

Registration Date:	31-May-2023	Application No:	P/00740/008
Officer:	Michael Scott	Ward:	Slough Central
Applicant:	TR Land Acquisition Ltd	Application Type:	Major
		13 Week Date:	30 August 2023 [EoT 30 Nov 2023]
Agent:	Simon Millett, Walsingham Planning, Bourne House, Cores End Road, Bourne End, SL8 5AR		
Location:	ICI Dulux Decorator Centre, Petersfield Avenue, Slough, Berkshire, SL2 5EA		
Proposal:	Construction of a five storey building with basement level to provide 22 no. residential apartments with associated access, parking, landscaping and all associated works.		

**Recommendation:** Delegate to the Planning Manager



## 1.0 **SUMMARY OF RECOMMENDATION**

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

A) Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure affordable housing, education and Burnham Beeches contributions, funding towards a zebra crossing (via a Section 278 agreement) that is required to mitigate the impact of the development.
- (ii) Finalising conditions and any other minor changes;

or

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

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

## **PART A: BACKGROUND**

### 2.0 **Proposal**

2.1 This is a full planning application for:

- Demolition of the existing commercial unit.
- Construction of a part four/part five-storey building.
- Provision of 22 self-contained residential units with a mix of:
  - 6no. 3-bedroom units;
  - 11no. 2-bedroom units and
  - 5no. 1-bedroom units.
- The formation of a semi-basement (lower ground floor) level to provide on-site parking for cars and a van, as well as, and cycle storage facilities.
- Access to the lower ground floor level parking court would be from a ramp at the south-west corner of the site on Petersfield Avenue.

- The car parking would comprise 22 spaces with one space designated for blue badge holder.
- Each of the 22 spaces would be provided with an EV charging facility.
- The provision of an on-site space for a van enabling deliveries off-street at lower ground floor level.
- Secure bin and recycling storage facilities at ground floor level accessed from the vehicular ramp.
- Roof level provision of solar panels.

### 3.0 **Application Site**

- 3.1 The site is that of the former Dulux Decorator Centre which still comprises a detached, single-storey, rectangular building that sits back from the front of the site with hardstanding around. The building was used for the sales of paint and other decorators' equipment under Class E. The building is now vacated with some use of the hardstanding by the adjacent car service centre. Access points exist at the south-western corner of the site and the south-eastern corner, too.
- 3.2 Ground levels at the front of the application site are similar between it and the neighbouring adjacent sites on Petersfield Avenue with little difference to that behind at the properties in St Paul's Avenue.
- 3.3 To the south, almost directly opposite the current application site lies the distinctive three limbed office building on the main Akzo Nobel site. This large comprises the offices closest to the Wexham Road frontage and a vast area of open parking in two parts either side of an access and circulation roadway, somewhat to the south-west of the application site.
- 3.4 To the west is the Slough Tyre centre premises. This comprises an equivalent of a two-storey building with "blind" (i.e. it has no window openings), metal clad exterior. There is a large open hardstanding at the south-east corner of the site adjacent to the current application site. The vehicular access to the premises is at the back of the hardstanding.
- 3.5 To the east is the site occupied by Kia Motors. Their premises comprise a split level building of equivalent two-storeys, with the higher part on the rising ground levels approaching Wexham Road to the east. There is an extensive area of forecourt parking for car sales.
- 3.6 To the north lie residential properties on St Paul's Avenue. These are two-storey, semi-detached dwellings with long south facing gardens, many of which have detached outbuildings at their southern end adjacent to the application site boundary but at a slightly higher ground level.

- 3.7 There are currently two access points from Petersfield Avenue – one to the south-west and the other to the south-east of the frontage.
- 3.8 The site lies at a location designated as a designated Business Area in the Local Plan and falls within Flood Zone 1.
- 3.9 For completeness, it should be noted: The site is located outside of the town centre; the site does not lie in a conservation area; there are no heritage assets nearby; and there are no protected trees in the vicinity.

#### 4.0 **Site History**

- 4.1 There is no planning history for the site.
- 4.2 A pre-application enquiry – reference. 1553 – was described by the agent in their form as development by “*Five-storey building to provide 22 flats.*”

This involved the re-development of the current application site by a five storeys building of 22 residential units having a mix of units consisting of 5 x 1 bed, 11 x 2 bed and 6 x 3 bed flats.

- 4.3 The officers’ concluding remarks in a letter dated 1<sup>st</sup> December 2022 regarding Pre-App/1553 were, as follows:

*“It is considered that the principle of development could be found to be acceptable subject to a more robust approach to justifying the land use proposed.*

*Other issues that have been raised can be addressed through design which may materially affect the proposal however if the loss of employment land can be justified, designs could progress to address the impacts.”*

- 4.4 Of relevance to the assessment of the current application is the recent history of nearby sites; namely:

BMW House (P/00988/015) - Demolition of the existing B8 and B1 office and warehouse and the construction of a part 4, part 3 and part 2 no. storey residential building comprising of 24 no apartments, with a semi basement car park - APPROVED – 14/03/2018 – Now built.

BMW House extension (P/00988/016) - Construction of an additional storey on top of existing apartment building. New floor to provide 4no. additional apartments comprising 3no. 1 bed apartments and 1no. 2 bed apartment, and associated parking – APPROVED – 02/05/2019 – Now built.

Akzo Nobel (P/00072/096) - Outline planning application ... for mixed use development comprising:... up to 1,000 residential dwellings; along with flexible commercial uses including ... use classes A1 (Shops), A2 (Financial and Professional Services), A3 (Food and Drink), D1 (Non-residential Institutions) and D2 (Assembly and Leisure); ...and the provision of commercial floorspace ... use classes B2 (General Industry), B8 (Storage or Distribution) and sui generis data centre – APPROVED – 19/11/2020. – Now under construction.

Thomas House (P/02028/008) - Demolition of the existing building (Use Class B2) and construction of a 5 storey building with lower ground parking, to accommodate 18 residential units (Use Class C3) with associated works – Resolution to grant permission, subject to a section106 Agreement.

Grace House (P/19642/000) - Demolition of the existing B8 commercial building, and the construction of a 5 storey building, with semi-basement parking to provide 50 no. residential apartments – Resolution to grant permission, subject to a section 106 Agreement.

## 5.0 **Neighbour Notification**

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020, four site notices were displayed relating to the current submission – two on lampposts in the immediate vicinity of the site’s location on Petersfield Avenue and two on lampposts in the vicinity of the rear of the site on St Paul’s Avenue – each respectively on 24/07/2023. The application was advertised as a major application in the 14/07/2023 edition of The Slough Express.

5.2 No representations have been received.

## 6.0 **Consultations**

### 6.1 **Highway Authority**

#### **Introduction**

This document provides Slough Borough Council’s consultation response regarding Highways and Transport for planning application No. P/00740/008 at the ICI Dulux Decorators Centre on Petersfield Avenue, SL2 5EB.

