The application site is 46-56 High Street, a site that comprises two plots with two principal buildings that front the high Street to the north and Burlington Road running down the west side. At ground floor level the building house 4-5 commercial units. The 2 buildings vary between 3 and 4 storeys with the upper floors all having commercial uses. Generally, the buildings themselves are faced in a mixture of facing brick and concrete.

3.2 The application site lies within the designated Town Centre and is located in Flood Zone 1. The character of the area on this part of the High Street comprises a mix of building forms and scale, ranging from 3 to 7 storeys. To the east of the site is the recently completed Moxy Slough development which tops 9-10 storeys.

3.3 To the immediate east of the site is a 3 storey terrace building providing shops at ground floor level with what appears to be a mix of commercial and residential uses on the floors above. To the west is an office building on the other side of Burlington Road with a development of flats beyond that. To the south is a residential area with 2-3 storeys being the prominent scale of

development. To the north is Cornwall House which is a former commercial building converted to residential units.

4.0 Site History

4.1 There is no planning history of relevance on this site.

4.2 In the immediate vicinity of the site there have been previous applications permitted for residential development. Notably:

Mosaic House, 26-40 High Street (east of the application site)

P/03436/026

Demolition of existing buildings, erection of a five storey building comprising ground floor either A1 and/or A2, and/or A3, upper floors B1(A) offices with plant, and associated works within public highway (Amended Plans 12/06/2000, 06/09/00 and 17/08/01)

Approved 08/03/2002

Cornwall House, 67 High Street (opposite the application site, to the north)

P/05898/028

Variation of Condition 2 of planning permission P/05898/023 dated 15-Sep-2014 (as amended by planning permission P/05898/024 dated 01-Jun-2015) for change of use of upper floors from offices (Class B1A) to residential (Class C3) and construction of extensions to building to create 53 no. new apartments, and change of use and extension to existing ground floor unit to leisure use (Class D2) to amend configuration of apartments and increase total number from 53 no. units to 54 no. units.

Approved 21/10/2015

5.0 Neighbour Notification

5.1 Due to the development being a major application, 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 21/02/2023. The application was advertised in the 24/02/2023 edition of The Slough Express.

5.2 3 letters from neighbouring parties have been received raising the following comments pertaining to this application (objections summarised below):

- Parking and congestion problems on the High Street and wider area, resulting in bad habits - blocking access roads, pavement parking, parking in traffic flow.
- No significant official space for deliveries to the flats/shops.

- Unless traffic flow is addressed and current behaviours then the additional flats will add to existing problems.
- Traffic going east and west on to the A4 from Windsor Road turns left down the narrow High Street causing congestion. Could William Street, be altered so that traffic could turn east/west directly onto the A4.
- High Street could be pedestrianised - cars access only, change of layout would improve area - allow for some outside spaces on the new pavements outside retail units under Novus.
- An 8 storey building will block light to Flat 21 Cornwall House, causing the property to be in shadow for the majority of the day until late evening. The flat's windows are tinted so the light level is already restricted.
- Use of Burlington car park and linked to different sites.
- Many new flats being built and remaining unsold in the locality, resulting in lack of car parking for residents and visitors.
- Concerns over the construction, level of obstruction and noise to users of Regal Court will impact business.

In terms of objections raised construction works, level of obstruction and noise – a construction management plan condition has been attached which will mitigate the impacts during construction works. In terms of the car parking, the requirement is nil provision in the town centre and in terms of flats being built - the town centre does not restrict flatted development. The use of Burlington Car Park and linked to different sites is not within the remit of this application or applicant to resolve these matters.

The rest of the objections received have been addressed within relevant sections of this report.

6.0 Consultations

6.1 Highways and Transport

Vehicle and Pedestrian Access

The NPPF Para 110 and 112 requires that applications for new development ensure: *'Safe and suitable access to the site can be achieved for all users and 'create places which minimise scope for conflicts between pedestrians, cyclists and vehicles'*.

SBC Highways and Transport have no objection to access arrangements for the proposed development, subject to the applicant entering a Section 278 agreement for improvement of the private access road along the site's western boundary. The private access road will also need to be adopted under the private street works code.

The site forms a boundary with a small section of public highway on Burlington Road which is one-way. To exit the site residents and

employees will pass over a private road to join Slough High Street and therefore adoption is required to ensure the road does not fall into disrepair.

The Section 278 improvements and highway adoption would guarantee long term maintenance of the road and ensure residents, refuse vehicles and delivery vehicles will be able to egress the development for the perpetuity of its operation. The amendment of the kerblines is also required to allow a refuse vehicle to egress the site without crossing the kerb.

The Section 278 Agreement should also include a speed bump to reduce vehicle speeds on approach to the site access given the visibility of oncoming vehicles is restricted by the wall for Regal Court (visibility has not been drawn to the nearside kerb by the agent).

The access is wide enough for two vehicles to pass each other and the gate is setback 5m from the back of the footway to allow vehicles to wait clear of the highway. Swept path analysis demonstrates a large estate car 4.85m long can enter and exit the development; with suitable turning space provided inside the development.

The proposed development offers an on-street loading bay which will ensure delivery vans do not need to enter the site and land for a new footway along the eastern side of Burlington Road providing an improved pedestrian route between Burlington Road and Slough High Street.

Section 38 Agreement

SBC Highways and Transport require the developer to enter into a Section 38 Agreement for the adoption as public highway of the new footway, streetlighting and loading bay proposed on the site's western boundary.

Section 106 Contributions

SBC require the following Section 106 contributions towards transport improvements:

- £6,000 towards Traffic Regulation Order costs for a loading bay, car club bay and amended parking restrictions;
- £3,000 towards Travel Plan Monitoring

Deliveries and Servicing

SBC Highways and Transport are satisfied that deliveries and servicing can be completed under the proposed arrangements.

An on-street loading bay is proposed on the eastern side of Burlington Road which measures 16 – 20m in length. The Transport report includes swept path analysis which demonstrates that a 10m rigid truck and refuse lorry can ingress the loading bay but may mount the kerb on egress from the loading bay.

Therefore, minor amendment of the kerblines on the private access road will be made to ensure vehicles do not mount the kerb and can pass with 300mm clearance. The amendment will be made using the Section 106 contribution from the applicant.

Car Parking

SBC Highways and Transport have no objection to 20 car parking spaces proposed on site and do not expect there to be parking overspill onto the surrounding roads.

Slough's Car Parking Standards allow Nil Car Parking Provision within the defined Town Centre Area, with the Slough Core Strategy and Slough Local Plan stating that:

'Maximum restraint will be applied to parking for residential schemes in the town centre' and;

'Residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems, protect the amenities of adjoining residents, and not result in and adverse visual impact upon the environment'.

The applicant has agreed to allocate 12 car parking spaces to the proposed dwellings and 8 to the 4 proposed retail units which will be used solely by staff. The provision of 12 parking spaces for 104 dwellings is equivalent to a ratio of 0.11 car parking spaces per dwelling.

There is no likelihood of car parking overspill onto roads surrounding the development which are subject to double yellow parking restrictions preventing car parking 24 hours a day. The town centre is subject to regular patrols by Slough's Parking Enforcement officers.

