

Registration Date:	23 Dec 2021	Application No:	P/04290/009
Officer:	Alistair de Joux	Ward:	Central
Applicant:	Slough Propinvest Ltd	Application Type:	Major
		13 Week Date:	24 Mar 2022
Agent:	Tim Waller Planning, Suite A, 19-25 Salisbury Square, Old Hatfield AL9 5BT		
Location:	Automotive House, Grays Place, Slough SL2 5AF		
Proposal:	Demolition of existing building and construction of 51 residential apartments, laying out of landscaping, car and cycle parking and ancillary development.		

Recommendation: Refusal



1.0 **SUMMARY OF RECOMMENDATION**

1.1 Having considered the relevant policies of the Development Plan set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application be refused, for the following reasons:

1. While the surrounding area includes higher buildings directly to the east of the site, more recent high quality development is of a lower-rise typology which provides a coherent character to the area between Stoke Road and the higher rise development to the east. The height, bulk, massing and high site coverage of the building would introduce a visually discordant element into the lower-rise streetscape of the western part of Grays Place and its surroundings. As such, the proposal is not in accordance with Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006 – 2026, saved policies EN1 and EN3 of the Slough Local Plan 2004 and paragraphs 126, 130, 132 and 134 of the National Planning Policy Framework 2021.
2. The application site is within an area designated as Site no. SKL3 in the Council's Site Allocations DPD, where piecemeal development has occurred over the majority of the land included within this site allocation. Any acceptable development at the application site that is not co-ordinated with the development of the bus depot to the south must extend the footpath around the site's two street frontages, to ensure that the pedestrian requirements of both sites can be provided. As such, the application is contrary to Site Allocations Policy SKL3 in the Site Allocations DPD (November 2010) and to paragraphs 126, 132 and 134 of the National Planning Policy Framework 2021.
3. The proposal would result in an overbearing relationship with adjacent flats to the east, due to the proximity of the buildings, the greater bulk proposed at the application site than the building that it replaces, and the inadequate separation distance from neighbouring habitable rooms to the east-facing wall of the building. Although impacts on daylight and sunlight would be limited to a small number of flats, mainly to the north, this also counts against the neighbourliness of the application, and as such, the application is contrary to Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006 – 2026, saved Policy EN1 of the Slough Local Plan 2004 and to paragraphs 126, 130, 132 and 134 of the National Planning Policy Framework 2021.
4. The proposed access is at a point where visibility is substandard and would lead to danger and inconvenience to people using it and to highway users in general. Security concerns raised by the Thames Valley Policy Crime Prevention Design advisor also remain to be resolved. As such, the development is contrary to Slough Borough Council's Core Strategy 2006-2026 Policies 7 and 12 and to paragraphs 92, 110 and 112 of the National Planning Policy Framework 2021.

5. In the absence of a Wind Environment study, the application has not demonstrated that the wind environment around the building will be acceptable for pedestrian and cyclist use, contrary to Policy 8 of the Slough Local Development Framework Core Strategy 2006 - 2026 and to paragraph 130 of the National Planning Policy Framework 2021.
6. The proposal would, if acceptable in other respects, be required to provide for necessary infrastructure including education, green infrastructure to mitigate the impacts of additional residents on Burnham Beeches SAC by way of appropriate financial contributions, funding for a traffic regulation order proposal, and to secure a late stage financial viability review in respect to on-site and / or off-site affordable housing contributions, all of which would need to be secured by the completion of a section 106 agreement. No such agreement has been completed, contrary to Policies 4, 9 and 10 of the Slough Local Development Framework Core Strategy 2006 - 2026, Slough Borough Council's *Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106)* and to paragraphs 180 - 182 of the National Planning Policy Framework 2021.

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

PART A: BACKGROUND

2.0 Proposal

- 2.1 The proposed development would require the demolition of the existing three-story office building and its replacement with a part-5, part-6 and part-8 storey building. The rise in levels would be from east to west with the highest element adjacent to the Grays Place frontage.
- 2.2 Access would be from the western end of the building, where a main lobby would be located in the north-western part of the ground floor. The ground floor accommodate three cycle store rooms would also be provided at this level, accommodating a total of 52 bicycles in two-tier racks, and a dual internal / external access bin store would be provided within the building along with an external store area for use on bin collection days.
- 2.3 All apartments would have either a terrace or balcony (minimum 2.4 sq.m), with access also to communal amenity areas; the larger (2B4P) flats would also have a second balcony. Communal amenity space would include roof-top spaces at fifth and sixth floor levels (60 and 110 sq.m. respectively), along with a ground level garden of approximately 60 sq.m. on the eastern side of the building.
- 2.4 The development would be largely car-free, however two car parking spaces would be provided at the eastern end of the building. A loading bay for delivery vehicles would be provided adjacent to the Grays Place frontage.

3.0 Application Site

- 3.1 The site consists of a three storey office building located adjacent to the corner of Stanley Cottages, which forms the southern road frontage, and Grays Place which provides the western frontage. The building is set back from both street frontage, with car parking on these two sides of the building, The existing building received prior approval for the change of use from B1 offices to C3 residential (see planning history below) in 2019.
- 3.2 The site is within the Slough town centre designation as shown in the Local 2010 Proposals Map, and within the Site Allocation SKL3 in the Council's Site Allocations DPD.
- 3.3 Directly to the north there is an open area of car parking that serves the flats to the east, and recently constructed flatted developments on the north side of Grays Place, approximately 28 – 30m from the application site. These buildings are three and four storeys with additional levels of accommodation within their gabled and crown roofs. To the west and on the opposite side of Grays Place, Abbey House at 18-24 Stoke Road is a recent office to residential prior approval development that will provide 47 flats in a five storey building that addresses the Stoke Road frontage. A recent application on land to the rear of this site for a four-storey apartment was refused, and is now the subject of a current appeal (application ref. P/06271/021). To the south, Stanley Cottages separates the site from the bus depot. To the east there are residential flats that rise from five stories on the side facing the site to ten stories further from the application site.

4.0 Relevant Site History

- 4.1 The relevant planning history for the site is set out below:

Application No.	Description of development	Decision
F/04290/007	Prior approval for the change of use from B1 (offices) to C3 (residential) to create 13no. 1 bedroom, 2no two bedroom and 4no. studio flats (19 units)	Prior approval required and granted, 25 October 2019
P/04290/008	Demolition of existing building and construction of 61 residential apartments, basement car and cycle parking, bin storage area, and ancillary development.	Refused, 21 April 2021

5.0 Neighbour consultations

- 5.1 Site notices were posted on 7th January 2022, and the application was advertised in the local newspaper on 15th April 2022.
- 5.2 One neighbouring resident has objected to the application on the following grounds:
- Overlooking and loss of privacy.
 - Unacceptably high density.
 - Out of character design.

- Poor refuse collection arrangements.
- Zero affordable housing.
- Flawed daylight and sunlight assessment.
- Would welcome a “more careful and sympathetic” redevelopment of Automotive House.

6.0 **Consultations**

6.1 **Natural England**

This application is supported by a HRA (dated December 2021). Although Natural England are broadly supportive of the direction of the HRA, we are not in a position to agree with the conclusions as yet. We agree that financial contributions towards improvements at Upton Court Park, could function as the mitigation as outlined in the HRA. Natural England are yet to formally agree and sign off the use of this SANG, as Slough Borough Council have not provided the detail about the site, that satisfies us that likely significant effect will be avoided upon the integrity of Burnham Beeches SAC. In effect that it will definitively work as a SANG. Natural England provided feedback (dated 14/05/2021) to Slough Borough Council on the draft Page 2 of 6 mitigation strategy which outlined what is required to get the strategy to a stage where we can be certain it will mitigate the impacts of new development coming forward within the Borough. If a second draft of this document can be completed and supplied for our agreement, and is found to be meeting the requirements of the Habitats Regulations, then we will be happy to remove this objection.