#### **Vehicle Access**

SBC Transport Officers would have no objection to the proposed vehicle access arrangements for the proposed development. The NPPF outlines in Paragraphs 110 and 112 that developments provide safe and suitable access for all users and that in assessing applications for development it should be ensured that: *‘The design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide’.*

The applicant has demonstrated that suitable visibility can be provided in accordance with Manual for Streets at the proposed vehicle access junction. RGP Drawing No. 2023/7046/003-Rev-P1 titled *‘Visibility Splays’* shows 2.4m x 43m of visibility in accordance with the Manual for Streets visibility standard for a 30mph speed limit.

The redundant crossover would be closed, and the footway/kerb reinstated across the eastern crossover by the developer. Swept path analysis has been provided which demonstrates that there is suitable space within the development for a 4.572m long car to turn within the site and a 3.5T/5.339m long panel van.

The applicant will be required to enter into a Section 278 agreement for the access works in the event that the application is granted approval.

#### Zebra Crossing Section 106 Contribution

The applicant has agreed a contribution of £37,097 towards the provision of a Zebra Crossing on Petersfield Avenue. This will be secured by Section 106 agreement. This will allow the council to provide a crossing facility and facilitate additional demand for residents to walk towards Slough Railway Station, Tesco Extra and Slough Town Centre.

#### Car Parking

SBC Transport Officers are satisfied with the number of car parking spaces proposed on site. 22 car parking spaces are proposed on site, providing 1 car parking space per dwelling.

Slough’s Car Parking Standards dwellings in the ‘Rest of Town Centre’ area require 40 car parking spaces. However, SBC Transport Officers are satisfied with 1 space per dwelling given Slough Railway Station, Slough Town Centre and Tesco Extra are situated within walking distance of the site.

<b>Slough Parking Standards (Rest of Town Centre)</b>		
<b>Dwelling Type</b>	<b>Spaces Per Dwelling</b>	<b>Car Parking Requirement</b>
1 Bedroom flat (x5)	1.5	8
2 Bedroom flat (x11)	1.75	20

3 Bedroom flat (x6)	2	12
<b>Total Car Parking Spaces</b>		<b>40</b>

Slough's Car Parking standards define Petersfield Avenue as an Existing Business Area. The standards for the Rest of Town Centre area have been applied by officers given Petersfield Avenue has become more residential during the past decade with light industrial sites being redeveloped.

The number of car parking spaces proposed is also consistent with the car parking provided at other housing developments approved by SBC on Petersfield Avenue such as BMW House (P/00988/015: 24 dwellings and 24 car parking spaces) and Thomas House (P/02028/008: 18 dwellings and 18 car parking spaces).

#### Disabled Car Parking

One disabled car parking space is proposed on site. This meets DfT requirements for 5% of car parking spaces to be set aside for Blue Badge/Disabled drivers (Inclusive Mobility, DfT, 2021).

#### Electric Vehicle Parking

SBC are satisfied with the proposal to provide 1 EV Charging Point per dwelling. The Slough Low Emissions Strategy (2018 – 2025) requires the provision of 1 EV Charging Point per dwelling, for 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'*.

#### Deliveries, Servicing and Refuse Collection

SBC Transport Officers have no objection to the development due to the arrangements for managing deliveries. The majority of delivery vehicles will stop on Petersfield Avenue as with the arrangements for accommodating deliveries to the flats at BMW House and other houses/flats along Petersfield Avenue and Mill Street.

A parking space for a small van has been provided which could accommodate any small vans that need to enter the site for scenarios such as removals.

NPPF Paragraph 112 requires that applications for development *'allow for the efficient delivery of goods, and access by service and emergency vehicles'*.

### Cycle Parking

SBC Transport officers require further details of cycle parking are secured by planning condition. 22 cycle parking spaces should be provided. The proposed site plan displays cycle parking in the form of individual cycle lockers; although some lockers appear too small and the 22 spaces would be more efficiently provided in an open plan store.

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.

### Summary and Conclusions

I can confirm that I have no objection to the proposed development on highways and transport grounds. I would recommend that any approval is subject to the conditions and informatives [as set out in the Recommendation at 26.0] below.

#### 6.2 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 and informatives.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection, an informative has been included.

Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

#### *Water Comments*

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends an informative be attached to this planning permission.

### 6.3 Lead Local Flood Authority

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

We consider that if the scheme is recommended for approval that planning conditions are included as 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.

### 6.4 SBC Scientific Officer

I have reviewed the Phase I Contamination Assessment (“Desk Study”), reference no: LS6724, dated 11<sup>th</sup> April 2023, and prepared by Land Science.

Please see my comments below:

- According to the Council’s Priority List the proposed development is located on a site identified as low risk.
- The Conceptual Site Model (CSM) and Preliminary Risk Assessment (PRA) identified potential sources of contamination and recommend that further site intrusive investigation of carried out in order to assess and mitigate any potential residual risk to the proposed human health receptors.
- The report is approved.

Based on the above I recommend the conditions [as set out in the Recommendation at 26.0 below]

### 6.5 SBC Environmental Quality Officer

- The environmental noise assessment has been prepared by Scotch Partners in support of this application. The assessment is informed by a noise survey conducted from 28<sup>th</sup> – 30<sup>th</sup> March 2023, and additional measurements taken of lorry activities to assess the impact of HGVs passing the site from the AkzoNobel trans-shipping development and other commercial developments on Petersfield Avenue. The noise generated by the adjacent tyre fitting depot has also been considered.
- The assessment has endeavoured to follow a worst-case scenario by assessing the impact of 16 vehicle trips during the night (when the condition attached to AkzoNobel restricts movements to 10 per night), on the worst affected room (corner bedroom on front

- elevation with full glazing), using the full range of noise frequencies rather than providing an average. This approach is supported.
- With the application of glazing and ventilation specifications outlined in Section 5.3, it is expected that internal noise levels can be achieved. Due to the high external noise levels however, the internal noise levels will not be achieved with open windows. As such, the report recommends acoustic trickle ventilation, however it is stated in the report that other glazing and ventilation configurations may be suitable, and that the precise window specifications and their sound insulation performance would need to be determined at the detailed design stage. As such, details of this will be required via condition, which evidence that the choosing glazing and ventilation meet the recommendations outlined in the noise report, alongside manufacturer details and a schematic drawing indicating locations of specific glazing types and ventilation installations.
  - The report has not considered noise impacts on external amenity spaces (balconies). It is shown in the design drawings that balconies will be facing Petersfield Avenue, which is expected to have the highest noise levels. Based on the external noise measurements, it is expected that the noise levels on the front façade will exceed the external noise level criteria of 55dB LAeq by approximately 7dB, with frequent HGV pass-by events, therefore it is unlikely that future occupants will be able to enjoy this space. It has been argued with previous applications however that future occupants would prefer to have access to this space despite the noise, than to not have any external amenity at all, therefore it should be a planning matter as to whether the balconies are retained.
  - Although the noise report has commented on construction noise, an assessment has not been undertaken, due to the lack of detail on construction methodologies. It is requested therefore that a CEMP is provided via condition, which includes details of noise mitigation.

## 6.6 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.

This application is supported by a HRA screening report (May 2023). Natural England agree with the conclusion that the proposed development will have a Likely Significant Effect on Burnham Beeches SAC and therefore mitigation measures will be necessary to rule out adverse effects on integrity.

Upton Court Park Suitable Alternative Natural Greenspace (SANG) could function as the mitigation for this development with contributions made towards its improvement, should the SANG have sufficient capacity remaining.