Visitor car parking can be accommodated in pay and display parking bays along the site frontage and within nearby public car parks on Burlington Road, Buckingham Gardens and Herschel Street.

Access by Sustainable Travel Modes

There is high potential for residents to travel by walking, cycling and public transport. The site is located 350m (5 minutes' walk) from the centre of Slough High Street, 550m from Slough Railway Station (7 minutes' walk) and 600m from Tesco Extra.

There are 6 trains per hour to London Paddington and Reading during the AM Peak and PM Peak Hours. Residents can reach Reading in 25 minutes, Paddington in 35 minutes and Canary Wharf in 49 minutes train journey.

The Library Bus Stops (E and F) are 100m (1 minute walk) from the site. Bus Services No. 4, 5, 6, 83, 103, X74 and 6 offer services to Heathrow, High Wycombe, Hedgerley, Maidenhead, Wexham Court and Cippenham.

A walking distance of 200m to bus stops within town centres is deemed a reasonable walking distance by the Chartered Institute of Highways and Transport (CIHT) within their document: *'Planning for Walking and Cycling, 2015'*.

The Chartered Institute of Highways and Transportation also advises that: *'Walking neighbourhoods typically characterised as having a range of facilities within 10 minutes' walking distance (Around 800 metres)*' and that people will walk up to 800 metres to access a railway station, reflecting its greater perceived quality and the importance of rail services.

Trip Generation

The NPPF Paragraph 111 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.

The Transport Assessment forecasts trip generation from the proposed development. During the peak hour, the development is forecast to generate 12 single occupancy car trips, 62 walking trips, 44 bus trips, 44 rail trips, and 12 bike trips.

SBC Highways and Transport do not expect the proposed development to have a noticeable impact on the capacity of the surrounding road network.

Travel Plan

As previously requested, SBC require amendment of the Travel Plan to state that a TRICS SAM survey will be completed 1 year after first occupation of the development. The results of the Travel survey should be uploaded to the TRICS database.

This is required to ensure effective monitoring of Travel Plan progress and the effectiveness of low car parking provision in this location. Monitoring is important to allow introduction of other Travel Plan measures.

Electric Vehicle Parking

The Slough Low Emissions Strategy (2018 – 2025) requires the provision of EV Charging Points for new dwellings with allocated parking. The National Planning Policy Framework Paragraph 112 requires applications for development to: *'Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations'*.

In addition, updated UK Building Regulations came into effect on 15th June 2022 which require the provision of an Electric Vehicle Charging Point for each new dwelling.

Cycle Parking

SBC have no objection to the proposed cycle stores. The cycle stores proposed on site include 117 cycle parking racks with 111 cycle parking spaces for residential dwellings and 6 cycle parking spaces for the commercial units.

The Slough Developers' Guide – Part 3: Highways and Transport (2008) requires the provision of 1 secure and covered cycle parking space per dwelling to encourage the uptake of cycling within the borough. The developers guide requires visitor cycle parking for flatted developments of more than 10 dwellings.

Summary and Conclusions

I can confirm that I have no objection to the proposed development on highways and transport grounds.

6.2 Lead Local Flood Authority

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

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

6.3 Thames Water

Waste Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests a Piling Method Statement condition to be added to any planning permission.

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

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

Water Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests a Piling Method Statement condition to be added to any planning permission.

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that a condition be added to any planning permission requiring confirmation that appropriate infrastructure is in place.

6.4 Environmental Quality

Air Quality Comments

In line with the Slough Low Emission Strategy (LES), the scheme is considered to have a medium impact on air quality. As such, the scheme requires the integration of Type 1 and 2 Mitigation measures, contained in the LES Planning Guidance and replicated below:

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. Electric vehicle charging points should be provided for 10% of parking spaces (2 spaces) and provide passive provision for the remaining spaces.
- A full dust impact assessment must be completed. The required mitigation to control dust must be included within a Construction Environmental Management Plan (CEMP) which shall be produced and submitted to SBC for approval prior to commencement of works. The CEMP must also provide details of noise control.
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report
- As stated in the Transport Assessment, one car club space should be provided with the development. The second car club space should be provided within 5 years of the scheme opening. The first occupants of the development will be provided with 3-years Car Club membership. The car club should have access to electric vehicle charging to support the Slough Car Club programme.

Environmental Noise Comments

Concluded that the noise assessment adequately demonstrates that noise can be controlled on site and the development proposal should not be refused on noise grounds. To ensure that the development is acceptable in terms of noise conditions relating to extraction and glazing should be attached to the permission.

6.5 Contaminated Land Officer

No comments received.

6.6 Crime Prevention Design Advisor

No comments received.

6.7 Natural England

Objection - further information required to determine impacts on designated sites - development within 5.6 kilometres of Burnham Beeches Special Area of Conservation (sac) within 5.6 kilometres

It is Natural England's view that the planning authority will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 62.

6.8 HSE Fire Safety

Drawings for the upper and lower ground floor levels show stair cores A and B, being the only escape route from a flat connect with ancillary accommodation including places of special fire hazard, such as a covered car park, plant rooms and cycle stores (likely to contain lithium-ion batteries).

The cited fire safety standard states that where a staircase forms part of the only escape route from a flat, it should not also serve any covered car park, boiler room fuel storage space or other ancillary accommodation of similar fire risk. Resolving this issue is likely to affect land use planning considerations such as the design, layout and appearance of the development.

Following the submission of amended plans

No issues raised.

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 20th July 2021. 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 2021 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2021, the Local Planning Authority 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 2021 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 2021 which has been used together with other material planning considerations to assess this planning application.

7.2 National Planning Policy Framework 2021:

- 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 Borough Council Developer's Guide Parts 1-4
- 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

7.3 Emerging Preferred Spatial Strategy for the Local Plan for Slough

The emerging Preferred Spatial Strategy has been developed using guiding principles which include locating development in the most accessible location, regenerating previously developed land, minimising the impact upon the environment and ensuring that development is both sustainable and deliverable.

This site is not allocated for development within the emerging Spatial Strategy. Protecting the built and natural environment of Slough's suburban areas is one of the key elements in the emerging Spatial Strategy.

7.4 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.

7.5 Fire Safety Provisions - DLUHC Guidance - Fire safety and high-rise residential buildings (from 1 August 2021)

The Department for Levelling Up, Homes and Communities (DLUHC) has brought in changes to the planning system whereby HSE Gateway One are a statutory consultee on specified planning applications. The DLUHC Guidance states that the changes are intended to help ensure that applicants and decision-makers consider planning issues relevant to fire safety, bringing forward thinking on fire safety matters as they relate to land use planning to the earliest possible stage in the development process and result in better schemes which fully integrate thinking on fire safety.

7.6 The Proposed Spatial Strategy (Nov 2020)

Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This 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.

7.7 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 in Section 24 of this report.

7.8 Written Ministerial Statement (2021) – First Homes

The Written Ministerial Statement (WMS) 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.