6.2 **Thames Water**

Waste Comments

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

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

Water Comments

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, 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 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, 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

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development” The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

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.

6.3 Berkshire Archaeology

The proposed development site has been heavily developed in the past, and therefore it is likely that any below-ground archaeological deposits will have been truncated or removed during groundworks associated with construction. As with previous proposals for the site, archaeological work would be unlikely to yield meaningful results, and so requiring investigations would not be appropriate in this instance.

Therefore I can confirm that, in line with previous recommendations, Berkshire Archaeology believes there should be **no requirement** to undertake a scheme of archaeological mitigation in relation to the current development proposals.

6.4 Berkshire Fire and Rescue Service

At this stage there is no duty placed upon the Fire Authority under the aforementioned legislation to make any comment relative to your application. Any structural fire precautions and all means of escape provision will have to satisfy Building Regulation requirement. These matters are administered by the local authority Building Control or approved inspectors, who you are advised to contact in this regard. Please note that the weight limits for RBFRS fire appliances is 16 tonnes for fire engines and 26 tonnes for three axle aerial appliance. Access and water supplies requirements must meet or exceed The Building Regulations 2010 Approved Document B- B5 standards. Please be advised that any comments made by the Fire and Rescue Service in this letter must not be taken as formal approval.

Please consider sprinkler protection to residential buildings.

6.5 Crime Prevention Design Advisor, Thames Valley Police

The Slough Local Development Framework Core Strategy 2006-2026 aims at reducing crime and disorder, and has a focus on preventing anti-social behaviour and building a better community. I am unable to support this application as I believe the security of the development does not meet the requirements of the NPPF 2021. A number of aspects of the plan could contribute to crime and anti-social behaviour and I currently cannot see how all of these aspects could be mitigated. Please find below my notes and recommendations, please note that this is not an exhaustive list and that if this plan is to go ahead I request further plans prior to any approval.

Compartmentation:

As per Secured By Design, developments of over 25 flats/apartments should provide compartmentation. This is in order to reduce the risk of crime and ASB on residents and to protect the privacy of residents by restricting access to floors and areas of the building. Compartmentation allows the control of access and allows residents of individual floors/areas to feel safe that only they can access their residential area. This is a feature that is lacking from this development and due to the placement of the stair/elevator core I do not see how you could reasonably compartmentalise this development and prevent unauthorised access. Being a resident of this development should not entitle you to unrestricted access to all areas of it and we should not assume that all offenders are external to the development. Neighbourhood disputes can escalate to impact heavily on the community and police resources. Without compartmentalisation all residents and potential their visitors would have unlimited access to some the residential corridors of floors five and six when using the communal gardens.

Communal Spaces/Gardens:

The communal garden on the ground floor currently lacks surveillance over it and it is recommended that a larger window be placed in the apartments in the Eastern elevation in order to maximise natural surveillance over the area. I have concerns over the security in relation to the gardens on floors five and six. Access to both gardens/communal areas is via the residential corridor, compromising the security and privacy of the residents on those floors. As above compartmentation is vital in order to protect the security and privacy of all tenants from unauthorised access to their residential corridor. This is not possible with the placement of the communal areas in relation to the stair/elevator core. From the plans and elevations I can see two gates in the wall of the communal garden on the fifth floor, I am unable to see a purpose to this and require clarification from the applicant as I have concerns over opportunity for crime and ASB as well as a safety risk. On floor six the placement of the pergola also poses a safety risk along with opportunity for ASB for example that people may potentially Taliesha Baylis Crime Prevention Design Advisor Thames Valley Police Head Quarters South 169 Oxford Rd Kidlington OX5 2NX 10 February 2022 climb on it up onto the edge of the building. The plans lack information regarding access controls into the communal areas, lighting of the area and curfew. These are important in preventing ASB notably neighbourhood disputes arising from noise complaints. This aspect needs further planning from the applicant.

Parking:

While we understand that the intention of the applicant is to be a vehicle free development I believe that this has opportunity to cause vehicle related anti-social behaviour and neighbourhood disputes. It is anticipated that some residents will have vehicles and will leave them in the surrounding streets parked without due care potentially along the footpath at the front of the building restricting pedestrian access.

Undercroft:

On the Eastern side of the development between the communal garden/accessible parking and the building is a footpath that runs directly below the windows of the apartments on that side. On the elevations this is shown as being an undercroft area. This is an ideal location for Anti-social behaviour for example rough sleeping and gathering. This has the potential to cause ASB complaints from the occupants of those two apartments, for example noise from pedestrians and from those gathering. I recommend that defensible planting to be used to deter gathering below the windows. As mentioned above for maximum surveillance of the parking area I would also recommend that the size of the windows be increased so that the occupants can safeguard the parking and communal space outside. This has the opportunity to deter and detect crime and ASB.

Postal Services:

From reviewing the plans I can see external mail boxes and a bulky mail store. The lobby also shows what looks like a concierge desk. Concierge service should not be relied upon as this is the first management service that could be changed if cost savings are required. This leaves room for unrestricted access for deliveries and compromises the security of the building. We need to note that Royal Mail is no longer the only service that needs to be considered, due to a change in consumer habits we now see a constant flow of deliveries from alternative companies such as Hermes, Amazon, Yodel etc. also the delivery of marketing and postal flyers. The concierge whilst available could be used as a 'fall-back position' but should not be a primary solution and where deliveries are needed individual residents will need to be present to accept delivery of their mail/parcel having been called through the front access panel. I also note on the elevations what appears to be a window into the bulky mail room, as this is not an active room this serves no surveillance purpose however if not tinted the window gives passers-by visual into the bulky mail room and its contents potentially leaving it vulnerable to crime.

Access:

Access controls are an imperative aspect of security on a flat/apartment development as it plays a vital role in securing the property against unauthorised access protecting the building and its occupants from crime and ASB. From reviewing the plans I cannot see any information regarding access controls for the building. I urge the applicant to review SBD regarding access controls for developments over 25 dwellings. The access controls should be fob access with door release that can be released from the dwelling, featuring video and audio feed that can be recorded and provided to law enforcement for the purposes of investigation crime and ASB. There should be no trade button as these can be misused, if entry for trade is required by management they should arrange fob access for the trade only to the area required. If the resident is present they should allow access to the trade and escort them. These access controls should be extended to provide compartmentation through the development with a requirement to fob onto each floor plate and into the communal corridor from the stair and lift lobby. This should be addressed once the positioning of the access onto the podium garden has been amended. All ground floor windows should be laminated glass, with key lockable hardware in order to prevent crime as they are in an easily accessible height and ideal for access for suspects. Accessible parking spaces have been provided at the Eastern side of the building, plans also show a door to this Eastern side entering the building. From reviewing the elevations and drawings I note that this door does not appear to be accessible and looks to be a fire door. I ask the applicant to confirm if they intend to make this door accessible for the users of the accessible parking. If this is not the intention I request a plan of how the users will enter the building especially if as above vehicles are left on the footpath making it unusable. If the intention is to provide accessible access at this point then a secure lobby must be provided (as shown for the main entrance) to prevent unauthorised access.