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

#### **7.1 National Planning Policy Framework (2023) and National Planning Policy Guidance:**

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

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

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

Core Policy 1 – Spatial Strategy

Core Policy 3 – Housing Distribution

Core Policy 4 – Type of Housing

Core Policy 7 - Transport

Core Policy 8 – Sustainability and the Environment

Core Policy 9 – Natural, built and historic environment

Core Policy 10 – Infrastructure

Core Policy 11 - Social cohesiveness

Core Policy 12 – Community Safety

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

EN1 – Standard of Design

EN3 – Landscaping Requirements

EN5 – Design and Crime Prevention

EMP3 – Loss of Employment Land

H9 – Comprehensive Planning  
H14 – Amenity Space  
S1 – Retail Hierarchy  
T2 – Parking Restraint  
T8 – Cycle Network and Facilities  
T9 – Bus Network and Facilities  
OSC15 – Provision of Facilities in new Residential Developments

#### 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

#### 7.4 The Proposed Spatial Strategy (Nov 2020)

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

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

#### 7.5 Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive. Since 31st December 2020, the UK requirements for Habitat Regulations Assessments is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened

habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world.

HRA employs the precautionary principle and Reg. 102 ensures that where a project is 'likely to have a significant effect' (LSE), it can only be approved if it can be ascertained that it 'will not adversely affect the integrity of the European site'. Burnham Beeches is designated a SAC under this Directive which is located to the north of Slough. The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC).

7.6 Buckinghamshire SPD Burnham Beeches Special Area of Conservation

Buckinghamshire Council adopted (in November 2020) a Supplementary Planning Document (Burnham Beeches Special Area of Conservation – strategic Access Management and Monitoring Strategy) which requires developers to make a financial contribution per dwelling for mitigation irrespective of dwelling type or size in a zone between 0.5km and 5.6km from Burnham Beeches. The threshold, in terms of the size of development, when a contribution will apply is for schemes of 10 net additional homes.

7.7 Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The revised version of the National Planning Policy Framework (NPPF) was published in September 2023.

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

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2023, the Local Planning Authority cannot demonstrate a Five-Year Land Supply. Therefore, when applying Development Plan Policies in relation to

the development of new housing, the presumption in favour of sustainable development will be applied, which comprises a tilted balance in favour of the development as set out in Paragraph 11(d) (ii) of the National Planning Policy Framework 2023 and refined in case law. The 'tilted balance' as set out in the NPPF paragraph 11 requires local planning authorities to apply the presumption in favour of sustainable development (in applications which relate to the supply of housing) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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

## 7.8 Equality Act

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

## 7.8 The planning considerations for this proposal are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Housing mix
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Flooding and drainage
- Trees and landscaping
- Habitats
- Energy and sustainability
- Air quality
- Heritage issues
- Land contamination
- Infrastructure and Section 106 Contributions
- Presumption in favour of sustainable development
- Equalities Considerations

## 8.0 **Principle of development**

- 8.1 The site currently comprises the premises formerly used as a paint/decorators centre, which represents commercial/employment generating floor space, whilst performing a retail function. Therefore, these proposals entail the loss of employment generating floor space – last used as retail (Class E). The existing gross floorspace of the premises comprises approx. 250 sqm.
- 8.2 Paragraph 119 of the NPPF (2023) states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 8.3 Paragraph 123 of the NPPF (2023) states local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to: a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.
- 8.4 Paragraph 187 of the NPPF (2023) sets out that new development should be integrated effectively with local businesses and community facilities (such as places of worship, pubs, music venues and sport clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. The introduction of further residential accommodation in a mixed-use area where there are existing businesses shall be considered below.
- 8.5 Policy 4 of the Core Strategy states that in the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure.
- 8.6 Given the nature of the former commercial use of the site by ICI Dulux, the starting point in considering a scheme for the redevelopment of the site involving the loss of employment floorspace in terms of the Local Development Plan is Core Policy 5. This sets out that "*There will be no loss of the defined Existing Business Areas to non-employment generating uses, especially where this would reduce the range of jobs available*".

8.7 The proposal would result in the loss of 250 sqm. of employment floorspace, and it would therefore represent an exception to policy, which must be given significant weight in the planning balance.

8.8 The applicant's submission includes a Sales and Marketing Report, which states:

*“When it was known that the previous occupant was to move to new premises, the building was marketed by Sheridan Estates on the open market, including on Rightmove, Onthemarket.com and Auction House. It was also marketed via property portals which target prospective buyers and Sheridan Estate also approached its clients and contacts directly informing them of the availability of the premises. The premises were marketed for a period of 7 months.”*

8.9 The report concludes:

*“The premises were marketed for all uses, including retail, commercial and light industrial. No offers were received by these uses during the marketing period, apart from for the temporary/short term use of the forecourt for car washing and car storage at a significantly reduced rate and to keep the site secure and maintained.*

*The lack of permanent interest in the existing building is a result of its age and poor condition. Without major adaptation or its demolition and rebuild, the building is unsuitable and not fit for purpose to meet modern expectations and requirements of businesses and their staff. This is one of the reasons the previous occupier vacated the premises, with more attractive and fit for purpose premises readily available in the local area.*

*The required works to bring the building/site up to standard would render renting or purchasing the building unviable. It is therefore concluded that the building is beyond viable repair and is at the end of its life. There are also plentiful alternative commercial premises available in the local area, such as the Slough Trading Estate.”*

8.10 Therefore, it is considered that the loss of employment has to be assessed in relation to the thrust of paragraph 119 of the NPPF, as the site is proposed for residential use, in order to meet the housing allocation.

8.11 As Slough does not currently have a five housing land year supply, paragraph 11 of the NPPF must be considered. This states that in making decisions on applications,

*“d) where ...the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

- 8.12 Whilst further consideration shall be given to the significance of this matter under the tilted balance section below in this report, suffice to say here that the argument in favour of the proposals is met in the NPPF.
- 8.13 Furthermore, the emerging change in the composition of the area given the approval of the scheme for residential development at BMW House, Grace House, Thomas House and the Akzo Nobel site, as identified in paragraph 4.4 above, there is now a compelling case to support the principle of the proposed scheme given the need for housing and changing nature of the area. Overall, it is considered that this site is an opportunity to continue a residential belt on the north side of Petersfield Avenue that would contribute to a streetscene enhancement in this area.
- 8.14 Although there was the pre-existing retail use of the site by ICI, the site does not lie in a Designated Shopping Area, as such the retail function/use is not accorded any protection under the Local Development Plan, notwithstanding this it is acknowledged that jobs would be lost as a result of the proposed development.
- 8.15 In terms of the overarching requirement to effectively and efficiently use land, these proposals involve the redevelopment of the existing commercial floorspace by a more substantial building providing 22 new residential units. As such, it is considered that the proposals comply with the overall thrust of the NPPF.
- 8.16 Core Policies 1 and 4 which seek high-density, non-family type housing to be located in the Town Centre. In the urban areas outside of the town centre, new residential development is expected to be predominantly family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure.
- 8.17 Whilst the site is located outside of the Town Centre, it does lie close by the boundary and moreover in close proximity of many recent residential developments not only in Petersfield Avenue but at the former Akzo Nobel site on the east side of Wexham Road, where flatted schemes have been approved. Therefore, the principle of flatted development at this specific location is considered to be acceptable and not inappropriate in the context of the site.
- 8.18 Both the National Planning Policy Framework 2023 and the Local Development Plan seek a wide choice of high-quality homes which

should be considered in the context of the presumption in favour of sustainable development. The site is considered to be located in a sustainable location, as it benefits from access to public transport, including a reasonable walk time to Slough railway station, education, retail, leisure, employment and community facilities.