7.9 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 (HRA) 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)

7.10 Buckinghamshire SPD Burnham Beeches Special Area of Conservation

Buckinghamshire Council adopted (in November 2020) a Supplementary Planning Document (Burnham Beeches Special Area of Conservation – strategic Access Management and Monitoring Strategy) which requires developers to make a financial contribution per dwelling for mitigation irrespective of dwelling type or size in a zone between 0.5km and 5.6km from Burnham Beeches. The threshold, in terms of the size of development, when a contribution will apply is understood to be for schemes of 100 net additional homes.

7.11 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 Considerations**

8.1 The planning considerations for this proposal are:

- Principle of Development
- Supply of housing
- Design and impact on the character and appearance of the area
- Landscape
- Impacts on neighbouring residential amenity
- Impacts on amenity of future occupiers of the development
- Transport, Highways and parking
- Drainage
- Energy and Sustainability
- Air Quality
- Crime Prevention
- Affordable Housing and Infrastructure
- Habitat Impacts
- Equalities Considerations
- Neighbour representations
- Presumption in favour of sustainable development

9.0 **Principle of Development**

9.1 Core Policy 1 sets out the overall spatial strategy for Slough requiring all developments to take place within the built-up area, predominately on previously developed land. The policy seeks to ensure high density housing is located in the appropriate parts of Slough Town Centre with the scale and density of development elsewhere being related to the sites current or proposed accessibility, character and surroundings.

9.2 Core Policy 4 again emphasises that high density housing should be located in the Town Centre area and that outside the Town Centre the development will be predominately family housing at a density related to the character of the area. In particular, in suburban residential areas, there will only be limited infilling consisting of family houses which are designed to enhance the distinctive suburban character and identity of the area. The site is not identified as a development site within the Slough Local Development Framework Site Allocation Document Development Plan Document.

- 9.3 The National Planning Policy Framework encourages the effective and efficient use of land, which includes supporting under-utilised land that can incorporate a mix of uses. This is reflected within Core Policies 1 and 4 which seek high density non-family type housing to be located in the town centre or urban areas. As the site is located within the town centre and the proposal would be similar in scale and density to the surrounding buildings, the proposal for accords with these objectives.
- 9.4 The site is located within the designated town centre and is in a central location close to existing shops, services and transport links. It is not currently in residential use but it is considered a suitable location for a higher density development in accordance with Core Policy 4. The application description does not specify a number of residential units but the scheme proposes 104. The applicant refused to include the number of units in the description of development and therefore it would be necessary and reasonable to limit the number of units through condition.
- 9.5 The proposal does result in a loss of existing commercial floorspace which comprises a mix of retail and office space. The proposal does propose retail units to the ground floor frontage onto the High Street which is considered acceptable in this central location. The size of the units is reflective of the nature of small units that currently form the run of commercial units to the immediate east of the application site.
- 9.6 On the basis of the above, having regard to the National Planning Policy Framework and the Local Development Plan, there are no objections to the principle of residential flatted development on this site.

10.0 Supply of Housing

- 10.1 The extant Core Strategy covers the 20 year plan period between 2006 and 2026. Core Policy 3 sets out that a minimum of 6,250 new dwellings will be provided in Slough over the plan period, which equates to an average of 313 dwellings per annum. Core Policy 3 states that proposals for new development should not result in the net loss of any existing housing.
- 10.2 Slough Borough Council is in the process of preparing a new Local Plan for Slough which covers the period between 2020 and 2041.
- 10.3 Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework, the Local Planning Authority cannot demonstrate a Five Year Land Supply. The proposal for 104 residential units would make a contribution to the supply of housing, it is unclear as to how quickly the units could be built out which lessens the weight the units are afforded. Given that that the tilted balance is engaged, this contribution would in principle attracts positive weight in the planning balance.

10.4 In terms of housing mix, the recommended housing mix for Eastern Berks and South Bucks Housing Market Area is defined in the Strategic Housing Market Assessment (SHMA) February 2016.

	1 bed	2 bed	3 bed	4 bed
Market	5-10%	25-30%	40-45%	20-25%
Affordable	35-40%	25-30%	25-30%	5-10%
All dwellings	15%	30%	35%	20%

10.5 This housing mix for the scheme proposed is as follows:

- 33no – 1 bed flats
- 69no – 2 bed flats
- 2no – 3 bed flats.

10.6 Some flexibility can be exercised in relation to the table above depending on the location of development and the characteristics of the surroundings. In this instance it is considered that a scheme to provide a mix of predominantly 1 and 2 bed units is not in line with Core Policy 4 which seeks out of town centre sites to comprise family housing. However, it is located within the town centre and other services and a number of other high density schemes have been allowed and implemented in the area. The scheme proposes a majority of 2-bed units which would be a preferred arrangement for a scheme that proposes smaller units in general. The scheme also includes the provision of 2no 3-bed units which is considered beneficial. While the housing mix would be improved with the inclusion of larger units, the town centre location is suited for smaller properties and no objection is raised.

10.7 The housing mix proposed is considered to align with the goals of Core Policy 4 in respect of housing location and while it does not strictly match the recommended mix set out in para 10.4, it does not result in a mix that would fail to provide appropriate accommodation in a town centre location.

11.0 Design and Impact on Appearance and Character of the area

11.1 Policy EN1 of the Local Plan outlines 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, layout, siting, building form and design, architectural style, materials, access points, visual impact, relationship to nearby properties, relationship to mature trees, and relationship to water course. Poor designs which are not in keeping with their surroundings and schemes that overdevelop the site will not be permitted.

11.2 The existing buildings occupying the site, are part 3/4 storeys with the tallest elements of these developments occupying the High Street

Frontage. The area to the south of the site currently features a single storey offshoot to the main building, (of 50-56 High Street), and a surface-level car park. The quality of the architecture of the current buildings varies with the development occupying 50-56 High Street, having slightly more interest, and detailing compared to 46-48 High Street; however, both buildings are considered to provide a neutral contribution to the existing townscape. The scale of development within the immediate context of the site ranges between 2 and 8 storeys, and the wider context rises further to 10 storeys with The Moxy (to the northeast) being a point of reference here. The site is not within a Conservation Area and does not feature any designated/non-designated heritage assets.

- 11.3 The applicant has engaged with the Council with numerous pre-application proposals that have seen alterations made to the scale, height and massing of the scheme. The proposed development of the site will result in a larger scale of building that varies between 6 and 8 storeys. The footprint of the development would follow a u-shaped perimeter block approach; providing frontages to both the High Street and Burlington Road; the central portion of the site would be undeveloped and accommodate surface level car-parking/landscaped communal space at first floor. The layout, scale and massing of the application proposal has been revised and is considered to have taken account of Officer feedback at the pre-application stage. The High Street elevation shows the scheme has incorporated a 'step' in building heights that shows a rise from the 3 storey height to the east up to the larger heights to the west. The proposed creates an appropriate transition in scale within the streetscene of the High Street and complements the scale of Mosaic House to the west. Although the development would be 8 storeys overall, which is the same storey height as Mosaic House to the west, the overall height of the building is taller than this due to increased floor-to-ceiling heights required for new residential development. The building would be taller than its neighbours as a result.

