

PLANNING COMMITTEE

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

Amendment Sheet

Item 5 – P/05407/004 - 59 Willoughby Road, Slough, SL3 8JH

Since the publication of the committee report, a discrepancy between proposed floor plans and elevations became evident; the proposed floor plan included a new fire exit door and side facing window at ground floor level, which was not detailed on the relevant proposed side elevation. Amended plans have been received, which addresses the drafting error with the proposed side elevation; these do not materially alter the scale, bulk or visual impact of proposed development, merely correcting the absence of a fire exit door and position of a side facing window at ground floor level (which were indicated on the proposed floor plans).

As a result of the amended plans, the approved plans condition within the recommended draft list of conditions should be amended to reflect this change. Condition 2 should read:

2. Approved Plans

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

- (a) Drawing No.PL01 Rev P4; Dated 04.12.24; Recd On 29/01/2025
- (b) Drawing No.PL02 Rev P5; Dated 04.12.24; Recd On 25/03/2025

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

No change to the recommendation.

Item 6 – P/19642/002 - Grace House, Petersfield Avenue, Slough, SL2 5EA

This application has been withdrawn at the request of the agent.

Item 7- P/031430/011 – Unit D Stoke Gardens

Consultee comments added:

- Lead Local Flood Authority:

No objection subject to conditions.

- Environment Agency Comments:

Environment Agency position

We **object** to this application as submitted because the proposed development would pose an unacceptable risk of pollution to surface water quality and recommend that planning permission should be refused on this basis.

Reason(s)

This development will connect to Slough sewage treatment works. Thames Water have statutory Water Industry National Environment Programme (WINEP) schemes at Slough sewage works to improve the Ammonia discharged from the site to prevent a deterioration in the river Ammonia status to maintain High Status under Water Framework Directives, and a scheme to increase the amount of flow that can be treated to reduce the number and severity of storm overflows. These are due to be delivered by March 2025. The Environment Agency understands these have been delayed until at least 2029.

The purpose of these schemes is to protect the receiving waterbody from deterioration and/or to meet statutory waterbody objectives.

Environment Agency records also indicate that Slough sewage treatment works is either close to, or already exceeding the maximum headroom in its Dry Weather Flow (DWF) permit, and this development will lead to further exceedances. DWF permits are set with conditions to protect the receiving waterbody from deterioration, and when a DWF permit is exceeded, these conditions are no longer protective of the environment. It is imperative that new developments are supported by adequate infrastructure, which includes ensuring that wastewater can be treated without causing an adverse environmental impact.

New development connecting to Slough sewage treatment works before these schemes are delivered will cause an unacceptable risk to water quality. It is imperative that new developments are supported by adequate infrastructure, which includes ensuring that wastewater can be treated without causing an adverse environmental impact.

- Paragraph 187 (e) of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution.
- In addition, the Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies.

In this case we consider that the risk of potential harm to the Roundmoor Ditch water quality posed by this proposed development is unacceptable.

The proposal would result in the discharge of pollutants to Roundmoor Ditch waterbody thereby risking failure to meet statutory water quality objectives for that water body. In

particular, there is a risk that this proposal would cause deterioration of a quality element to a lower status class and/or prevent the recovery of these to meet statutory waterbody objectives.

Evidence

In the 2022 WFD classifications, the quality in the Roundmoor Ditch deteriorated for 3 elements. Ammonia deteriorated from High Status to Good Status, Dissolved Oxygen deteriorated from High to Poor Status and Phosphate deteriorated from Moderate to Poor Status. The delayed AMP 7 WINEP schemes were designed to provide additional hydraulic and treatment capacity for Slough sewage treatment works to ensure no deterioration of WFD status.

More information can be found here:

(<https://environment.data.gov.uk/catchmentplanning/WaterBody/GB106039023540>). All three failures have Reasons for Not Achieving Good (RANGs) linked to continuous or intermittent flow from Slough sewage treatment works.

Overcoming our objection

To overcome our objection, we need to see a detailed foul water strategy for the improvement of the Slough sewerage system to accommodate the additional wastewater flows from the development. This should be approved in writing by the local planning authority in consultation with the Environment Agency and the sewage undertaker. The strategy shall:

- a. Identify the network and/or wastewater treatment works improvements required to provide sufficient capacity, as defined in the water quality assessment, to accommodate the development.
- b. Include a timeline of the required network and/or wastewater treatment works improvements in relation to the timescales of the development

Closing comments

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations. Should our objection be removed, it is likely we will recommend the inclusion of conditions on any subsequent approval.

Other matters

For the avoidance of doubt, please note that we have also considered the following matters within our remit in relation to this planning application. We are confident that these matters can be managed through appropriately worded planning conditions providing our objection above is resolved. Land contamination and preventing pollution. The previous use of the development site for vehicle repairs presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within source protection zone 2 and located upon a Secondary A aquifer and likely to be hydraulically connected to underlying Principal aquifer.

A preliminary risk assessment to identify all previous uses, potential contaminants associated with those uses and a conceptual model to identify contaminant sources, pathways and receptors followed by a detailed site investigation and remediation strategy if required.

Paragraph 18.6 of the planning committee hereby updated as below to consider the Environment Agency comments:

The Environment Agency have also been consulted as a part of this application. From their comments, an objection to the proposal has been raised because infrastructure works at Slough sewage works to improve the Ammonia discharged from the site have been delayed. The Environment Agency consider the development, which will be connecting to Slough sewage treatment works before these infrastructure works are delivered, will cause and unacceptable risk to water quality.