- 8.19 Paragraph 8 of the NPPF sets out that achieving sustainable development means that the planning system has three over-arching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 8.20 Paragraph 9 of the NPPF stresses that sustainable solutions should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 8.21 In Core Policy 1 the Council seeks a scale and density of development that will be related to a site's current or proposed accessibility, character and surroundings.
- 8.22 In Core Policy 8 the Council seeks all development to be sustainable, of high-quality design that respects its location and surroundings, in that it should respect the amenities of adjoining occupiers and reflect the street scene and local distinctiveness of the area.
- 8.23 Accordingly, in Core Policy 9 the Council states development will not be permitted where it does not respect the character and distinctiveness of existing townscapes. The impact of the current proposals is considered in section 9.0 below.
- 8.24 Having regard to the National Planning Policy Framework 2023 and the Local Development Plan, there are no objections to the principle of a flatted residential scheme.

## 9.0 **Impact on the character and appearance of the area**

- 9.1 The National Planning Policy Framework 2023 (paragraphs 126 and 130) encourages new buildings to be of a high-quality design that should be compatible with their site and surroundings. This is reflected in Core Policies 8 and 9 of the Core Strategy, and Local Plan Policy EN1.
- 9.2 The site lies in a part of Petersfield Avenue that is showing a considerable degree of change as former small-scale commercial buildings are being superseded by new residential buildings and approved schemes with a consistent height and character.
- 9.3 The proposed design of the scheme would provide a single building on the plot that fronts Petersfield Avenue. The overall scale of the building will rise to 5 storeys, which is reflective of the maximum heights of the

other developments permitted on Petersfield Avenue previously mentioned. The plans show that the proposed top (fifth) floor would be set back from the front wall of the proposal to give it a more subservient character.

- 9.4 It should be noted that the officers' advice in the pre-app in 2022 stated:
- "It is considered that 5 storeys is the absolute maximum of acceptable scale for this site."*
- 9.5 As such, it is considered that the submission is appropriate, as it would not be out-of-keeping with the emerging general massing and scale of the area and therefore are no objections to the scale of development as submitted.
- 9.6 The front elevation comprises a broad central element with small, slightly recessed wings to each side, which avoids the appearance of a slab fronted block, and provides for shadow lines to enliven the appearance of the scheme are characterised by a "base" – the ground floor – a "middle" – the first, second and third floor levels – and a "top" – the floors above.
- 9.7 The character of the scheme derives from its articulation of a "base" – the ground floor – a "middle" – the first, second, third, fourth floor levels – and a "top" – the fifth floor.
- 9.8 The base provides a well-defined entrance to the flats with generous proportions featuring a floor-to ceiling glazed style. To the far western side is the opening to serve the ramp to the lower ground floor level functions. The headroom of the under-croft matches the height of the ground floor window openings.
- 9.9 The horizontality of the middle accentuates an orderly and well-mannered pattern of fenestration.
- 9.10 The top features discretely recessed roof level accommodation, set in on both sides and from the rear façade, too. Additionally, it is proposed to have a different finishing material to further differentiate the top and thus ensure the scheme reads as four-storey building given the roof accommodation is set back and in from the main building.
- 9.11 The rear elevation follows the division of base, middle and top as per the front. Whilst the face of the elevation follows across the entire façade – there are no recessed "wings" – the detailing of the brickwork would provide the resemblance of the same feature as the front.
- 9.12 The side elevations are blank faces with the western elevation having a different brick to create a series of three panels at the base level in response to the under-croft within that part of the building.

- 9.13 The proposed building is sited with a gap between each of the adjacent plots. That on the west side would be wider given the angle of that boundary and the consequent arrangement of the vehicular access.
- 9.14 To the front, the whole building would be set back from the northern footway along Petersfield Avenue to afford the upper ground floor accommodation the scope for defensible space behind a boundary wall.
- 9.15 It is noted that the height, siting and the relationship of this scheme follows and mimics the approved schemes at BMW House, Grace House and Thomas House. As such, it is considered that the overall impression of the scheme would not lead to harm to the general feel and visual amenities of the locality.
- 9.16 Based on the above, it is considered that these current proposals would comply with the requirements of the National Planning Policy Framework 2023, Policy EN1 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.
- 9.17 In NPPF terms, the design of the proposals is afforded moderate positive weight in the planning balance given the development results in an improvement to the current low-grade environmental appearance of the streetscene and due to the efficient and effective use of land.

#### 10.0 **Impact on amenity of neighbouring occupiers**

- 10.1 The National Planning Policy Framework 2023 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.
- 10.2 As is set out above at 8.4, the NPPF in paragraph 187 stresses the requirement on an Local Planning Authority to ensure new development should be integrated effectively with local businesses and community facilities and that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.
- 10.3 As stated above, the flank elevations would be blank. Therefore, it is considered that these proposals would not prejudice the future redevelopment of the Slough Tyre Centre or Kia Motors site were proposals be brought forward for those plots in due course. Moreover, it is considered that these residential proposals do not conflict with the advice of paragraph 187 of the NPPF.
- 10.4 There are existing residential properties to the north of the site, with a separation distance of approximately 16 metres to the boundary at the

north, which abuts the rear gardens of these dwellings on St Pauls Avenue. Moreover, it is noted that there would be a separation distance of over 50 metres to the rear windows of those dwellings to the north.

10.5 Whilst it is noted that the proposals entail a taller building that would involve elevated outlook from the rear facing accommodation, it is considered that this distance would provide a suitable degree of separation in principle and that should be no direct overlooking impact to these neighbours' homes and no perception of overlooking.

10.6 A Daylight and Sunlight Study was submitted with the application, which demonstrates that there would be no significant impact on the amenities to neighbouring residential properties. In terms of daylighting, there would be no reduction in the lit area of the rooms assessed at the homes in St Paul's Avenue. In terms of sunlight received, all rooms assessed would meet the annual and winter tests. In terms of the gardens, it is noted that each would still receive two hours of sunlight over at least 50% of the garden area and thus comply with the BRE standards.

10.7 In conclusion, it is considered that there would not be harm for neighbouring properties and therefore the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2023.

10.8 In NPPF terms, the impact on neighbours is a neutral consideration in the planning balance.

11.0 **Mix of housing**

11.1 The National Planning Policy Framework (2023) seeks to deliver a variety of homes to meet the needs of different groups in the community. This is largely reflected in local planning policy in Core Strategy Strategic Objective C and Core Policy 4.

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

1-bed/2persons = 5 flats  
2-bed/3persons = 7 flats  
2-bed/4persons = 4 flats  
3-bed/4persons = 4 flats  
3-bed/5persons = 2 flats

So, given the location of the site and its particular circumstances, it is considered that the proposed mix would be appropriate and that the proposals are therefore acceptable.