To reduce the visual dominance of the scheme, the design also incorporates set-backs at the upper floor levels; with the main parapets of the building reading more positively within the existing townscape. The application is accompanied with a townscape assessment that considers the impact of the overall scale on the area. The incorporation of set-backs at the upper floors and variations in external materials means that the proposed development would not be out of scale in the area. From the public realm, at street level around the site the upper floor of the building would not be visible in the immediate vicinity of the site and would not be prominent in views from further afield. In longer views the development would be seen in the context of other larger buildings, (including Mosaic House and The Moxy), and therefore would not be out of character.

- 11.4 When viewed from the south the context of the area changes to one of suburban character rather than town centre. The proposal would represent a notable increase in built form. However, it would be viewed in context with existing building and, while bringing the bulk closer to these lower scaled

dwellings, would not result in an adverse impact on its character. The scheme also incorporates a step down to the south to aid the transition. As a result, the proposed scale and bulk of the development are not considered to have an adverse impact on the character of the area. The part 6/7 storey elements have been carefully designed to ensure a successful transition in the scale of the development to this context; with the applicant also undertaking some work to assess how this development could be complemented by future redevelopment of adjacent sites.

11.5 The proposed scheme retains the ground floor frontage of the site and provides a consistent form to the development. As the proposal turns into Burlington Avenue a new frontage is created to serve the proposed residential use. The frontage incorporates a new footway and service layby and this is considered to contribute positively to the character of the area. Burlington Avenue is a well-used route for pedestrians in the town and the proposed scheme will enhance this area. The scheme has evolved to amend the service areas and include planting and detailing that generates visual interest and the resulting impact is considered to be acceptable in design terms.

11.6 The design details of the scheme have been emphasised from an early stage by officers. Often the difference between a high quality and poorer quality development lies in the detail and implementation of the scheme. This proposal brings forward a scheme which has well-ordered and complete architecture and elevations including a well-defined base, middle and top. The elevations of the scheme are broken-up through use of recessed balconies, brickwork reveals and strong building parapets which will give the scheme additional quality. In detail the elevations incorporate variations in brick type and include variations in brickwork such as soldier courses and recesses to achieve contrast. Secondary materials include render and metalwork also serve to add detailing and breaks up the extent of solid brickwork. The approval of specific materials to be used on the development would be reserved by condition but the details in the application suggest that the scheme can be regarded as a high-quality development.

11.7 On the basis of the considerations above the design of the scheme is considered to be acceptable, representing an effective use of the site and a high-quality development which is in line with policies EN1 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 NPPF. The impact will be appropriately weighted as part of the planning balance.

12.0 **Landscaping**

12.1 The proposal includes some street landscaping and a communal podium garden within the scheme for the use of occupiers of the proposed residential units.

12.2 Detailed landscape proposals are not submitted with this application, and they will need to be secured by condition as a result. Conceptual landscape details were submitted.

12.3 The existing site is devoid of landscaping features and therefore the proposals represent an improvement to the landscaping character at the site. The gains are minimal however they are considered to be acceptable from the perspective of a town centre location. Detailed landscaping proposals will need to consider soft landscaping that will be effective given the scale of the building and the effects it would have on light levels to the communal garden.

13.0 Impact on neighbouring amenity

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

13.2 The site is located close to existing residential properties to the east and south of the site. There are properties to the north as well that are separated by highways and, in respect of the west, by existing non-residential buildings. There has been an objection received from the occupier of Cornwall House, Flat 21, to the north of the site on the grounds of loss of light to their flat.

13.3 The application was submitted with a Daylight and Sunlight Assessment that considered the impact of the scheme on the light to neighbouring residents. The assessment considered the impact on all windows at Cornwall House that face toward the site. The assessment concludes that the windows of this building, the building known as being to the rear of 58 High Street and those of the rear of 56 High Street and to neighbours on Beechwood Crescent to the south. The results show that the development does not result in a significant adverse impact on the level of daylight to the rooms that they serve. All windows are able to retain over 80% of their existing value or have an acceptable 'Vertical Sky Component' which indicates suitable light levels will be achieved. The assessment does use an outdated criteria for assessing light levels as the use of vertical sky components was removed from the 2022 BRE Guidance but it is not so far out of date that it should be objected to if included in schemes that have been devised during the period it was relevant. On the basis of the findings of the assessment it is considered that there would not be a substantial or significant adverse impact to neighbouring daylight and sunlight that would warrant a reason to refuse planning permission.

13.4 In terms of overbearing impact, the proposed development will be visible from the rear windows of neighbouring residents in adjacent properties. However, this does not entail that new development is overbearing as a result. The scheme has been designed to ensure it is not dominant from the

outlooks of neighbouring residents and while visible, will not be overbearing from within the units that are close by.

- 13.5 In terms of noise impacts there would be a negligible impact from the residential units and antisocial noise impacts can be addressed under Environmental Health Legislation, this is also considered to address the objection received from Regal Court in terms of noise. The ground floor commercial uses would not have any increased noise impact over what would currently be experienced from existing uses at the site.
- 13.6 There is always a risk of amenity impacts during the construction phase of the development however the practices can be controlled through conditioning a construction management plan that would seek to consider issues such as noise impacts and dust dispersion to neighbouring sites. These impacts are, in any case, only ever temporary and are not apparent once the scheme is built. The recommendation includes the need for a construction management plan to be submitted for approval which is considered to be appropriate.
- 13.7 Comments were received from a neighbouring business occupier over concerns relating to noise and obstruction during construction. There will be temporary impacts resulting from the construction phase as would be expected with any development. To reduce and mitigate impacts the recommendation includes a condition requiring construction environmental management plan which will ensure that the roads and paths are not obstructed during construction and the deliveries are undertaken at appropriate times and locations. As the impacts are only temporary it is not considered that there would be adverse impacts in planning terms but the plan required to be approved would mitigate impacts to neighbouring residents and workers.
- 13.8 As a result of the above assessment, the proposal is considered to be acceptable with regards to its impact on neighbours and broadly in accordance with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan. This will be considered as part of the planning balance.

14.0 Living conditions for future occupiers of the development

- 14.1 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
- 14.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."

- 14.3 The submitted details show that the proposed units will be compliant with the Nationally Described Space Standards for accommodation which is considered to be acceptable.
- 14.4 Each unit will have its own private balcony or terrace which affords private amenity space for the whole development. The successful incorporation of integral balconies means that there are no concerning circumstances where the balconies and terraces are closely related or adjacent to each other, resulting in potential amenity impacts within the development. The proposal also include provision of a communal podium garden area and rooftop garden area which would be accessible to all residents. The amenity space provision for the development is therefore considered to be acceptable.
- 14.5 In respect of daylight and sunlight provision, the application was submitted with an assessment to consider the light levels to the proposed unit as well as the communal amenity space. The assessment concludes that the development will receive levels of daylight that exceed the guidance requirements for new developments. The communal garden has impacts due to its relationship with the building that affects its sunlight provision. However, it does exceed the minimum standards and can be considered acceptable. It would be necessary for the landscaping scheme to ensure that any planting proposals utilises species that can thrive in their location relative to the amount of light they will or will not receive.
- 14.6 With regards to environmental noise impacts, the application included a Noise Assessment that has been reviewed by the Environmental Quality Officer. The assessment identified that the dominant noise sources audible on site included road traffic noise from Wellington Street and the High Street, and other nearby smaller roads, in addition to overhead aircraft noise. The assessment concludes that there would be impacts on amenity levels through noise but that these can be addressed through the implementation of appropriate glazing and mechanical ventilation to the proposed units. This is not uncommon for development on busy roads within the Borough such as Wellington Road and Bath Road and these details can be secured and considered through appropriately worded conditions. The use of mechanical ventilation will be considered against the merits of incorporating natural ventilation as part of the energy strategy (para 17.2) for this development to ensure an appropriate balance is achieved.
- 14.7 The application included a wind assessment at pedestrian level on Burlington Avenue. It was requested as Officers were conscious that the development could result in a potential wind-tunnel effect for pedestrians on what is a well-used route currently and would see increased footfall with the implementation of the proposal. The assessment concludes that there would be no adverse impact in this regard and that the new taller façade will not create wind conditions that would create problems for pedestrians.