Bike Stores:

The DAS states that the bike stores can be accessed from inside or outside via locked doors however from reviewing plans and elevations there appears to be only windows from the outside into the bike stores. Landscaping also shows planting outside the windows. If the applicant intends to have doors then I cannot see how the landscaping would work with accessibility. For ease of access it is ideal for the cycle stores to be accessible from the outside so that residents are not required to take bikes through the corridors to put them into the store, as this is likely to cause neighbourhood disputes over mud or dirt from bikes. If the intention is to provide external doors then its location needs to be addressed or the floor plans amended to prevent the need to enter one store to access another. Please see below circled a viable option for external door placement. The access door would need to meet PAS 24:2016 and have suitable access controls, fob access is recommended with a self-closing door to prevent unauthorised access.

6.6 Health and Safety Executive

(Paragraph numbering included as per the HSE letter):

- 1.1 It is noted that the above application relates to a relevant building, with a height of 21.15m, served by a single staircase.

Means of escape and fire service access

- 1.2 Plan drawings show the single common staircase connected to ancillary accommodation (including a social and co-working area, bin store and bicycle stores) at the ground level.
- 1.3 The fire safety standard cited in the fire statement states that where a staircase forms part of the only escape route from a flat, it should not also serve any ancillary accommodation. When this matter is assessed during later regulatory stages, any necessary design changes may affect land use planning considerations such as layout and appearance of the building and the number of, and area available for, units of varying uses.
- 1.4 Similarly, sectional drawings show the single staircase descending to basement plant rooms. Where a staircase forms part of the only escape route from a flat it should not continue down to a basement; and should not serve places of special fire hazard such as plant rooms. Again, when this matter is assessed during later regulatory stages, any necessary design changes may affect land use planning considerations such as layout and appearance of the building and the number of, and area available for, units of varying uses.
- 1.5 Drawings of the first to fourth floors show escape route travel distances of 20m from the door to the firefighting shaft, to the door to the most remote flat. This is excessive. The design standard cited in the fire statement permits maximum travel distances of 15m where a single stair is provided in a sprinklered building. When this is matter is subject to later regulatory consideration any necessary design changes may affect land use planning considerations such as layout and appearance of the building and the number of, and area available for, units of varying uses. External fire spread
- 1.6 Drawings of the first to fourth floors show windows of flats and escape route windows at right angles and approximately 1.5m apart. This proximity and angle may allow the spread of fire from a flat to the escape route. When this matter is

assessed during later regulatory consideration, any design changes necessary may affect land use planning considerations such as the external appearance of these areas of the building.

- 1.7 The ground floor drawing shows a disabled parking space approximately 1.8m from a flat window. Further engineering analysis may be required to determine if a car fire in this location poses a risk of fire spread to the building via the flat window. Any design alternations necessary may affect land use planning considerations such as parking provision, landscaping and appearance of the building.

SBC consultees

6.7 Air Quality

In air quality terms this is considered to be a Minor impact development, so the requirement for EV charging is not necessary for the purpose of mitigation of AQ impacts. Will require condition on CEMP, including standards on vehicle emissions (HGVs and NRMM). Also will require condition on heating system as per the LES.

6.8 Environmental Noise

Unlikely to be an issue due to the location of the development, unless there are significant commercial uses nearby.

6.9 Scientific Officer, Ground Conditions

No comments received at the time of writing. For the previous application the following comments were received:

I reviewed the Phase I Geo-Environmental Risk Assessment (ref. no. 20-213.01), dated July 2020, prepared by Aviron Associates Limited. The report identified potentially viable pollution pathways, and due to the remaining uncertainties additional investigation and monitoring was recommended. I agree with these findings.

This is the same geo-environmental report that was submitted for the current application. Conditions were recommended by the Scientific Officer for any planning permission granted.

6.10 Transport and Highways Development

Planning permission is sought for the construction of 51 residential apartments with 2 disabled car parking spaces. The Transport Statement highlights that the building benefits from Prior Approval for permitted development to convert the building to 19 residential apartments (Planning Ref: F/04290/007).

A previous application (Planning Ref: P/04290/008) for 61 dwellings was refused planning permission on 21st April 2021.

Vehicular Access

The proposed development provides only 2 disabled parking bays at surface level, towards the eastern end of Stanley Cottages. These parking spaces would appear to be at the same level as the carriageway on Stanley Cottages.

As shown on GAA Drawing No.19039-GAA-ZZ-GF-DR-T-2020, dated 19/05/2022, the applicant has confirmed adjacent vegetation will not exceed 600mm to ensure it does not restrict visibility, however the exact visibility splay available from the parking spaces has not been confirmed.

SBC request provision of the achievable visibility from the proposed parking spaces. Visibility should be provided in accordance with the standards set out in the Manual for Streets.

SBC Highways and Transport recommend refusal of the planning application without confirmation that suitable visibility can be provided from the parking spaces. It has not been demonstrated that the application is compliant with Paragraph 110 of the NPPF which requires: *'the provision of safe and suitable access for all users'*.

Pedestrian Access

SBC Highways and Transport request that the proposed delivery bay is amended to prevent pedestrians attempting to access the site by walking across the delivery bay which would create a highway safety problem.

SBC Highways and Transport request the applicant provide an extended footway across the western boundary of the site and offer this footway for adoption as public highway. This is required to improve pedestrian permeability in the area and facilitate the comprehensive redevelopment of this area identified within Slough's Site Allocations DPD.

SBC Highways and Transport also request that the applicant demonstrate pedestrian visibility splays of 2.4m x 2.4m are provided from the access points to the proposed development.

Without these amendments to the proposed site layout, the proposed development cannot be considered in accordance with Local or National Planning Policy. The National Planning Policy Framework sets the following requirements for applications for new development within Paragraph 112:

'a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second facilitating access to high quality public transport; and c) create places that are safe, secure and attractive – which minimize the scope for conflicts between pedestrians, cyclists and vehicles'.

Access by Sustainable Travel Modes

The site is in a location well connected by sustainable travel modes. From the proposed development, Slough Railway Station is located approximately 400 metres away (6 minutes' walk and 2 minutes cycle), Slough Bus Station is 300m (4 minutes' walk / 2 minutes cycle).

In addition, Tesco Extra is approximately 550 metres from the site (7minutes' walk / 4 minutes cycle) and Slough High Street is approximately 650 metres (8 minutes' walk and 4 minutes' cycle).

Trip Generation

SBC Highways and Transport accept that the proposed redevelopment would reduce the number of vehicle trips generated by the site and therefore have no objection to the proposed development on the basis of vehicular trip generation.

The submitted Transport Technical Note includes a trip generation forecast for the proposed development. The Technical Note concludes that there would be a reduction in the overall number of person trips and in the number of vehicle trips generated by the site when the trip generation of the existing B1a Office and proposed 51 dwellings are compared.

The Transport Technical Note estimates that the proposed use would reduce the number of person trips generated from 45 to 26 during the PM Peak Hour and from 538 person trips to 279 over the course of a day (07:00 – 19:00).

The reduction in the number of car parking spaces on site and parking controls surrounding the site make it highly likely that there will be a reduction in the number of vehicle trips generated by the site.

Residents Parking

SBC Highways and Transport accept the provision of 2 car parking spaces for disabled users on site.