11.3 In NPPF terms, the proposed provision of 22 homes is afforded moderate positive weight in the planning balance.

12.0 **Living conditions for future occupiers of the development**

12.1 The National Planning Policy Framework 2023 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.

12.2 All of the units would meet the Council's internal space standards, as set out in the Technical Housing Standards – Nationally Described Space Standards 2015 (as amended).

12.3 In terms of the levels of daylight, aspect, and outlook, it is considered that each unit would have satisfactory levels of amenity for future occupiers.

12.4 The proposed building would have communal entrance on the Petersfield Avenue frontage providing a lobby to a wheelchair accessible lift and stair core.

12.5 In terms of amenity provision: The scheme includes some outdoor seating for future occupants use at the western side of the building and at lower ground floor level to the rear but no other on-site landscaped area. Additionally, each of the twenty-two flats would each benefit from a private balcony. Those four units at ground floor level would have a balcony extended across the face of the internal accommodation. The three dual aspect units at 1<sup>st</sup>/2<sup>nd</sup>/3<sup>rd</sup> floor levels would have front facing and a rear facing balcony; whilst the single facing units at those levels would have a single balcony with the aspect of the respective unit itself. The one single-aspect unit at roof (4<sup>th</sup>) level would have a north facing terrace; whilst the other two roof level units would benefit from "wrap-around" terraces.

12.6 In terms of noise intrusion: The application was submitted with a Noise Report undertaken by an appropriate expert. This has been reviewed by the Council's Environmental Quality Officer, who comments are set out in full at 6.5 above. No objection on noise grounds are raised, subject to conditions.

12.7 The applicant's Noise Report report sets out that the assessment was based on an external noise level survey and additional measurements of articulated and 12-tonne lorries. This data was used to calculate the required sound insulation performance of the façade elements in order to achieve good amenity standards. It demonstrated that the average noise level limits during the day and the night-time will be readily achieved as will the night-time maximum noise level limit.

- 12.8 The Noise Report concluded that the recommended internal noise level criteria can be achieved. This is despite a slight intensification of the use of a storage facility opposite and despite the moderate levels of noise from traffic and other activity in Petersfield Avenue. The development proposals can therefore enable a good standard of amenity to be achieved for future residents.
- 12.9 The Council's EQ Officer has confirmed these comments and suggested that subject to conditions, as set out below at 26.0, the scheme is acceptable.
- 12.10 Although there would be some issue of noise at the frontage of the site due to heavy goods traffic on Petersfield Avenue, it is considered that the availability of a balcony would be an advantage for future occupiers, as they would have the choice of its use when they feel the need and circumstances are acceptable to them.
- 12.11 So, on balance, it is concluded that the living conditions for future occupiers in this case would have been considered satisfactory and thus to have been in accordance with the requirements of the NPPF 2023, Core Policy 8 of Council's Core Strategy, and Policy EN1 of the Adopted Local Plan.
- 12.12 In NPPF terms, the quality of residential accommodation is a neutral consideration in the planning balance.
- 13.0 **Crime Prevention**
- 13.1 The National Planning Policy Framework 2023 and 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.
- 13.2 The access for would have a good level of natural surveillance. A condition requiring details of the measures to be incorporated to reduce and prevent criminal activity would be adequate to deal with the communal nature of the lobby.
- 14.0 **Highways and Parking**
- 14.1 The National Planning Policy Framework states that planning should seek to promote development that is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts

between traffic and pedestrians and where appropriate local parking standards should be applied to secure appropriate levels of parking.

- 14.2 This is reflected in Core Policy 7 and Local Plan Policy T2 (Parking Restraint) which set out:
- in terms of commercial car parking that development proposals should not increase parking unless required for local safety or operational reasons; and,
  - in terms of residential car parking that the level will be appropriate to both its location and scale whilst taking account of local parking conditions, impact on street scene, need to overcome local road safety problems and protect amenities of adjoining residents.
- 14.3 Paragraph 111 of the National Planning Policy Framework 2023 states that: *'Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.
- 14.4 The proposed access would be taken on the western side of the frontage and a redundant crossover would then be removed. The details of boundary treatment will ensure appropriate levels of visibility can be created on the basis of low level means of enclosure. The HA has confirmed the layout and access are acceptable subject to conditions set out below at 26.0.
- 14.5 It is noted that the scale of the scheme would lead to a low level of traffic generation. A comparison with the level of traffic generated by the former use of the site does not raise concerns.
- 14.6 It is noted that the application site is located within a short walking distance of Slough railway and bus stations with a high level of public transport accessibility. Furthermore, its proximity to the Town Centre will enable future residents to access key amenities on foot.
- 14.7 As such, it considered appropriate to apply a lower figure than the Council's standard for car parking provision in this case, as has been done in the vicinity of the application site on Petersfield Avenue and on those sites that lie close to the northern side of the designated Town Centre boundary along Stoke Road and Mill Street to the west, where ratios from 0.5 per unit have been applied.
- 14.8 The application proposes 22no. parking spaces at lower ground floor level to the rear. This produces a provision of one space per flat, which was the ratio approved at BMW House and Thomas House, both close-by to the west. So, although the proposal falls short of the standard set out in the development plan, the Developer's Guide SPD is clear that these standards should be applied flexibly for residential development in very accessible locations, such as this, in compliance with Core Policy 7

as set out above at paragraph 14.2. The HA sets out in 6.1 above that the quantum of parking in this case is acceptable.

- 14.9 The proposals include the provision of a loading bay within the lower ground floor level at the rear to enable the reception of deliveries, goods and services. The HA is satisfied with this arrangement as noted in 6.1 above.
- 14.10 In line with the greater need for pedestrian accessibility, due to the reduced level of on-site parking due to its location, the HA require a contribution towards upgrading the pedestrian routes to these accessible facilities, including a new zebra crossing on Petersfield Avenue in the vicinity of the site.
- 14.11 The proposals show the provision of secure but communal cycle storage facilities in accordance with the Council's standards. The HA is satisfied with this provision subject to details pursuant to a condition, as set out below at 26.0.
- 14.12 The proposals include an enclosed bin and recycling facility, which is close to the highway, in accordance with the Council's standards. The HA is satisfied with the scheme as noted above in 6.1.
- 14.13 Based on the above, and subject to the conditions set out below, it is considered that the proposals would not lead to severe harm to highways users and thus are considered to be in accordance with the requirements of the NPPF and comply with Policies T2 and T8 of the adopted Local Plan and Core Policy 7 of the Core Strategy.

## 15.0 **Flooding & Drainage**

- 15.1 According to the Environment Agency's flood maps, the site is located in Flood Zone 1. It is at low risk of tidal, fluvial, groundwater flooding, surface water flooding and flooding from artificial sources. As the site is located in Flood Zone 1, the proposals do not require a Flood Risk Assessment.
- 15.2 Since April 2015, major developments have been required to provide measures that will form a Sustainable Drainage System. It has been recognised that Sustainable Drainage Systems (SuDS) are an effective way to reduce the impact of urbanisation on watercourse flows, ensure the protection and enhancement of water quality and encourage the recharge of groundwater in a natural way.
- 15.3 The National Planning Policy Framework (2023) states that the surface run-off from site cannot lead to an increase from that existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. In the scenario where infiltration

techniques are not possible, attenuation will be required in order to reduce surface water run-off.