14.7 Based on the above considerations the proposal is considered to provide a suitable level of amenity for all occupiers of the development and the scheme is therefore acceptable in light of the goals of the NPPF, Core Policy 4 of Council's Core Strategy, and Policy EN1 of the Adopted Local Plan.

15.0 Highways and Parking

15.1 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 111 of the National Planning Policy Framework 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'*.

15.2 The application was accompanied by a Transport Assessment and Travel Plan which has been considered by the Highways Officer and no objections are raised in highways terms. The change in vehicle trip rates is considered to be acceptable for a town centre location and the impact of traffic movements from the development on the local area is considered to be negligible.

15.3 The proposal shows 20 parking spaces provided with the proposal. Discussions have been held with the applicant to finalise the allocation of spaces to the development and it was agreed that 12 spaces would be provided to the residential development and 8 spaces to the 4 commercial units. This split is secured by way of a proposed condition. In accordance with the parking standard, flat developments in the town centre have a parking requirement of 0 spaces due to its sustainable location and closeness to services and public transport. This scheme provides 12 residential spaces in spite of this and the provision of these spaces is considered to be a benefit.

15.4 The proposal shows the provision of 117 cycle parking spaces with 111 being allocated to the flats and 6 to the commercial units. These are securely provided. Visitor cycle spaces are also provided on the Burlington Avenue frontage and the level of cycle parking and the nature of its design are considered to be acceptable.

15.5 The proposal is proposed to be serviced from Burlington Avenue and the scheme includes the provision of a layby on the western side of the site that would allow delivery and service vehicles to pull into and not congest the road itself and this layby is technically acceptable and would ease potential issues on High Street with such vehicles accessing the site. The provision

of the layby for deliveries and service vehicles addresses the objection received which states that there is no significant official space for deliveries to the flats/shops.

15.6 The layby provision does not compromise pedestrian access on Burlington Avenue as the footway is realigned as part of the works.

15.7 The Highways Officer has made a number of requests for Section 106 contributions associated with the development which are addressed in detail from para 20.0 onwards. In summary the following contributions are required:

- £6,000 towards Traffic Regulation Order costs for a loading bay, car club bay and amended parking restrictions;
- £3,000 towards Travel Plan Monitoring
- Provision of a speed bump on Burlington Avenue

15.8 There is also a requirement for the applicant to enter into a legal agreement to dedicate the new layby and footway as adopted highway to ensure its long-term maintenance and access by waste vehicles. As part of Burlington Avenue is currently unadopted and the Council will seek to adopt this part so that the road can be maintained to accommodate traffic long-term. The applicant will be required to enter into a S278 agreement to upgrade the west side of Burlington Avenue and to provide a speed bump in order to make the scheme acceptable in planning terms. The agreement can be secured as part of the Section 106 requirements and the applicant has no objection to this requirement.

15.9 Subject to conditions, the scheme is not considered to have an adverse impact on highway safety and convenience and the scheme is therefore considered to be acceptable in light of Core Policy 7 of the Core Strategy, Policy T2 of The Adopted Local Plan for Slough 2004 and the parking standards set out in Developer Guide 3 (Parking Standards Table 5) and the NPPF.

16.0 Drainage and Flood Risk

16.1 The site is located within flood zone 1 and therefore flood risk is minimal. Detailed drainage information was submitted with the application and considered by consultees.

16.2 Thames Water have reviewed the application and have raised no objection in respect of surface drainage proposals and flood risk subject to conditions. The Local Lead Flood Authority similarly has no objections subject to conditions, all of which are included in the recommendation.

16.3 There are no objections in respect of drainage and flood risk as a result.

17.0 Energy and Sustainability

- 17.1 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.
- 17.2 The application included an Energy Statement which concludes that the proposal can achieve the required minimum of 30% reduction in CO₂ emissions over the baseline figures of Building Regulations Part L 2021. This is achieved through the inclusion of high levels of thermal insulation, incorporation of LED lighting and air permeability through the development.
- 17.3 The residential units proposed will have heating and hot water provided through a combination of air-source heat pumps and water sourced heat pumps. This proposal is acceptable.
- 17.4 The energy proposals are considered to be acceptable in planning terms subject to a condition that would require development to be implemented in accordance with the proposals in the applicant's submitted statement.
- 18.0 **Air Quality**
- 18.1 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.
- 18.2 The Council has adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic, 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.
- 18.3 The application site is not situated within an Air Quality Management Area (AQMA), therefore there will not be an unacceptable exposure to air pollution for future occupiers of the development.

18.4 An Air Quality Assessment was submitted as part of the application and no objection is raised by Environmental Quality. There are identified areas where there could be a temporary impact during the construction phase however these can be mitigated through the approval of a construction management plan. Further mitigation to reduce air quality is through the provision of EV charging points which can be secured by condition. There is a request for the provision of a car club space within the development as part of the mitigation which aligns with the request for a contribution towards such a space from Highways. The request is noted however there is limited space within the site for an accessible car club space and that, in this instance the car club consideration should be limited to considerations of a financial contribution only, which is considered at para 20.0 onwards.

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

19.0 **Crime Prevention**

19.1 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.

19.2 No comments have been 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.

19.3 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.

20.0 **Affordable Housing and Infrastructure**

20.1 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.

20.2 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.

20.3 The application is liable to affordable housing provision and financial contributions however the submission included a viability appraisal which claims that the development would not be viable if it were required to

provide full infrastructure contributions and affordable housing in line with the Developer's Guide.

20.4 Without prejudice, in accordance with the Developers Guide, this scheme would, in principle, result in the following contributions being sought:

Affordable Housing

The application proposes 104 units and has been submitted stating there are viability issues. In accordance with the Developer's Guide there is an affordable housing requirement of 35% which equates to 37 units from this development.

Education

On the basis of the housing mix proposed, the following contributions towards education will be required:

1-bed units – 33no x £903
2+-bed units – 71no x £4,828

Total = £372,587

Recreation/Open Space

No contribution is sought in this instance as the proposal provides private amenity space for all units as well as soft landscaped community space.