The site's location in close proximity to Slough Railway Station, Slough Bus Station and Slough High Street makes the proposed development suitable for a car free development and the Slough Borough Council Parking Standards (2008) allow for nil Car Parking Provision within highly accessible areas such as the Town Centre Area.

Visitor Car Parking

The Transport Technical Note states that to facilitate visitor parking, the applicant would be prepared to fund a Traffic Regulation Order to provide two on-street parking bays with a maximum stay of 1 hour between Monday – Saturday 8am – 7pm, with no return within two hours.

SBC Highways and Transport request a Section 106 contribution of £3,000 is secured towards the provision of the parking restrictions and the traffic regulation order. This is to change the existing on-street parking restrictions and avoid the creation of an on-street parking problem after 7pm when the existing parking restriction ends.

Residents Cycle Parking

SBC Highways and Transport have no objection to the proposed cycle parking for the scheme.

The Transport Technical Note states in paragraph 26 that the amended scheme provides internal cycle storage with at least 52 residents' cycle spaces, sub-divided into individual stores of no greater than 20 bicycles per store, using a mix of two-tier stands and Sheffield Stands.

The proposed number of cycle parking spaces accordance with the requirement for provision of 1 secure, covered cycle parking space within The Slough Developer's Guide – Part 3: Highways and Transport.

Visitor Cycle Parking

For visitor cycle parking, the scheme includes 3 short-stay Sheffield stands (providing 6 spaces) located in close proximity to the main building entrance.

The Slough Developers Guide – Part 3: Highways and Transport requires the provision of visitor cycle parking for flatted developments of more than 10 dwellings.

Deliveries, Servicing and Refuse Collection

The proposed site layout includes a delivery bay in order to accommodate delivery vehicles associated with the development, on the western boundary of the site on Grays Place, onto which the development fronts. The bay is 11.4m long excluding tapers, and swept paths show a 7.5t van could enter and leave the bay in a forward gear, or a 10m long rigid vehicle could reverse in.

The Technical Note includes a forecast of how many delivery trips will be generated by the proposed development based on survey data from the TRICS database. The Technical Note forecasts 6-7 delivery vehicles per day will be generated, with each delivery lasting approximately 2-5 minutes.

The proposed bin store is located within the building and bins would be wheeled to a bin holding area in advance of collections from Grays Place, and returned thereafter.

Summary and Conclusions

Mindful of the above, amendments are required before this application could be supported. If the applicant considers that they can address the comments that have been made then I would be pleased to consider additional information supplied. Alternatively, should you wish to determine this application as submitted then I would recommend that planning permission be refused.

6.11 Heritage advisor

Automotive House is a mid 20th century 3-storey flat roofed office property, the application proposes its demolition and the construction of new residential development on the site of between 5 and 8 storeys in height.

This application follows an earlier planning application (P/04290/008), which was refused by the Council for matters which related largely to the design of the proposed building, and its relationship with its surrounding context,

Approximately 100 metres to the south of the site lies Slough railway station which includes 3 grade II statutory listed buildings; Slough Station booking hall (fronting Brunel Way), an island platform building and the Area Managers Building (which fronts Railway Terrace). The station buildings were all constructed in 1882 and were designed by J. E. Danks, a Great Western Railway architect in the 'Second Empire' style; the buildings are separately listed but clearly have group value. These are the only designated heritage assets that could be impacted. The prime conservation consideration is whether the proposal will preserve the setting (and thereby the significance) of these designated heritage assets.

The NPPF defines setting as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surrounding evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral.'

Historic England advises that setting itself is not designated. Whilst every heritage asset has a setting, its importance, and therefore the degree of protection it is offered in

planning decisions, depends entirely on the contribution it makes to the significance of the heritage asset or its appreciation.

The submitted Heritage Statement relates to the previous scheme for redeveloping the site so is out of date. However, the scheme is now reduced in scale / height and it relates better to the surrounding context.

In terms of any impact upon the setting of designated heritage assets at Slough Railway station. It is noted that views of the southernmost listed station building from Brunel Way already features several tall developments in the background. The setting of the grade II listed modest scale station buildings has therefore changed since their construction by virtue of late 20th century and more recent high-density development within Slough town centre. This existing development is considered to detract from its setting to a degree however any impact upon significance is low.

A very basic CGI view has been submitted within the Design and Access Statement, it demonstrates that the upper part of the new development will be visible above the distinctive roof of the southernmost station buildings from the station forecourt area and Brunel Way when looking north. However, due to the reduced height of the development (compared to previous refused scheme) it will be less prominent.

In summary the proposed redevelopment of Automotive House as proposed will change the setting of the southernmost listed railway station building by a small amount and be seen in context with other taller developments locally. However, the proposal is not considered to result in an adverse impact upon the significance of the grade II listed Slough Railway Station buildings through development within their setting.

6.12 Lead Local Flood Authority

No consultation comments were provided. However, the Council's consultant reviewed the information submitted for the previous application, when it was noted that the applicant wished to submit a SuDS maintenance plan at detailed design stage, and a condition to provide for this was recommended.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 National Planning Policy Framework 2021 and National Planning Practice Guidance:

- Chapter 2: Achieving Sustainable Development
- Chapter 4: Decision making
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 6: Building a Strong Competitive Economy
- Chapter 7: Ensuring the vitality of town centres
- Chapter 8: Promoting healthy and safe communities
- Chapter 9: Promoting sustainable transport
- Chapter 10: Supporting high quality communications
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment
- Chapter 16: Conserving and enhancing the historic environment

Paragraph 11 of the NPPF states that decisions should apply the presumption in favour of sustainable development which, for decision-taking, means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or 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.

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

Core Policy 1 - Spatial Vision and Strategic Objectives for Slough
 Core Policy 4 - Type of housing
 Core Policy 5 - Employment
 Core Policy 6 - Retail, Leisure and Community Facilities
 Core Policy 7 - Transport
 Core Policy 8 - Sustainability and the Environment
 Core Policy 9 - Natural and Built 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)

Policy H9 - Comprehensive planning
 Policy H11 - Change of Use to Residential
 Policy H14 - Amenity space
 Policy EMP6 - Stoke Road area
 Policy EN1 - Standard of Design
 Policy EN3 - Landscaping
 Policy EN5 - Design and Crime Prevention
 Policy T2 - Parking Restraint
 Policy T7 - Rights of Way
 Policy T8 - Cycling Network and Facilities
 Policy T9 - Bus Network and Facilities

7.4 Slough Local Development Framework Site Allocations (November 2010)

Part of the site is allocated under site reference SKL3 (Stoke Road and Mill Street) in the Slough Local Development Framework Site Allocation Development Plan Document for possible Residential or mixed use development.

7.5 Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4:
 - Part 1: Planning application procedure and decision making
 - Part 2: Developer contributions and affordable housing
 - Part 3: Transport and highway guidance
 - Part 3: Update to Table 3 charges for highways agreements and licences
 - Part 4: General development guidance

- Proposals Map 2010
- SBC Slough Low Emission Strategy (LES) 2018 - 2025 Technical Report

7.6 Planning and Compulsory Purchase Act 2004

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 July 2021. Planning Officers have considered the proposed development against the revised NPPF which has been used together with other material planning considerations to assess this planning application.

The NPPF 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.

7.7 Emerging Preferred Spatial Strategy for the Local Plan for Slough

One of the principles of the Emerging Preferred Spatial Strategy is to deliver major comprehensive redevelopment within the “Centre of Slough”. The emerging Spatial Strategy was developed using some basic guiding principles which include locating development in the most accessible location, regenerating previously developed land, minimising the impact upon the environment and ensuring that development is both sustainable and deliverable.