- 15.4 Paragraph 169 of the NPPF 2023 requires major developments to incorporate SuDS unless there is clear evidence that this would be inappropriate.
- 15.5 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development.
- 15.6 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 15.7 Submission documentation setting out the applicant's drainage strategy was forwarded to the Council's consultant, who acts as the Local Lead Flood Authority (LLFA). Conditions sought by the LLFA to ensure the scheme meets with appropriate standards are duly set out in the Recommendation at 26.0.
- 15.8 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

16.0 **Trees & Landscaping**

- 16.1 Paragraph 174 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.
- 16.2 Firstly, it is noted that the application site does represent a habitats site, as set out in paragraphs 179-181 of the NPPF.
- 16.3 Secondly, that given its existing uses and structures, the application site does not represent a site of biodiversity or part of an ecological network.
- 16.4 The scheme entails a new residential block set in larger plot with some opportunity for soft landscaping on the margins at the side boundaries.
- 16.5 As such, a condition on the selection of an appropriate tree and shrub species, as well as, the management and future maintenance regime are set out in the Recommendation at 26.0.

16.6 In NPPF terms, these proposals afford little weight in the planning balance.

17.0 **Habitats**

17.1 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.

17.2 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.

17.3 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.

17.4 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.

17.5 The site is located approximately some 5 km (as the crow flies) from the Burnham Beeches Special Area of Conservation (SAC) and therefore falls within the potential 5.6km development impact zone as proposed within the evidence base carried out by Footprint Ecology.

17.7 The applicant has submitted a Habitat Regulations Assessment as part of the application which has concluded that an appropriate assessment is required as the proposal is likely to have a significant impact on Burnham Beeches SAC. 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 matter can be linked to the completion of a section 106 agreement and therefore, the recommendation includes a requirement for the mitigation package to be secured by the Council.

## 18.0 **Energy & Sustainability**

- 18.1 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.
- 18.2 The application included an Energy Strategy Report which concludes that the proposed scheme can achieve a 75.19% carbon reduction over Building Regulation Part L 2021 TER.
- 18.3 The residential units proposed will have heating and hot water provided through a combination of air-source heat pumps and photovoltaics. This proposal is acceptable.
- 18.4 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.
- 18.5 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

## 19.0 **Air Quality**

- 19.1 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.
- 19.2 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.

- 19.3 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, as such an Air Quality Assessment has not been submitted as part of the application.
- 19.4 There are identified areas where there could be a temporary impact during the construction phase, such as dust, however these can be mitigated through the approval of a construction management plan. Further mitigation to reduce air quality is through the provision of EV charging points which will be secured by condition.
- 19.5 On the basis of the above considerations there are no objections in respect of air quality impacts.
- 19.6 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

20.0 **Heritage Issues**

- 20.1 As reported above, there are no heritage assets nearby and the site does not lie in a conservation area.

21.0 **Land Contamination**

- 21.1 Paragraph 183 of the NPPF sets out that the LPA should ensure policies and decisions ensure a site is suitable for its proposed use taking account of grounds conditions and any risks arising from land instability and contamination. Core Policy 8 states that development shall not be located on polluted land.
- 21.2 The submission is accompanied by a Phase 1 Desk Study that concludes that:

*“Overall, the level of risk ranged between Unlikely and High. Consequently, a High level of risk has been assigned to the site in respect of the proposed development. This is primarily due to the site history and the proposed residential end use of the site.*

*It is likely however, through remediation and/or the installation of protective measures within the development, that the site can be safely developed and there is no reason to refuse planning on the findings of this report.*

*The assessment assumes the worst possible case regarding infilled land and nature of surrounding industrial land uses; such conditions may in practice be better.”*

21.3 Therefore, the Council's Land Contamination Officer considers that it would be appropriate and satisfactory to impose conditions relating to carrying out the further investigative works to ensure safety during redevelopment and for future occupiers

21.4 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

## 22.0 **Infrastructure and Section 106 requirements**

22.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.

22.2 The proposals entail the introduction of 22 new residential units. As such, the scheme would trigger affordable housing and educational contributions under the Council's policies, as set out in the Developer's Guide. The Guide indicates that a scheme of 22 units would entail a financial contribution off-site and the figure is stated in para 22.4.

22.3 As set out above, the Highway Authority have identified the need for improvements in the local pedestrian network, which would entail the introduction of a Zebra Crossing in the vicinity of the current proposals. A contribution has been calculated that is based upon the amount per trip previously agreed for a zebra crossing in relation to a scheme for the land at the rear of Theale (SBC ref. P/12934/018). Accordingly, the sum required from this current scheme of some £37,097.

22.4 The site falls within 5.6 km of Burnham Beeches. Therefore, a contribution is needed for mitigation of the increased population of the Borough upon the Burnham Beeches SAC, which would fall under the framework agreed between the Council and Natural England. This equates to a sum of £570 per new residential unit for schemes of over 10 new units. In this case a sum of £7,410 is required.

22.4 The following Section 106 contributions are therefore required:

<b>Off-site provision – financial contributions</b>	
Education	£86,591
Highway infrastructure	£37,097
Burnham Beeches SAC mitigation	£7,410
Affordable housing off-site contribution	£345,784
<b>Total</b>	<b>£476,882</b>

22.5 The applicant's agent has confirmed their client's agreement to these sums.

23.0 **Presumption in favour of sustainable development/Tilted Balance**

23.1 The application has been evaluated against the Local Development Plan and the National Planning Policy Framework 2023 (NPPF) and the Local Planning Authority (LPA) has assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development."

23.2 The LPA cannot demonstrate a Five-Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing, as set out in Paragraph 11 of the NPPF and refined in case law, should be applied.

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

- The provision of 22 residential units in a sustainable location should be given substantial positive weight.
- Initially, the scheme shall create employment at the construction stage, which is given some slight positive weight.
- Subsequently, the occupiers of the proposed accommodation would help to support local facilities and services; so there would be economic benefits arising from the implementation of these proposals, which is given some slight positive weight.

The application includes the provision of some financial contributions towards education, highways/transport infrastructure, which is considered to be a positive benefit. This should be given positive weight, as the benefit would include the local populous in addition to the residents within the development.

23.4 In considering the impacts, it has been noted that the current scheme would result in the loss of employment generating floorspace in an Existing Business Area to which moderate harm would be attributed too. However, this impact has to be placed in terms of the thrust of the NPPF and the emerging land use arising from approved schemes in this locality, as set out in paragraphs 8.10 - 8.13 above.

23.5 As is the case with proposals when para 11 of the NPPF is engaged, the application does present a balanced case.

23.6 Therefore, in coming to a conclusion, officers have given due consideration to the benefits of the proposal in providing a net gain of 22no. dwellings towards the defined housing need at a time where there

is not a Five-Year Land Supply within the Borough, as well as, some economic benefits and the positive contribution to the streetscene and character of the area as a result of the improvement to the quality of the environment. These factors create a range of limited, moderate and considerable benefits which weigh in favour of the development in the planning balance.