Highways

The following contributions have been identified:

- £6,000 towards Traffic Regulation Order (TRO) costs for a loading bay, car club bay and amended parking restrictions;
- £3,000 towards Travel Plan Monitoring
- Provision of a speed hump on Burlington Avenue

20.5 In respect of viability, the NPPF states, at para 58:

The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

20.6 The viability assessment has been considered by the Council's consultant. The applicant's position is that the scheme is not viable with the requirement to provide affordable housing and infrastructure contributions.

The Council's consultant has reviewed the information and as part of their assessment and has identified areas of disagreement with the applicant's viability appraisal although the disagreements were minor in terms of affecting the overall conclusions. Where differences were discovered, the consultant recalculated viability using more appropriate figures. For this proposal the assessment by the Council's consultant concluded that there would be a deficit of approximately £3.6million as opposed to a concluded deficit from the applicant of approximately £4.1million.

20.7 In spite of the viability issues, the applicant has proposed a number of contributions which are included in a table below. The discussions on Section 106 contributions have taken place over a number of meetings. The initial offering was considered against the requirements as set out in the Developer's Guide. Officers were of the view that there could be room to review and improve the affordable housing offer and discussions took place to request a review with a view to increasing to better reflect one of the Council's priorities.

Contribution	Amount required	Initial Amount offered	Review/final amount offered
Education (overall)	£372,587	£372,587	-
Slough Car Club (Highways)	£30,000	£30,000	-
Affordable Housing	37 units within the development	5 units within the development (amounting to 4.8%)	13 units within development (amounting to 12.48%)
TRO costs for a loading bay, car club bay and amended parking restrictions	£6,000	£6,000	£6,000
Travel Plan Monitoring	£3,000	£3,000	£3,000
Provision of speed hump on Burlington Avenue		To be secured via section 106	To be secured via the section 106

The table will be referred to in the additional commentary on Section 106 contributions below.

20.10 Members will note that the education contribution and car club contribution have been removed. In terms of the education contribution, this is directly related to the change in ground floor occupation of the commercial units proposed to an Early Years Nursery/Daycare facility that is intended to occupy the full commercial floorspace proposed. The Early Years Team have stated that there is currently insufficient capacity within the town centre to accommodate existing demand for early years provision and this site would make a positive contribution to meet the need. There is also

likely to be increased pressure and demand for early years provision within the town centre to accommodate the future need for such provisions. The floors plans, in terms of the layout, will be required to be changed to accommodate a day nursery as it would occupy all the non-residential floorspace on the scheme. The proposal is for flexible retail Class E and as a day nursery would fall within Class E, it is not considered that changes to the layout would result in a material change as the commercial floorspace overall would remain at 390sqm. In the event for matters outside the applicant's control, such as not being able to find a suitable provider to take the day nursery, then the full amount of the education contribution would be secured through a Section 106 mechanism, which amounts to £372,587. As previously advised, discussion were held to try to increase the amount of affordable housing that the scheme provides, which is discussed below.

- 20.11 The affordable housing proposal remains less than the figures set out in the Developer's Guide but has been increased to 13 units or an equivalent commuted sum following discussions with Officers aimed at achieving more. Officers recommend that for this development, in this location, the affordable housing contribution should be the 13 units offered. The increased offering has come at the expense of the car club contribution however the applicant has also committed to securing occupancy of the commercial floorspace for early years provision which will come at an additional cost. The viability circumstances with this proposal are such that the development could not afford to provide any affordable housing without resulting in a deficit. The final offer of 13 units on site is made in spite of the viability circumstances. The Council has been able to secure some form of affordable housing contribution or provision on the vast majority of schemes that are proposed with viability issues. The offer should be considered on its individual merits and the offer of 13 on site units, while less than the Developer's Guide target and a small provision in general, is considered to be a benefit of the development and therefore attracts some positive weight. Positive weight can also be applied to a commitment to securing early years facilities at ground floor level. This can be secured as a commitment through the Section 106 agreement.
- 20.12 With regards to the requirement to provide First Homes, which requires at least 25% of affordable housing, Officers have secured 12.48% towards affordable housing within the Borough. The tenure and type of housing that will be secured through the section 106 agreement will meet the needs and demands of local people. Given that the scheme is not viable, at this stage, it would not be possible to secure any further affordable housing provision. The Applicant has proposed that the affordable housing provision will be shared ownership, and officers will secure that this is reasonably accessible and affordable to local residents in the section 106. Officers consider the affordable housing provision represents the optimum affordable housing provision for the development and therefore, the shared ownership tenure is preferred by Slough over First Homes, at this time.

20.13 In accordance with the Developer Guide, it will be required that the applicant agrees to review mechanisms in a Section 106 Agreement that would allow two opportunities reappraise of the site in the future to determine if viability has changed and therefore obligations could be secured in the future. Such obligations have been secured in other proposals and is considered to be consistent with other decisions. It is recommended that the initial review is undertaken prior to the commencement of development with the second 'late-stage review' taking place at an appropriate point. As the affordable housing proposal provides on-site units the viability review should be looking principally to secure further units. On this basis it is recommended to Members that the second review is required relatively early in the sales process, at 30%. This is a trigger point that is recommended by the Council's viability consultant giving the optimum opportunity for securing additional units on this development and it is recommended that it is adopted.

21.0 Habitat Impacts

21.1 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.

21.2 Paragraph 180 of the NPPF 2021 states that when determining planning applications, if significant harm to biodiversity cannot be avoided or adequately mitigated or as a last resort compensated for then planning permission should be refused. It also states that opportunities to incorporate biodiversity improvements in and around the developments should be encouraged, especially where this can secure measurable net gains for biodiversity. Core Policy 9 of the Core Strategy relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.

21.3 Regulation 61 of The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended), requires the local planning authority to make an appropriate assessment of the implications of a particular proposal, alone or in combination with other plans or projects on any likely significant effect on a European Site designated under the Habitats Directive

21.4 Evidence put forward within the Footprint Ecology report 'Impacts of urban development at Burnham Beeches SAC and options for mitigation: update of evidence and potential housing growth, 2019' recognises that new housing within 5.6km of the Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure.

- 21.5 The site is located approximately 5.4 km (as the crow flies) from the Burnham Beeches Special Area of Conservation (SAC) and therefore falls within the potential 5.6 km development impact zone as proposed within the evidence base carried out by Footprint Ecology.
- 21.6 The Local Planning Authority are currently working with Natural England to produce a Supplementary Planning Document to support a tariff based mitigation strategy for all new housing applications within 5.6km of the SAC. However this is yet to be agreed, and therefore each application needs to be considered on its own merits.
- 21.7 The applicant has submitted a Habitat Screening Assessment as part of the application which has concluded that an appropriate assessment is required. The assessment was only preliminary and a more detailed assessment is required in order to enable the Council to make an informed appropriate assessment. At the time of drafting the report the Council had not received the assessment and the recommendation reflects this circumstance. The Council has a mitigation solution, in place with a fee of £570 per dwelling towards enhancements and proposals at Upton Court Park for development such as this where an appropriate assessment identifies a requirement for such mitigation. The issue regarding mitigation therefore remains outstanding but it is considered that the matter can be linked to the completion of a section 106 agreement if payment is identified. Therefore, the recommendation includes a requirement for the mitigation package to be secured by the Council and for an appropriate assessment to be carried out by SBC in advance of issuing any decision.