Due to the early stage of development, these documents currently carry little weight in the determination of the application.

8.0 Planning Assessment

8.1 The planning considerations for this proposal are:

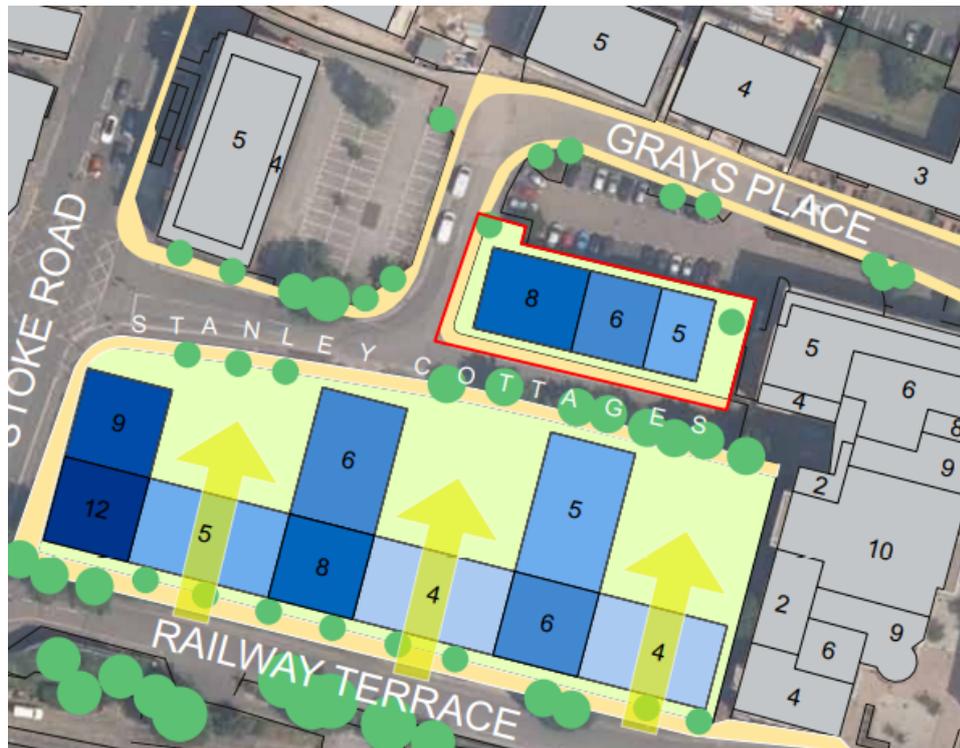
- The principle of redevelopment
- Impact on the character and appearance of the area
- Mix and density of dwellings
- Impact on amenity of neighbouring occupiers
- The amenities of future residents at the site
- Burnham Beeches SAC
- Wind conditions / microclimate
- Highways / Transport and parking
- Sustainable Design and construction
- Surface water drainage
- Archaeology

- Safe and Accessible Environment
- Fire Strategy
- Infrastructure/S106 requirements

9.0 Principle of development

- 9.1 The application site is within the boundary of the town centre, where high density residential development is supported, subject to criteria noted across three key Development Plan documents.
- 9.2 Core Policy 1 of the Slough Core Strategy relates to the Spatial Strategy for Slough, which states that development should take place within the built-up area and predominantly on previously developed land; proposals for high density housing should be located in Slough town centre. Core Policy 4 of the Core Strategy (Types of Housing) reaffirms this point, and also sets out affordable housing requirements.
- 9.3 The site is within an allocated site, SKL3 in the Site Allocations DPD. This sets out that
- The area needs to be comprehensively planned in order to accommodate the pressure for development in this location close to the railway station. This could be achieved by relaxing the policy for the Existing Business Area which prevents the loss of employment land. Residential or mixed use development may be appropriate as part of the comprehensive regeneration of this area.*
- 9.4 The reference here to loss of employment land relates particularly to saved Local Plan policy EMP6, which sets out that:-
- Within the Stoke Road, Mill Street and Grays Place areas, redevelopment schemes which provide a range of business and residential uses, either independently or combined as mixed use schemes, will be permitted if they comply with all of the following:*
- a) there being no adverse effect on the amenities of neighbouring residential areas;*
 - b) there is adequate access, servicing arrangements and landscaping;*
 - c) on site car parking being limited to reflect the area's good public transport links; and*
 - d) that the proposals make a positive contribution to enhancing the local environment in accordance with the design policies contained in this Plan.*
- 9.5 While as noted above the emerging Local Plan is in its early stages, land between the rail corridor and Mill Road, to the east of Stoke Road, has been identified for further residential development.
- 9.6 Taking the adopted planning policies and the NPPF into account, the principle of residential development at the site is therefore acceptable, subject however to achieving a high level of design quality and retaining the amenities of existing residential neighbours.
- ## **10.0 Impact on the character and appearance of the area**
- 10.1 The application is intended to address issues with the previously refused proposal with respect to height, bulk, massing and other matters, as contained in the second reason for refusal. This includes reductions in building height and massing, alongside changes in the design of the building.

- 10.2 The main reductions in the proposed building envelope include pulling in the footprint at both ends of the building and a reduction in height. Distance from Intercity House is increased to 12m, from 10m in the refused proposal, while adjacent to the Grays Place frontage the building has been pulled back 1.5m from the building line in the refused application. Maximum height would be approximately 25m, as against 32.5m in the refused application. Height closest to Intercity House remains at approximately 15m. As with the previous proposal, the building footprint would occupy the area currently providing car parking on the southern side of the existing building, and would increase as compared to the existing situation, the proposal would occupy approximately double the footprint of the existing building.
- 10.3 The building design has been simplified and articulated, and the main entrance addresses the Grays Place frontage, where an entrance lobby, a loading bay and a continuation on the existing footpath immediately north on Grays Place would replace the private ground floor terraces of the refused application. While all balconies are suspended (“bolt on”) this is a feature of recent residential development at Greys Place such as at the Vanburgh Court development. With the provision of good quality materials, the proposal could present an appropriate public face to the development if the height and bulk were also acceptable. However, concerns on these points remain.
- 10.4 In seeking to establish an appropriate scale for the site, it is noted that recent development at Grays Place and adjacent sites on Stoke Road has improved the appearance and standard of building design in the vicinity, which has resulted in a marked improvement in the character of the area. The newer building styles and scales towards the western end of Grays Place are more coherent than the higher and bulkier buildings closer to the railway station. The application site is in a prominent location within this western Grays Place setting, but the height and (north / south width) of the proposed building would relate more closely to the dense form of development to the east rather than to the smaller scale apartment developments to the north and west of the site.
- 10.5 The application has sought to address this issue in part by providing a Townscape Analysis, which considers the context of the surrounding development and also how the bus depot site might be developed in the future. The extract diagram below shows indicative existing building heights in light grey (number of storeys), while future possible development on the bus depot site as well as the application site are shown in blue (or mainly darker greys where this report is printed in monochrome):



Extract from the applicant's Townscape Analysis (December 2021)

- 10.6 While the Townscape Analysis is a useful indicative study, it has not been subject to an in-depth assessment of the achievable capacity on the bus station site. The footprint for the application site, as shown in this extract, is smaller than in the current proposal, which would extend closer to the Stanley Cottages boundary.
- 10.7 The reduced building coverage as compared with the previous application provides some scope for landscaping, mainly at the eastern end of the site adjacent to Intercity House. However, in the existing site context, the scale of the proposal remains unacceptable both in respect to how the height relates to buildings to the north and west and the extent of the proposed site coverage. Excessive site coverage also results in close proximity of the eastern end of the building to habitable room windows to the east, which is discussed in Section 12 of this report.
- 10.8 As in the previous application a refuse / recycling store would be provided within an area to the north of the building adjacent to the street frontage location. This is intended as an area for bins to be moved to on collection days. While this is a practical means of providing for bin collection, for any acceptable scheme it considered that use of part of this area for significant structural landscaping should continue to be explored.
- 10.9 In conjunction with neighbour impacts, which are considered in Section 12 of this report, it is considered that the proposal would be contrary to saved Local Plan policies EN1 and EMP6, Core Strategy Policies 8 and 9, and to design advice in the NPPF.