23.7 On the basis of the arguments above, it is considered that the benefits of the current scheme would significantly and demonstrably outweigh the identified impacts when assessed against the policies in the Local Development Plan and the NPPF taken as a whole.

## **24.0 Equalities Considerations**

24.1 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either residing in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority has given due regard for the needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (e.g.: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation). In particular, regard has been had with regards to the need to meet these three tests:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;
- Take steps to meet the needs of people with certain protected characteristics; and;
- Encourage people with protected characteristics to participate in public life (et al).

24.2 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access. Furthermore, were the scheme to have been acceptable in all other terms, a condition would have been set out to ensure level thresholds at any entrance to the block.

24.3 It is considered that there will 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 e.g.: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to

noise or dust. However, measures under other legislation covering environmental health should be exercised as and when required.

24.4 In conclusion, it is considered that the needs of individuals with protected characteristics have been fully considered by the Local Planning Authority exercising its public duty of care, in accordance with the 2010 Equality Act.

25.0 **PART C: RECOMMENDATION**

25.1 Having considered the relevant policies of the Development Plan set out below, and representations that have been received from consultees and the community, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager:

A) Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure affordable housing, education and Burnham Beeches contributions, funding towards a zebra crossing (via a Section 278 agreement) that is required to mitigate the impact of the development.
- (ii) Finalising conditions and any other minor changes;

or

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

26.0 **PART D: LIST of CONDITIONS and INFORMATIVES**

1. Time Limit

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

REASON: To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light

of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

## 2. Approved Plans

The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved unless otherwise agreed in writing by the Local Planning Authority.

- (a) Unnumbered/undated Location Plan; Recd On 31/05/2023
- (b) Drawing No. 01G; Dated 31.05.2023; Recd On 31/05/2023
- (c) Drawing No. 03G (Existing Floor Plan); Dated 31.05.2023; Recd On 31/05/2023
- (d) Drawing No. 04G (Existing Elevations); Dated 31.05.2023; Recd On 31/05/2023
- (e) Drawing No. 04G (Proposed Lower Ground Floor Plan); Dated 31.05.2023; Recd On 31/05/2023
- (f) Drawing No. 05G; Dated 31.05.2023; Recd On 31/05/2023
- (g) Drawing No. 06G; Dated 31.05.2023; Recd On 31/05/2023
- (h) Drawing No. 07G; Dated 31.05.2023; Recd On 31/05/2023
- (i) Drawing No. 08G; Dated 31.05.2023; Recd On 31/05/2023
- (j) Drawing No. 09G; Dated 31.05.2023; Recd On 31/05/2023
- (k) Drawing No. 10G; Dated 31.05.2023; Recd On 31/05/2023
- (l) Drawing No. 11G; Dated 31.05.2023; Recd On 31/05/2023
- (m) Drawing No. 12G; Dated 31.05.2023; Recd On 31/05/2023
- (n) Drawing No. 47384BWLS-01; Dated 01/02/23; Recd On 31/05/2023
- (o) Daylight & Sunlight Report by Anstey Horne ref no. WW/SA/ROL01075; Dated 11<sup>th</sup> May 2023; Recd On 31/05/2023
- (p) Flood Risk Assessment by Simpson tws ref. no. P22-1189 issue.1; Dated 28.01.2023; Recd On 31/05/2023
- (q) Habitat Regulations Assessment by Windrush Ecology ref. no. W5155; Dated 02/05/2023; Recd On 31/05/2023
- (r) Noise Intrusion Assessment by Scotch Partners LLP ref. no. A01324 Rp1; Dated 22/5/23; Recd On 31/05/2023
- (s) Phase 1 Contamination Assessment “Desk Study” by Land Science ref: no. LS6724 Version A; Dated 11<sup>th</sup> April 2023; Recd On 31/05/2023
- (t) Planning Statement by Walsingham Planning; Dated May 2023; Recd On 31/05/2023
- (u) Sales & Marketing Report by On The Market; Dated May 2023; Recd On 31/05/2023
- (v) Transport Statement by RPG ref. no. 2023/7046/TS01 issue 1; Dated 12/05/2023; Recd On 31/05/2023

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 in accordance with the requirements of the National Planning Policy Framework 2023 and to comply with the Policies in the Development Plan.

## 3. New finishes to building works

Prior to the commencement of development, samples of new external finishes and materials (including, reference to manufacturer, specification details, positioning, and colour, as well as, bonding were appropriate) to be used in the construction of the external envelope of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the details approved.

REASON: To ensure a satisfactory appearance of the development so as not to prejudice the visual amenities of the locality in accordance with the requirements of the National Planning Policy Framework 2023 and Policy EN1 of The Adopted Local Plan for Slough 2004.

#### 4. New surface treatments

Prior to the commencement of the development hereby approved, the external materials to be used in the laying out of communal areas within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON: To ensure a satisfactory appearance of the development so as not to prejudice the visual amenities of the locality in accordance with the requirements of the National Planning Policy Framework 2023 and Policy EN1 of The Adopted Local Plan for Slough 2004.

#### 5. Drainage (SuDS #1)

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 the requirements of the National Planning Policy Framework 2023 and Policy 5 of the Core Strategy for Slough Borough Council 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.

#### 6. Drainage (SuDS #2)

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 the requirements of the National Planning Policy Framework 2023 and Policy 5 of the Core Strategy for Slough Borough Council by ensuring the satisfactory means of surface water attenuation and discharge from the site.

#### 7 - Construction Management Plan (CMP)

Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in

writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

1. A site set up plan displaying hoarding/fencing extents, vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries, site office and wheel cleaning facilities during the construction period.
2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 08:00 – 09:00 and 17:00 – 18:00, and outside of 14:30 – 15:30 where the development is located in proximity to a school.
4. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
5. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
6. Details of dust control measures and wheel washing facilities to be provided on site.
7. Confirmation of whether any abnormal loads will be required for the construction or demolition. If so, the LHA must be notified of any abnormal loads at the following location:  
<https://www.slough.gov.uk/licences-permits/abnormal-loads/1>.

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

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

## 8 Sound attenuation and ventilation

Prior to commencement of development, full details of the glazing specification, in accordance with the recommendations outlined in the Noise Intrusion Assessment by Scotch Partners LLP ref. no. A01324 Rp1, must be submitted to and approved in writing by the Local Planning Authority.

Prior to commencement of development, a ventilation strategy, including detail of proposed plant and location of inlet and outlets, must be submitted to and approved in writing by the Local Planning Authority.

Should a mechanical ventilation system not be installed, a full overheating assessment must also be provided.

The development shall be carried out in full accordance with the approved details prior to first occupation and shall be retained as such at all times in the future.

REASON: In the interest of mitigating noise from road traffic to provide acceptable living conditions of future residents, to comply with policy 8 of the Core Strategy 2006 - 2026 adopted 2008, and the requirements of the National Planning Policy Framework 2023.

## 9 Phase 2 Intrusive Investigation Method Statement

The findings of the Phase 1 Desk Study having identified the potential for contamination, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal in accordance with the requirements of the National Planning Policy Framework 2023 and Policy 8 of the Core Strategy 2008.