22.0 Fire Safety

- 22.1 The building exceeds 6 storeys in scale which makes it a 'relevant building' in respect of requiring a fire safety assessment. The Health and Safety Executive (HSE) were consulted on the application and requested additional information to be submitted as the applicant's fire assessment was incomplete.
- 22.2 The initial comments from the HSE highlighted an area where there would be concerns regarding fire safety. In response to this the applicant submitted amended plans to alter the layout to ensure the issues identified were addressed.
- 22.3 The amended plans have resulted in no issues being raised from HSE and there are no fire safety concerns from a planning perspective as a result.

23.0 Neighbour Representations

- 23.1 Three neighbour letters have been received through the course of this application. The report has specifically addressed impacts on neighbouring residents and highways as part of considerations.
- 23.2 There were also objections received regarding surrounding parking and congestion problems on the High Street, traffic flow issues, alterations to William Street and for the High Street to be pedestrianized. The highways officer has reviewed this application in detail and secured mitigation which is directly related to the proposal and application site. The issues raised are wider matters which would form considerations outside the scope and remit of this application and would therefore not be reasonable for the applicant to resolve. Furthermore, the mitigation sought in terms of the highways works which are set out in the highways section of this report, are considered to be proportionate, appropriate as they result directly to the impact of the development and therefore necessary.

24.0 Equalities Considerations

- 24.1 The Council is subject to the Public Sector Equality Duty in section 149 of the Equality Act 2010, which (amongst other things) requires the Council to have due regard to the need to eliminate discrimination/harassment/victimisation, advance equality of opportunity between people who share (and do not share) a protected characteristic and foster good relations between people who share (and do not share) a protected characteristic.
- 24.2 Having due regard to the need to advance equality of opportunity between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 24.3 Having due regard to the need to foster good relations between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) tackle prejudice; and (ii) promote understanding.
- 24.4 The protected characteristics referred to in the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The PSED is

a continuing duty to have regard to the objectives identified in the Act as opposed to requiring the Council to achieve any particular outcome.

- 24.5 Throughout this report, regard has been had to the needs of individuals with these protected characteristics, as required by the Act in order to understand the likely impact of the development proposal on them. Given that the duty is an ongoing one the Council will continue to have regard to it throughout the detailed design stage of this development proposal in due course.
- 24.6 The proposal would provide new residential accommodation. The applicant has advised that 5% of the proposed units will be constructed to meet Part M of Building Regs requirements to provide units for wheelchair users. Access from the public footway to the building is considered appropriate and units can be safely accessed directly from the disabled parking spaces at the rear via a lift. The proposed commercial units are shown to have a level threshold access and all floorspace is at ground floor level.
- 24.7 In relation to the car parking provisions, the plans show the provision of disabled spaces that are closely located to access points to the building. Internal corridors are designed to accommodate the needs of residents and visitors with disabilities
- 24.8 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. This could be secured by condition should the scheme be acceptable.
- 24.9 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.

25.0 Presumption in favour of sustainable development

- 25.1 The Council is currently unable to demonstrate a deliverable 5 year housing land supply. As a result, Paragraph 11 of the NPPF is engaged. This means that sustainable development proposals should be granted unless

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

25.2 In consideration of whether or not development is sustainable, para 8 of the NPPF set out 3 objectives that should be met in order for a scheme to be considered sustainable development; the economic, social and environmental objective.

25.3 In the application of the appropriate balance, it is considered that there are some benefits from the scheme.

- The provision of 104 residential units in a sustainable location should be given positive weight although this weight is slightly reduced through not meeting the desired housing mix. Nevertheless, it is recommended that this benefit be given substantial positive weight.
- 13 of these flats are proposed as affordable housing units which are offered in spite of viability issues with the site. The offer is lower than required through the Developer Guide, coming in at 12.48% but it is something that should be afforded positive weight and in this instance it is recommended to apply significant positive weight in light of the viability circumstances at the site.
- The application includes the provision of some financial contributions towards transport infrastructure and education provision (on-site provision or financial contribution) and these are considered to be positive benefits that should be given considerable positive weight as they benefit the local users within the town centre in addition to the residents within the development.

In terms of adverse impacts, the development will result in a significant increase in height and massing within the streetscene and the building will be notably higher than its adjacent neighbours. While the design has been through pre-application processes to address these issues there remains a change to the character of the streetscene. Officers consider the development would have a minor adverse impact on the character of the area as a result of the step change in height and massing, but this would not be significantly harmful to townscape character and should be afforded only limited adverse weight in the planning balance.

25.4 As is the case with proposals when para 11 of the NPPF is engaged, the application does present a balanced case. The significant benefits of housing provision, considerable benefits of transport infrastructure contributions and limited benefits of the affordable housing provision and parking spaces are considered to outweigh the identified impacts and the proposal should be regarded as sustainable development. It is considered that the proposed development would comply with the Development Plan as a whole as the most important policies are broadly complied with. It is noted that the minor conflicts with the Core Strategy housing policies (with

regards to affordable housing) are given limited weight as they are considered to be out of date.

26.0 PART C: RECOMMENDATION

26.1 Having considered the relevant policies set out above, comments from consultees as well as all relevant material considerations it is recommended the application be delegated to the planning manager for approval subject to the completion of a Section 106 Agreement to secure habitat and infrastructure mitigation contributions, a viability review mechanism and highway works and the following conditions listed below.

27.0 PART D: CONDITIONS

27.1 CONDITIONS:

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 Number 222035/PA/001, dated 02/2023, received 15/02/2023
- b) Drawing Number 222035/PA/010, dated 02/2023, received 15/02/2023
- c) Drawing Number 222035/PA/110, dated 02/2023, received 15/02/2023
- d) Drawing Number 222035/PA/120 Rev A, dated 26/04/2023, received 02/05/2023
- e) Drawing Number 222035/PA/121, dated 02/2023, received 15/02/2023
- f) Drawing Number 222035/PA/122, dated 02/2023, received 15/02/2023
- g) Drawing Number 222035/PA/123, dated 02/2023, received 15/02/2023
- h) Drawing Number 222035/PA/130, dated 02/2023, received 15/02/2023
- i) Drawing Number 222035/PA/131 Rev A, dated 26/04/2023, received 02/05/2023
- j) Drawing Number 222035/PA/132, dated 02/2023, received 15/02/2023
- k) Drawing Number 222035/PA/133, dated 02/2023, received 15/02/2023
- l) Drawing Number 222035/PA/134, dated 02/2023, received 15/02/2023
- m) Drawing Number 222035/PA/140, dated 02/2023, received 15/02/2023
- n) Drawing Number 222035/PA/141, dated 02/2023, received 15/02/2023
- o) Drawing Number 222035/PA/142, dated 02/2023, received 15/02/2023

In respect of the development hereby permitted, it shall provide no more than:

- 104 residential units (Class C3)
- 390 sqm of commercial (Class E) uses at ground floor level

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. Materials

Prior to the commencement of any above ground works, details of all facing materials, including render colours, glazed facades, timber louvres and metal framework framing to be used on the relevant block on all external facades and roofs of the buildings, shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be displayed on site for inspection prior to works commencing on the relevant part of the development. No part of the development shall be used or occupied prior to the implementation of the approved details. The development shall be carried out strictly in accordance with the approved details.

