

PLANNING COMMITTEE
29th September 2022

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

Amendment Sheet.

Item 6 – P/19689/000 – Queensmere Shopping Centre, High Street, Slough

Amended Recommendation (to Part A Para 1 and Part C Para 24):

Amended Recommendation with following insertion of limb (vi):

(vi) Further to discussions already held with Natural England and as set out in this report, formal adoption by the Council (being the competent authority) of an appropriate assessment pursuant to the Habitats Regulations in order to conclude upon the likely impact of the development on the Burnham Beeches Special Area of Conservation (SAC) and the final form of any mitigation that is necessary to address that impact either: (i) by the Planning Manager acting in consultation with the Chair of the Planning Committee; or (ii) if considered necessary by the Planning Manager acting in consultation with the Chair of the Planning Committee, by being referred to a future meeting of the Planning Committee.

Amendments and Clarifications to the Report

Para 2.4 Site Description.

Insert after final sentence. *The site is within the setting of key views from Windsor Great Park and Stoke Park.*

Para 4.11 Historic England Comments

Insert following sentence to *Case Officer Response*:

The Historic England response incorrectly draws attention to the Extant Scheme in regards to the previously withdrawn comprehensive development at the site. SBC officers wrote to Historic England on the 28th April 2022 advising of this matter.

Para 5.21 Limits of deviation

Insert the following new sentence at the end of the paragraph. *There is only a +/- 2m limit of deviation where a Development Zone abuts a highway zone, not on every DZ boundary.*

Fig. 18 Minimum and Maximum Floorspace Permitted per use class

DZ4 Residential Floorspace should be **0-41,500sqm** NOT 0-41,400sqm as is currently stated.

Para 5.23 – This should read stepping **down** in height rather than up.

Para 5.54 Public spaces

Replace 1,00 with **1,000sqm** for the Town Square and 175 with **1,750sqm** for the Local Square.

Para 5.56 Application documentation Documents

Clarify that revised application were issued on 15/06 and registered on 20/06.

Fig. 19 Application Documents and Supporting Information

PPDZ6A(C) does not exist and should be removed.

A couple of documents have been misspelled or attributed to the wrong author. The following list includes the correct authors.

- Design Codes – **Squire and Partners & Gillespies**
- Schedule of Plans – **Gerald Eve LLP** not S&P
- Schedule of Floorspace – **Gerald Eve LLP** not S&P
- Sitewide Illustrative Landscape Plan – **Gillespies**
- Chapter 10 is **Greenhouse Gases**, not Greenhouse Gases and Climate Change
- Chapter 15 – **Waterman** not Arup
- Volume 4 – Appendices – **Various** not just Waterman
- **Preliminary Ecological Appraisal** not Preliminary Ecology Assessment

Para 6.8 Environmental Impact Assessment

Insert new sentence at the end of 6.8. –

In the context of the ES and Chapter 6 of the officer report, Scenario 1 comprises the maximum office/MSCP scenario and Scenario 2 comprises the maximum residential/minimum office scenario. Elsewhere in this report.

Para 16.41 S106 mitigation

Insert '**up to (approx.)**' in reference to the £3.5m contribution.

Para 19.14 – this para number is repeated under the heading *Daylight (Impacts on Surrounding Properties)*. This should read as Para 19.15.

New Para 19.15. The figures set out in new Para 19.15 derive from a clarification email from Gerald Eve dated 08/09 rather than the ES.

Item 7 – P/19954/000 - Units at Poyle Trading Estate, Colndale Road/Arkwright Road, Colnbrook, SL3 0HQ

The Highway Authority has set out the need for funding to cover the monitoring of the submitted Travel Plan, which in accordance with the Developer's Guide will be covered by funding from the developer. The developer has agreed to this and prepared a Unilateral Undertaking (UU) to make the requisite payment. The draft UU is with the Council's solicitors, who will confirm its veracity. As such, the published recommendation should be amended accordingly.

Amended Recommendation

The amendment is set out in **bold**.

Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager for approval **subject to the receipt of an acceptable Unilateral Undertaking (to cover the funding of the Travel Plan Monitoring required by the Highway Authority)**; in order to finalise conditions and agree pre-commencement conditions; and any other minor changes.

Item 8 – P/19642/000 - Grace house, Petersfield Avenue

1.0 Amended Conditions

1.1 Amendments are set out in **bold**.

9. Glazing and Ventilation

Prior to the occupation of the units hereby approved, details of proposed glazing specifications and Mechanical Filtered Ventilation within each flat that has been identified for such mitigation in the details submitted pursuant to **Condition 8** shall be submitted to and approved in writing by the Local Planning Authority

The development shall be carried in full accordance with these details prior first occupation and retained as such at all times in the future. Each Mechanical Filtered Ventilation unit shall then be used and maintained in accordance with the manufactures requirements at all times in the future.