11.0 Mix and density of dwellings

11.1 The mix of units sizes as proposed is as follows:

Unit Type	Number	Proportion
1-Bed 2 person	24	45%
2-Bed 3 person	10	22%
2-Bed 4 person	17	33%

Total	51	
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11.2 Notwithstanding the objections noted above, as already discussed Core Strategy Policies 1 (Spatial Strategy) and 4 (Types of Housing) provide for high density housing within Slough town centre. The Core Strategy notes a tendency to the formation of smaller households and a corresponding demand for smaller units, and while the unmet needs for family housing in Slough remains acute, the mix of units proposed is considered to be acceptable in this location.

11.3 The proposal would result in a density of 503 dwellings per hectare, as against 602 dw/hectare in the previous proposal. This is a very high density appropriate to town centre locations, which could be accepted subject to compliance with other policies and securing a high level of amenity for both existing residential neighbours and for future occupiers of the development.

12.0 Impact on the amenities of neighbouring occupiers

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

12.2 As in the previous application, the building height at the eastern end of the development would be five storeys high, as against three stories for the existing building. Separation from Intercity House has increased from 10m in the refused application, to 12m - 13.5m. For two flats at Intercity House which are located adjacent to the end of the existing building, this represents an improvement from the existing 7.5m; however the wall that these windows face will be two stories higher than existing as well as significantly wider. As in the refused application, six other flats at Intercity House that currently have a good outlook from habitable room windows to the west, along the south side of Automotive House as existing, would be particularly closed in by the new facing wall. In addition the proposed building would also encroach over the direct line of sight from balconies / roof terraces at Intercity House, including one fourth floor roof terrace that would be significantly enclosed by the proposed building, and several others that are set further away from the application site.

12.3 The proximity of the building and much greater bulk of its eastern end would be oppressive and overbearing for these neighbours. The harm would be significant and significant weight must be given to this unneighbourliness.

12.4 It is noted that direct impacts on privacy from views between existing and proposed windows have been eliminated in this proposal, as the only habitable rooms within the development at this end of the proposed building would be perpendicular to Intercity House, within the bay-like projections at the eastern end of the building. Some narrow windows would be provided in these elevations, which would serve communal access corridors. These could be obscure glazed although this would not totally overcome a possible perception of overlooking. While that in itself would not be sufficient to justify refusal, this feature does add to the unneighbourliness of the development that results from its overbearing nature.

Daylight and Sunlight

12.5 A Daylight and Sunlight Report was submitted with the application which assesses impacts on natural light for neighbouring residential properties using the Building Research Establishment (BRE) standard methodologies, namely the Vertical Sky Assessment (VSC), Annual Probable Sunlight Hours (APSH) and Daylight Distribution (DD) tests.

- 12.6 For the closest neighbours, at Intercity House, all but one window serving a habitable room would pass all three of the above standard tests, with the remaining windows failing the VSC test. However, as this is one of three windows serving the same living room and the other two windows for this room would pass the tests, the overall impact on this room is considered to remain within acceptable levels. On the north side of Grays Place, several flats at Vanburgh Block B and 31 - 41 Grays Place would be adversely impacted, including five lounge/kitchen/ dining rooms that failing one or more of the three standards tests, with one failing all three tests, while six bedrooms at 31 - 41 Grays Place would fail the Daylight Distribution test. One flat at Vanburgh Block A, which is understood to be that of an objector was also tested. This building is over 40m to the north-west and the proposal would not impact on direct sunlight from the south. The impacts on daylight and sunlight for this flat were found to be acceptable.
- 12.6 While these sunlight and daylight impacts impinge on a relatively small number of flats to the north, the impacts must be considered in the balance of the overall impact on neighbouring properties and weighs against the proposed redevelopment. .
- 12.7 Taking all of the above points into consideration, it is considered that the proposal would result in unacceptable impacts on the residential amenities of neighbouring occupiers, and as such the proposal would fail to meet the requirements of saved Local Plan policies EMP6(a) and EN1(k) and Core Strategy Policy 8(2).

13.0 Living conditions for future occupiers

- 13.1 All of the proposed flats comply with the Council's minimum internal space standards, which are set out in the Developer's Guide Part 4 supplement and were adopted in November 2018 and is in line with the national '*Technical housing standards – nationally described space standard*'. Provision of communal space would be an asset to the scheme, although divided out across the number of units to be provided this would equate to about 4 sq.m. per flat and, for the flats with smaller balconies this would equate to around 7 – 8 sq. m. in combination with communal space. In the event that the application is to be approved, it is considered that a financial contribution towards improvements in public amenity space within the vicinity of the site would be required to address the shortfall of amenity space and to address impacts arising directly as a result.
- 13.2 The number of flats with a single aspect to the north has been reduced from 18 in the refused scheme, or 30% of the total, to 9 which is 18% of the total number of flats. As acknowledged in the refused application, it is difficult to avoid the inclusion of some single aspect north facing flats within the design, and the reduction here is welcomed.
- 13.3 The Council's section 106 guidance Part 2 *Developer Contributions and Affordable Housing* (Section 106) notes the high levels of housing need for disabled residents across all tenures. A requirement is set for 5% of homes on all developments of 25 or more dwellings to be wheelchair accessible, so if the application was considered acceptable in all other respects, a condition or conditions would be required to ensure that a minimum of two flats in the development are provided to Part M4(3) standard (wheelchair user dwellings). While this is slightly under the 5% standard, it is noted that two accessible parking bays are proposed, and that these could be allocated to blue-badge holders living in the accessible flats.

14.0 Impacts on Burnham Beeches Special Area of Conservation

- 14.1 Paragraph 17 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.

- 14.2 Natural England's have objected in relation to the impacts of additional residents on the Burnham Beeches Special Area of Conservation. Natural England (NE) has asked for a suitable strategy to be agreed that will provide on-going mitigation for future major development within a 5.6km buffer zone around the SAC. This would require mitigation to be secured for an identified project through a planning obligation, in order to ensure that there will not be any in-combination effect as a result of additional recreational pressures on the Burnham Beeches SAC generated by the development. Members will be aware that the Planning Policy Team has produced a detailed draft Mitigation Strategy based around projects at Upton Park, in consultation with NE. The draft Mitigation Strategy was recently submitted to NE, who are currently considering the document.
- 14.3 The applicant provided a "shadow" Habitats Regulation Assessment with the application. If the proposal was considered acceptable in all other respects this could be helpful if planning permission was to be granted ahead of NE fully lifting their objection, in assisting the Council to undertake an Appropriate Assessment of impacts. In the event of refusal on other grounds, and in the absence of a completed section 106 agreement, the application must be refused on grounds that no mitigation for impacts on the SAC has been provided.