REASON: To ensure a satisfactory external appearance of the development and in accordance with Policy EN1 of the Local Adopted Plan for Slough 2004, Core Policy 8 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 (2021).

4. Secure by Design

No part of the development hereby permitted shall be occupied until details of the measures to be incorporated into the development to demonstrate how 'Secured by Design Gold Award' accreditation will be achieved has been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall not be occupied or used until written confirmation of Secured by Design accreditation has been submitted to the Local Planning Authority. The approved security measures shall be retained thereafter.

REASON In order to minimise opportunities for crime and anti-social behaviour in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework (2021).

5. Landscaping

Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a. details of all hard surfacing;
- b. details of all boundary/barrier treatments;
- c. details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.
- d. details of irrigation system for soft landscaping aftercare
- e. details of equipment storage for the care and maintenance of the roof terrace.

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

6. Landscape Management Plan

None of the uses hereby approved shall commence until a landscape management plan, which include the maintenance regime for drainage, 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 unless otherwise agreed in writing by the Local Planning Authority.

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.

7. Lighting

No part of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme and retained thereafter.

REASON In the interests of safeguarding the amenities of neighbouring properties an to provide safer access to the cycle store in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework 2021.

8. Construction Traffic Management Plan

No construction or development shall commence on site until a Construction Traffic Management Plan (CTMP) has been submitted and approved in writing by the Local Planning Authority. The CTMP shall include a site set up plan and details of:

- hours of construction, duration of construction,
- hours of deliveries,
- traffic management measures,
- construction traffic routing, wheel washing facilities,
- storage of materials,
- provision to be made to accommodate all site operatives,
- visitors and construction vehicles loading (to a minimum Euro 6/VI Standard),
- off-loading, parking and turning within the site and machinery to comply with the emission standards in Table 10 in the Low Emissions Strategy Guidance.

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

REASON: In the interest of minimising danger and inconvenience to highway users and in the interests of air quality and to ensure minimal disruption is caused to existing businesses in the shopping centre area in accordance with policies 7 and 8 of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2021.

9. Construction and Environmental Management Plan

No development shall begin until details of a scheme (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:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations

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, and the guidance set out in the National Planning Policy Framework (2021).

10. Mechanical Filtered Ventilation

Prior to the occupation of any residential unit hereby approved, details of the proposed system of Mechanical Filtered Ventilation (including proposals for overheating mitigation) within each flat shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried in full accordance with the approved details prior first occupation and retained thereafter. Each Mechanical Filtered Ventilation unit shall then be used and maintained in accordance with the manufactures requirements at all times in the future.

REASON to ensure existing and future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework (2021).

11. Noise

None of the residential units hereby approved shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) Specifications of the proposed windows and glazed door installations. The details shall demonstrate that the proposed windows/glazed doors ensure that internal noise levels in line with BS8233:2014 are not exceeded
- b) Details of the proposed mechanical ventilation including details of ventilation noise outputs along with a noise assessment in accordance with any mitigation in accordance with ProPG: Planning and Noise Guidance and BS8233:2014 shall be submitted to and approved in writing by the Local Planning Authority.
- c) If the proposed system of ventilation does not include temperature control, an overheating assessment must be submitted that sets out specific mitigation measures to ensure residents will not be subject to overheating in the residential units hereby approved.

The development shall then be carried out in full accordance with the approved details prior to first occupation of the development hereby approved. Each Mechanical Ventilation unit shall then be used and

maintained in accordance with the manufactures requirements for the lifetime of the development.

REASON to ensure future residents are not subjected to unacceptable temperature levels once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008, and the National Planning Policy Framework (2021).

12. Shop front – to be confirmed - nursery use requirements

The windows in the shop front elevations for the E class uses at ground floor shall be constructed in clear glass and there shall be no obstruction, colouring, laminating, or similar behind the glass that would prevent or restrict views into the ground floor unit.

REASON In the interests of protecting the visual amenity, vitality and viability of Slough town centre in accordance with the provisions of Policies S1 and EN1 of The Adopted Local Plan for Slough 2004 and Policy 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework (2021).

13. Sustainability and Energy Statement

The development hereby approved shall be implemented to fully include the proposals and measures set out in the Sustainability and Energy Statement produced by Ensphere, reference 20-E110-004 dated April 2022 unless otherwise agreed in writing with the Local Planning Authority.

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

14. Surface water drainage scheme (LLFA)

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.
- iv) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.
- v) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.

Reason: To reduce the risk of flooding both on and off site 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 2021 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.

15. Surface water drainage system (LLFA)

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, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

16. Flood Risk

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, from RMB Consultants (Civil Engineering) Ltd, dated 02/2023 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 and with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 - 2026, Development Plan Document, December 2008.

17. Piling Method Statement – Thames Water

If the proposed construction works include piling, no piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

18. Thames Water

No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that

sufficient capacity is made available to accommodate additional demand anticipated from the new development.

19. Bins

No part of the development shall be occupied commence until bin storage has been provided in accordance with the standards set out in the Slough Developers Guide.

REASON: To ensure that adequate refuse storage is provided to serve the development, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

20. Travel Plan

No part of the development hereby approved shall be occupied until an amended Travel Plan has been submitted to and approved in writing by the Local Planning Authority. Once agreed, the development shall operate in accordance with the agreed Travel Plan. The Travel Plan shall specify initiatives to be adopted by the operators of the site to encourage access to the site by a variety of non-car means. It shall set targets and shall specify a monitoring mechanism to ensure compliance with the Travel Plan objectives. The Travel Plan shall identify the travel plan coordinator and outline their responsibilities in pursuing the objectives of the Travel Plan; it should also state who the Travel Plan Co-ordinator will report to. Should the targets within the Travel Plan not be met, the operator should undertake whatsoever measures, as may first have been agreed in writing by the Local Planning Authority, as are necessary to cause a reduction in the number of car borne trips to ensure the targets are achieved. The Plan shall set out a five year plan with measures introduced within three months of receiving approval from the Local Planning Authority. The Plan shall be under constant review with further surveys every two years thereafter. An Annual Report providing a review of progress towards targets and of the implementation of the Travel Plan shall be sent to the Local Planning Authority.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway, to reduce travel by car in accordance with Policy T15 of the Slough Local Plan 2004 and to meet the objectives of the Slough Integrated Transport Strategy.

21. Means of 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, in accordance with Core Policy 7 of the Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008.

22. Car parking

Prior to the development hereby approved first being brought into use, 12 no. car parking spaces shall be provided and made available for use in connection with the residential development and 8 no. car parking spaces shall be used in connection with the 4 no. retail units. The car parking spaces shall not be used for any separate business, commercial or residential use 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.

23. Electric vehicle charging

Prior to the first occupation of each unit, the residential car parking provision for the development shall be provided, including 1 electric vehicle charge point per dwelling – and a total of 12 electric vehicle charging points. The residential electric vehicle charging points must have a 'Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure vehicle parking is provided and encourage up-take of electric vehicle use, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2021).