More specifically the environment agency state that it is imperative that new developments are supported by adequate infrastructure, which includes ensuring that wastewater can be treated without causing an adverse environmental impact. In addition, the Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. It has been considered that the risk of potential harm to the Roundmoor Ditch water quality posed by this proposed development is unacceptable. The proposal would result in the discharge of pollutants to Roundmoor Ditch waterbody thereby risking failure to meet statutory water quality objectives for that water body. There is a risk that this proposal would cause deterioration of a quality element to a lower status class and/or prevent the recovery of these to meet statutory waterbody objectives.

Whilst the objection from the Environment Agency is noted, officers have included this as a reason as a holding objection given the new nature of the comments raising new issues to the Local Planning Authority that have not previously been raised, and that the comments have been received at a late stage. Given this, the Local Planning Authority has not had the appropriate time to engage with Thames Water, the Environment Agency, and the applicant to further discuss and resolve this matter.

Change to the recommendation to include a holding objection in relation to the comments received from the Environment Agency:

PART D: RECOCMENDED REASONS FOR REFUSAL

1. The proposal for piecemeal development would result in the partial loss of an Existing Business Area to a non-employment generating use. A comprehensive approach has not been adopted or achieved that could provide exceptional circumstances and would potentially sterlise future development of neighbouring land when taking into consideration the neighbouring adjoining land to the east and north of Stoke Gardens. The proposal would therefore be contrary to Policy H9 of the Local Plan for Slough 2004, Core Policy 1 and 5 of the Core Strategy, and the requirements of the National Planning Policy Framework 2024.
2. The proposed development would, by virtue of its design, scale and massing would result in in a development that is not be in keeping with character and appearance of the local area to its severe detriment. The proposal lacks adequate architectural and landscape detail, resulting in a low-quality, poorly legible design and therefore would have an unacceptable impact on the character and visual amenity of the area. In addition to this, the application fails to demonstrate and investigate the impacts of the proposed massing on the wider townscape and the neighbouring Horlicks development which is forthcoming. The proposal is therefore contrary to Policies H9, EN1, EN2, and EN3 of the Local Plan for Slough 2004 and Policies CP1, CP4, and CP8 of the Local Development Framework Core Strategy 2008 and the requirements of the NPPF 2024.

3. Insufficient information has been submitted to assess the impact on the relevant heritage assets as required by Paragraph 202 of the NPPF, particularly in terms of the impacts of the height, scale and materiality on Windsor Castle. The lack of any form of a Heritage statement in the submission has resulted in a Holding Objection from the Heritage advisor. The proposal has therefore failed to demonstrate compliance with Core Policy 9 and the NPPF.
4. The proposal fails to provide sufficient defensible space and separation to the ground floor windows of the proposed scheme which open to habitable rooms. This would result in poor levels of privacy and put residents at risk of crime and antisocial behaviour. The flats would fail to provide any meaningful private amenity space for future users. No Noise Assessment has been provided as a part of the proposal meaning it cannot be sufficiently demonstrated if the future occupiers of the proposal would not be adversely affected by the noise generated from the railway and / or surrounding commercial uses. Ground floor habitable windows are site close to boundary fencing providing poor outlook. The proposal has also failed to demonstrate the habitable rooms would receive sufficient levels of sunlight and daylight. Cumulatively, the proposal would provide poor living conditions for the future occupiers of the development, failing to comply with Core Policy 4 and 12 of The Core Strategy, Policies, EN5 and H14 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024.
5. The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted would lead to additional on-street car parking which would obstruct the access, turning heads, visibility splays, cause pavement parking or obstruct access by emergency vehicles which would result in an unacceptable impact on safety for users of the highway including pedestrians. The development is contrary to Slough Borough Council Local Plan Policy T2 and Paragraphs 114 and 116 of the National Planning Policy Framework.
6. The applicant has not included adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway. The development if permitted would lead to the stationing of vehicles on the highway and to vehicles reversing onto or off of the highway to the detriment of public and highway safety. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to Paragraph 116 of the National Planning Policy Framework.
7. The applicant has failed to provide a shadow Habitats Regulations Assessment to assess the impact of the proposal on the Burnham Beeches Special Area of Conservation. The development would likely have a significant adverse effect on the Burnham Beeches Special Area of Conservation. The development would therefore be contrary to Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, advice in the National Planning Policy Framework 2024 and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

8. Insufficient information has been provided to make a detailed assessment of the impacts on biodiversity, as a result of the development. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, and the National Planning Policy Framework.
9. No legal agreement has been entered into by the applicant, by way of a Section 106 agreement, for off-site infrastructure made necessary by the development including funding for education, affordable housing, the mitigation of impacts on Burnham Beeches Special Area of Conservation. As such, the application is contrary to policies 4, 7, 9 and 10 The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Slough Borough Council's Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106), advice in the National Planning Policy Framework 2024 and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
10. Holding Objection (Environment Agency) – no detailed foul water strategy for the improvement of the Slough sewerage system to accommodate the additional wastewater flows from the development has been submitted. The Environment Agency consider the development, which will be connecting to Slough sewage treatment works before the required infrastructure works are delivered by Thames water, will cause and unacceptable risk to water quality.