## 10 Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy

Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Land Contamination: Risk Management (LCRM) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works.

Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use in accordance with the requirements of the National Planning Policy Framework 2023 and Policy 8 of the Core Strategy 2008.

#### 11 Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy condition shall be occupied until a full Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Site-Specific Remediation Strategy condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with the requirements of the National Planning Policy Framework 2023 and Policy 8 of the Core Strategy 2008.

#### 12 EV Charging facilities

Prior to the commencement of any development hereby approved, details of 22 active electric vehicle charging points (Type 2 socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase) shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully installed and the active charging points shall be fully operational prior to the first occupation of the development and be retained in good working order at all times in the future.

REASON: To ensure vehicle parking is provided and encourage up-take of electric vehicle use, in accordance with the requirements of the National Planning Policy Framework 2023, Policy T2 of the Adopted Local Plan (2004), Policies 7, 8 and 10 of the Core Strategy 2008, and

the guidance contained in the Council's Developer's Guide Part 3 (2008).

### 13 Landscaping

Construction of the building above ground floor level shall not commence on site until details of a Landscaping Strategy and Management Plan in conjunction with a detailed bee-friendly landscaping and tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and shrubs, and details of hardsurfaces which shall include compliance with the surface water drainage mitigation as approved under conditions 5 and 6 of this planning permission.

On substantial completion of the development, the approved scheme of hard landscaping shall have been constructed. The approved scheme of soft landscaping shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON: In the interests of the visual amenity of the area in accordance with the requirements of the National Planning Policy Framework 2023 and Policy EN3 of The Adopted Local Plan for Slough 2004.

### 14 Boundary Treatment

Construction of the building above ground floor level shall not commence on site until details of the proposed boundary treatment including position, external appearance, height and materials of all boundary walls, fences and gates have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been implemented on site and retained thereafter.

REASON: In the interests of the visual amenity of the area and to reduce opportunities for crime and anti-social behaviour in accordance with the requirements of the National Planning Policy Framework 2023, Policies EN1 and EN3 of The Adopted Local Plan for Slough 2004, Core Policies 1 and 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).

### 15 Crime Prevention

No development above ground floor slab shall commence until a secure access strategy and secure letter/parcel drop strategy in line with the principles of Secured by Design and in consultation with Thames Valley Police 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 behavior in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices) and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework 2023.

#### 16 Drainage (SuDS #3)

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 by Simpson tws ref. no. P22-1189 issue.1, 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.

#### 17 Bins & Recycling facilities

The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to occupation of the development and retained thereafter.

REASON: To ensure that there is adequate refuse and recycling storage to serve the development in accordance with the requirements of the National Planning Policy Framework 2023 and Policy EN1 of The Local Plan for Slough 2004.

## 18 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: To ensure that adequate access provision is available to serve the development to prevent highway congestion and safety issues and to protect the amenities of the area in accordance with the requirements of the National Planning Policy Framework 2023, Core Policy 7 and 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Slough 2004.

## 19 Visibility

No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with the requirements of the National Planning Policy Framework 2023.

## 20 Layout

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

REASON: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with the requirements of the National Planning Policy Framework 2023.

## 21 Car Parking Provision

Prior to the development hereby approved first being brought into use, 22 no. car parking spaces shall be provided and made available for use in connection with the residential development and maintained for the parking of cars on a communal basis thereafter. The car parking spaces shall not be used for any separate business, commercial or residential use.

REASON: To ensure that adequate on-site parking provision is available to serve the development to prevent highway congestion and safety issues by overspill of parking onto the surrounding streets in accordance with the requirements of the National Planning Policy Framework 2023, Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and Policy T2 of The Adopted Local Plan for Slough 2004.

## 22 Cycles storage

Prior to the first occupation of the development hereby permitted details of a secure cycle store providing 22 cycle parking spaces in accordance with the Local Planning Authority's "Cycle Parking Standards" shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose thereafter.

REASON: To ensure that there is adequate cycle parking available at the site in accordance with the requirements of the National Planning Policy Framework 2023, Policy T8 of The Local Plan for Slough 2004, and to meet the objectives of the Slough Integrated Transport Strategy.

## 23 External Site 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 and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site 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 (saved polices), and the requirements of the National Planning Policy Framework 2023.

## 24 Privacy screening

No part of the development hereby permitted shall be occupied until a scheme of privacy screening to the sides of the roof level terraces to prevent conflicts of privacy within the proposed development has been submitted to and approved by the Local Planning Authority. The approved scheme shall be installed on site in accordance with the

approved details prior to the first occupation of the development and retained thereafter.

REASON In the interests of the visual and neighbour amenity, and to ensure no overlooking into the neighbouring sites to help ensure that there would not prejudice wider redevelopment in accordance with the requirements of the National Planning Policy Framework 2023; Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and Policies EN1 and H9 of The Adopted Local Plan for Slough 2004 (saved polices).

#### 25 Gates

Prior to first occupation of the development, the gates shall be setback a minimum of 5.5 metres from the back edge of the footway, maintained and retained thereafter.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with the requirements of the National Planning Policy Framework 2023.

#### 26 Level Access

The ground floor entrance doors to any part of the development shall not be less than one metre wide and the threshold shall be at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the flatted residential units and the external amenity/balconies and the main lobbies.

REASON: In order to ensure the development provides ease of access for all users, in accordance with the requirements of the National Planning Policy Framework 2023, Policy EN1 of The Adopted Local 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).

#### 27 No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any elevations of the development.

REASON: To ensure the visual character and appearance of the facades are preserved and to ensure the development does not prejudice the future development of adjoining lands; so, as to protect the privacy of neighbouring properties and to protect the visual amenities of

the area in accordance with the requirements of the National Planning Policy Framework 2023, Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices).

### 28 Telecommunications Equipment

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted.

REASON: To ensure that the visual impact of telecommunication equipment can be considered in accordance with the requirements of the National Planning Policy Framework 2023, Policy EN1 of The Adopted Local 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).

### 29 Thames Water – Piling Method Statement

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.

### 30 Energy

The development hereby approved shall be implemented to fully include the proposals and measures set out in the Energy Strategy Report by Syntegra ref. no. 23-10406; Dated 19/05/2023; Recd On 31/05/2023 and retained thereafter.

REASON 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.

## INFORMATIVES

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

2. Highways

The applicant will need to apply to the Council's Local Land Charges on 01753 875039 or email to [0350SN&N@slough.gov.uk](mailto:0350SN&N@slough.gov.uk) for street naming and/or numbering of the unit/s.

Prior to commencing works the applicant will need to enter into a Section 278 Agreement of the Highways Act 1980 with Slough Borough Council for the implementation of the works in the highway works schedule. The applicant should be made aware that commuted sums will be payable under this agreement for any requirements that burden the highway authority with additional future maintenance costs.

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

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

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

3. Ventilation Strategy

Should mechanical ventilation be utilised, the system is to be designed by a suitably qualified engineer or M&E consultant. The system shall be designed so the sound levels from any external plant or inlet/outlets do not exceed the background noise level at any noise receptor. This may require further assessment once the type and location of system has been specified.

4. Thames Water

### Waste Comments

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

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

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

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

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

large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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

#### Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

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

Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.