Wind conditions and microclimate

- 15.1 While a Pedestrian Wind Environment Statement was submitted for the previous proposal, an equivalent document has not been provided with the current application. In the event that the application is approved, it would be necessary for it to demonstrate that the wind environment around the building will be acceptable for pedestrian and cyclist use. As the previous application demonstrated that the building's impacts on the local wind environment were acceptable, it is considered that this could be achieved here by means of a report to be provide by condition. It is noted that this could require some ancillary structures or, where space allows, tree planting to be provided for to ameliorate any increase in localised wind speed that could otherwise occur around the building.
- 15.2 In the absence of a Wind Environment study, a further objection is made as set out in the recommended reasons for refusal.

16.0 Highways, transport and parking

- 16.1 Paragraph 110 of the NPPF 2021 states that in assessing specific applications for development, it should be ensured that:
- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) Safe and suitable access to the site can be achieved for all users; and
 - c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree
- 16.2 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

16.3 The site is adjacent to good quality public transport facilities and is provided with appropriate secure cycle storage. Elimination of basement car park and amendments to the design of the loading bay at the western end of the site, in consultation with Highways officers, has overcome the fourth reason for refusal in the previous application. Highways officers have however objected on grounds of poor visibility, and the lack of a public footpath around both frontages to the site. These points are included in the recommended reasons for refusal.

16.4 In the event that planning permission is to be granted, the financial contribution towards a traffic regulation order sought by the Council's Highways Officer would need to be provided for in a section 106 agreement.

17.0 Sustainable design and construction

17.1 The NPPF 2021 seeks to promote high levels of sustainability, and to avoid increased vulnerability to climate change through planning of green infrastructure and reducing greenhouse gas emissions.

17.2 Core Strategy Policy 8(1) requires all development to include measures to:

- a) *Minimise the consumption and unnecessary use of energy, particularly from non renewable sources;*
- b) *Recycle waste;*
- c) *Generate energy from renewable resources where feasible*
- d) *Reduce water consumption; and*
- e) *Incorporate sustainable design and construction techniques, including the use of recycled and energy efficient building materials.*

17.3 The submitted Energy Statement provides two heat-pump based options for use in the development. One would require a significant enlargement of the roof-top lift overrun to accommodate heat-pumps. The officer's report for the previous application stated that consideration should be given to making the building connection-ready for any future district heating system. While this has not been done, it could be explored further, if the application was considered acceptable in all other respects.

18.0 Environmental quality

Air Quality

18.1 The Council's EQ officer has commented that the development will not contribute to air quality issues due to the low number of car parking spaces, and there is no objection on grounds of air quality impacts. Conditions were requested in the event that the application is granted.

Environmental Noise

18.2 No objections were raised for the previous application on grounds of noise impacts on residents. Conditions were requested which would be applicable here if the application were to be approved. These would require a glazing and ventilation strategy for all facades, and an overheating assessment to be submitted at the detailed design stage.

19.0 Flood Risk and Surface water drainage

- 19.1 A Flood Risk Assessment and Surface Water Drainage pro forma were submitted with the application. The site lies within Flood Zone 1 where there is a less than 0.1% (1 in 1000) chance of tidal/fluvial flooding; however there is a high risk of surface water flooding.
- 19.2 Both Core Strategy Policy 8 and paragraphs 155 and 163 of the NPPF 2021 require development to be directed away from areas at highest risk of flooding and to ensure flood risk is not increased elsewhere. Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. 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.
- 19.3 In the event that the application is to be approved, and as noted in Section 6.12, the submission and approval of a maintenance regime for the overall surface water drainage system including individual SuDS features would need to be secured by an appropriately worded condition.

20.0 Affordable housing

- 20.1 The NPPF 2021 requires that planning policies should specify the type of affordable housing required, and that in most cases this need should be met on-site.
- 20.2 Core Policy 4 provides for residential developments for 15 or more dwellings to have between 30% and 40% of the dwellings as social rented units, along other forms of affordable housing, with the affordable housing should to be secured by a section 106 planning obligation. The Council's updated Developer Guide Part 2, (September 2017) requires developments of 25 to 69 units to make a 30% on-site provision of affordable housing (split between Slough Affordable / Social Rent, Slough Living Rent Intermediate). However, in this case a Financial Viability Assessment (FVA) has been submitted by the applicant, which sets out a case that the development would not be able to support affordable housing either on-site or by way of an off-site contribution.
- 20.3 Due to internal Council issues officers have not been able to secure an external review of the FVA. However it is noted the Council's consultant agreed with a previous FVA prepared by the same consultant, which found that affordable housing could not be provided as part of a viable scheme. In the event that the application was to be supported, further discussions would be required to confirm any changes in the viability of this scheme, with provision for early and late stage viability reviews to be included within a section 106. In the absence of a completed planning obligation, the application must be refused on grounds that no such undertaking has been provided.

21.0 Housing supply

- 21.1 The extant Core Strategy covers the 20 year plan period between 2006 and 2026. Core Policy 3 sets out that a minimum of 6,250 new dwellings will be provided in Slough over the plan period, which equates to an average of 313 dwellings per annum. This was updated by the Council's Housing Delivery Action Plan (July 2019), which confirmed that the objectively assessed housing need for the plan period is 893 dwellings per annum. The emerging targets are for the delivery of close to 20,000 new homes over the lifetime of the emerging Local Plan.
- 21.2 Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2021, it is therefore acknowledged that the Local Planning Authority cannot currently demonstrate a Five Year Land Supply. The benefits of the

additional housing offered in this application therefore form a key element of the planning balance.

22.0 Safe and Accessible Environment

22.1 Paragraph 92 of the NPPF 2021 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other
- Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

22.2 These objectives are consistent with Core Strategy Policies 8 and 12, and Local Plan Policy EN5.

22.3 The Thames Valley Police Crime Prevention Design Advisor (CPDA) has identified a number of issues in the application (Section 6.5 in this report). These include a risk of anti-social behaviour in the ground level communal garden due to the lack of surveillance from this end of the building, along with issues related to communal access within the building. If the application is considered acceptable in other respects, this could be overcome by providing appropriate boundary treatment for the communal garden and additional design measures within the building. It has not been demonstrated that the issues identified by the CPDA are capable of being addressed, and this is noted in Reason for Refusal 4 as recommended in Section 1 of this report.

23.0 Fire Strategy and safety

23.1 HSE were consulted and have raised a number of issues in respect to fire safety. The comments note that, if the application is to be approved, compliance with Building Regulations may require amendments to the plans and that, in turn, this could result in material amendments to the scheme. The application is recommended for refusal on other grounds, but if the application were to be approved then any future changes could be the subject of a section 73 application to allow the drawings to be amended.

24.0 Impact on Heritage Assets including archaeology

24.1 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 provides that in considering whether to grant permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As a consequence the desirability of preservation must be given considerable importance and weight in the decision making process.

24.2 There are three Grade II statutory listed buildings located approximately 100 metres to the south of the site at the Slough railway station. These are the Booking Hall fronting onto Brunel Way, the Area Managers Building which has street frontage to the north, and an "island" platform building between the other two buildings.

24.3 A Heritage Statement was provided as part of the application, which has been reviewed by the Council's Heritage consultant, which raises no objection with respect to impacts on these important heritage assets.