REASON: To ensure existing and future residents are not subjected to unacceptable levels of pollution once the development is inhabited, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the National Planning Policy Framework, 2019.

21. Construction Management Plan

Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include, **but not be limited to**, the following details:

1. A site set up plan displaying vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries and wheel cleaning facilities during the construction period.
2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 0800 – 0900 and 1700 – 1800.
4. Extent of construction hoardings / fencing and details of security arrangements on site.
5. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
6. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
7. **Details of mitigation measures aimed to reduce noise and dust impacts from construction.**
8. **Confirmation that all construction vehicles shall meet a minimum Euro 6/VI emission standard.**
9. **Measures to protect the structural stability of adjacent buildings during demolition and construction.**

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

REASON: In the interest of minimising danger and inconvenience to vehicular traffic and pedestrian highway users in accordance with policies 7 and 8 of the Core Strategy 2008 and the requirements of the National Planning Policy Framework 2019.

Additional condition

No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of proposals to provide a new external wall for the retained Slough Tyre Centre to the immediate east of the application site following demolition of the existing building on site. The details shall include the nature of construction of the wall and proposed external materials; as well as details to demonstrate that there would be no adverse impacts from noise emissions within the unit on the amenity of occupiers of the development hereby approved. The works shall be carried out in accordance with the approved details and shall be completed prior to the commencement of any construction works of the development hereby approved.

REASON: No proposals have been provided to make good the existing adjacent unit following demolition works and such works will be required in the interests of ensuring the viability of the unit and the amenity of future occupiers of the development hereby approved in accordance with Policy 8 of the Core Strategy 2006-2026.

2.0 Additional Considerations

2.1 Additional proposal from the applicant in respect of Infrastructure contributions.

2.2 In spite of viability issues with the site the applicant has offered the following contributions for Education, Recreation, and the new Habitat Regulations Mitigation to the total sum of £221,050.00. This can be broken down as follows:

- Education – £155,050 (in accordance with para 20.4 of the report)
- Recreation – £37,500 (in accordance with para 20.4 of the report)
- Habitat mitigation - £28,500 (in accordance with para 21.7 of the report)

2.3 In addition the applicant has formally offered a further financial contribution of £150,000.00 to support off-site affordable housing. In accordance with the viability assessment for the site, this figure amounts to 10% of the reduced profit from the development.

2.4 The provision of contributions towards infrastructure are welcomed and considered to be acceptable in planning terms considering the viability issues that are apparent at the site. The provision of contributions are regarded as a benefit in planning terms and as a result it is required to reassess the planning balance.

3.0 Revisited Planning Balance.

3.1 The Council is currently unable to demonstrate a deliverable 5 year housing land supply. As a result Paragraph 11 of the NPPF is engaged. This means

that sustainable development proposals should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

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

3.3 In the application of the appropriate balance, it is considered that there are significant benefits from

- The provision of 50 residential units in a sustainable location should be given significant weight.
- In spite of viability the applicant has proposed to make financial contributions to comply with requirements of education, recreation and habitat mitigation. This is a benefit of the proposal that is afforded considerable positive weight.
- As confirmed through viability assessment, issues with the site means that the applicant is unable to demonstrate a benefit of affordable housing. A contribution towards off site provision is proposed and this is considered to be a benefit that is afforded moderate positive weight.
- The mitigation payment towards Upton Court Park improvements is a positive aspect that can be given moderate weight due to the payment being a legislative requirement.
- The shortfall of parking provision is considered to be a neutral impact.
- The impact on habitats is noted as being significant but mitigation proposals have been agreed with and therefore this is considered to be a neutral impact.

3.4 In applying the planning balance, the benefits of housing provision and infrastructure contributions are still considered to outweigh the identified impacts and the proposal should be regarded as sustainable development.

5.0 Adjusted recommendation

5.1 To accommodate the proposed contributions the proposed recommendation at Para 1.1 is amended to reflect the above and worded below:

A. Approval subject to:

1. The satisfactory completion of a Section 106 Agreement to secure financial contributions towards, **education, recreation, off-site affordable housing and** mitigation against impacts on Burnham Beeches, and a requirement for a two stage review of viability of the development; and

2. The satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act.
3. No new issues being raised from consultation responses from Natural England and the Health and Safety Executive.
4. Finalising conditions and any other minor changes;

OR

- B. Refuse the application if the completion of the Section 106 Agreement is not finalised by 1 April 2023, unless a longer period is agreed by the Planning Manager in consultation with the Chair of the Planning Committee.