24.4 Berkshire Archaeology was also consulted, and has confirmed that there are no archaeological requirements for this proposal.

25.0 Infrastructure requirements / Section 106

25.1 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. In the event that members resolve to approve the application, or an appeal is lodged, financial contributions would need to be secured to provide for Education, Transport (including funding for a traffic regulation order proposal), Recreation, Public realm, mitigation of impacts on Burnham Beeches SAC, and early and late viability reviews in respect to affordable housing.

25.2 Thames Water commented on the availability of water infrastructure in their consultation comments (Section 6.2 in this report). In the event that planning permission is granted, Thames Water is content with the inclusion of a condition requiring confirmation that this infrastructure is in place prior to development.

26.0 Equalities Considerations

26.1 Due consideration has been given to the potential impacts of development, upon individuals either residing or working 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*).

26.2 This report identifies the need to ensure the new development provides new residential units which are suitable for individuals with respect to access and use. The Design and Access Statement identifies design measures that will be incorporated to make the development safer and more secure, therefore considerate of all individuals with protected characteristics. In the event that the proposals were considered acceptable, conditions would be recommended to ensure the development and its external areas are laid out to be easily accessible to all protected groups.

26.3 If considered acceptable in other respects, the proposals will be required to make provision for wheelchair accessible car parking spaces, level accesses and thresholds to the buildings and communal terraces.

26.4 It is considered that there would be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development 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 can be incorporated into a

demolition method statement and construction management plan to mitigate the impact and minimise the extent of the effects.

- 26.5 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

27.0 Planning Balance and Conclusion

- 27.1 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.
- 27.2 Notwithstanding the above, officers have considered whether there are any other material circumstances that need to be taken into account, notwithstanding the development plan provisions.
- 27.3 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.”
- 27.4 The report identifies that the proposal is not in accordance with key relevant saved policies in the Local Plan and Core Strategy, and that the application is non-compliant with the adopted Development Plan.
- 27.5 The development would make a positive contribution to the supply of housing in the Borough, and would be in a sustainable location. Significant positive weight must be given in the planning balance to this contribution, although conversely the proposal’s inability to deliver any affordable housing must lessen that weight.
- 27.6 However, the proposal would extend a high building typology into an area of midrise residential development, and this would result in significant and demonstrable harm both in terms of the scale of the proposed building, overdevelopment and impacts on neighbouring resident occupiers. Significant negative weight is given to these issues in the planning balance.
- 27.7 Other objections relate to the lack of a Wind Assessment study, and to a highways safety issue. The latter relates to visibility splays at the end of Stanley Cottages which is a cul-de-sac. Negative weight is given to these issues.
- 27.8 The proposal would, if acceptable in other respects, be required to make financial contributions for necessary infrastructure and the mitigation of impacts on Burnham Beeches SAC, and for early and late stage reviews of the viability of providing affordable housing on- and / or off-site. The contributions would be proportionate and no more than required to provide for the needed infrastructure and mitigation. If the application is approved following the completion of a section 106 agreement, the benefits of these financial contributions would therefore be neutral. However, in the absence of a completed section 106 agreement to secure the contributions and potentially affordable housing contributions, this is given negative significant weight in the planning balance.
- 27.9 Paragraph 11 of the NPPF sets out that

Plans and decisions should apply a presumption in favour of sustainable development...

...For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (footnote 8), 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 (footnote 7); 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.**

- 27.10 Paragraph 11 d) i. precludes approval of the application in respect to impacts on Burnham Beeches SAC, therefore technically the tilted balance is not engaged. However, these impacts could be addressed with the completion of a section 106 planning obligation that makes acceptable provision for the mitigation of those impacts. This assessment addresses the latter scenario i.e. that the tilted balance is engaged.
- 27.11 Paragraph 11 d) ii. must be considered on the basis whether the other adverse impacts noted in this report would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the NPPF policies as a whole.
- 27.12 Key policies in the National Planning Policy Framework 2021 which relate to the planning balance are:
- Impacts of additional residents on Burnham Beeches SAC; paragraphs 180 - 182.
 - Design quality, including matters related to bulk, massing, area character, comprehensive development and impacts on existing and future occupiers including their living conditions; paragraphs 126, 130, 132 and 134.
 - More detailed points in relation to traffic safety, security and crime prevention; paragraphs 92, 110 and 112.
 - The provision of additional housing overall; 60 – 69.
 - Provision of affordable housing; paragraphs 63 and 65.
- 27.13 Significant positive weight is attached to the provision of additional housing. However, the proposal as made is considered not to be viable with the provision of either on-site affordable housing, or any contribution to off-site provision. This severely tempers the positive weight attributed to the additional housing. The provision of additional housing would therefore come without complying with paragraphs 63 and 65, and this tempers the positive weight associated with the benefits of an overall increase in housing numbers. This would not represent sustainable development as it would fail to provide a key social objective as outlined in the NPPF, namely, to ensure a “*sufficient number and range of homes can be provided to meet the needs of present and future generations.*”
- 27.14 Although the quality of the building if considered in isolation from its context would be acceptable, however when considering its location and vernacular, significant and demonstrable harm would result from the impacts of the bulk, massing, height, the

extent of the site's coverage by the proposed building and, in turn, the implications for the comprehensive development of the site to the south. This harm would be significantly detrimental to the living conditions of existing and future occupiers of the site, including nearby properties, and to the character of the area. This is given significant negative weight in the planning balance.

- 27.15 Considered against the additional housing that would be provided, which would however in all likelihood fail to deliver any affordable housing whether on- or off-site, the harm arising from the scheme would clearly outweigh the benefits.

PART C: RECOMMENDATION

Having considered the relevant policies of the National Planning Policy Framework and the adopted Development Plan, the representations received from consultees and the community along with all relevant material considerations, it is recommended that the application be refused for the reasons set out in Section 1 of this report.

Drawings considered

In determining this application, the following plans and drawing were considered:

- Drawing no. 19039-GAA-ZZ-GF-DR-T-2020 Rev. P20 – Proposed Ground Floor Plan dated 19/05/22, received 19 May 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2120 Rev. P11 – South Elevation dated 06/06/22, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2121 Rev. P09 – North Elevation, dated 06/06/22, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2122 Rev. P09 – East and West Elevations, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2123 Rev. P04 – South Elevation 1, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2124 Rev. P04 – North Elevation 1, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2125 Rev. P04 – East and West Elevations 1, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2201 Rev. P04 – Section A-A, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2202 Rev. P03 – Section B-B, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-XX-DR-T-2203 Rev. P05 – Sections C-C and D-D, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-ZZ-DR-T-0120 Rev. P02 – Location and Block Plan, dated 06/06/22 received 17 June 2022
- Drawing no. 19039-GAA-ZZ-ZZ-DR-T-2021 Rev. P12 – first and second floors, dated 30/11/21 received 17 December 2021
- Drawing no. 19039-GAA-ZZ-ZZ-DR-T-2022 Rev. P12 – third and fourth floors, dated 30/11/21 received 17 December 2021
- Drawing no. 19039-GAA-ZZ-ZZ-DR-T-2023 Rev. P11 – fifth and sixth floors, dated 01/12/21 received 17 December 2021
- Drawing no. 19039-GAA-ZZ-ZZ-DR-T-2024 Rev. P06 – seventh Floor and Roof Plan, dated 06/06/22 received 17 June 2022