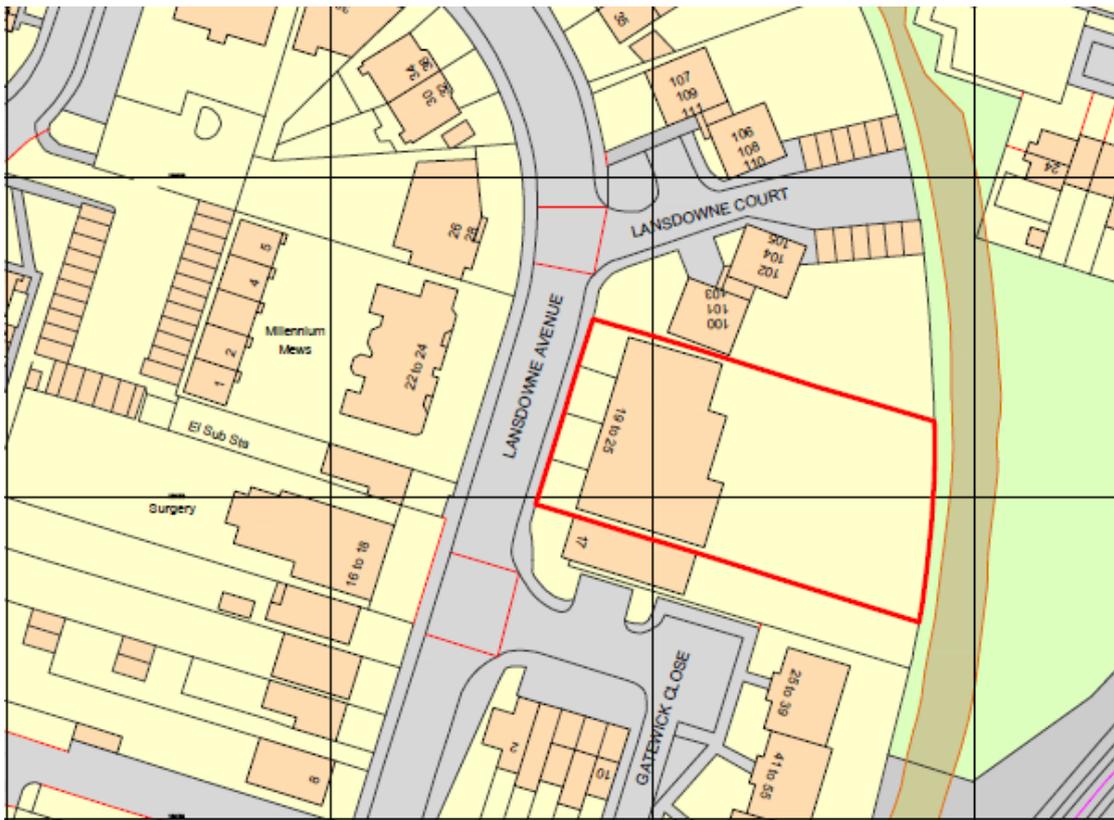


Registration Date:	31-Oct-2023	Application No:	P/01158/046
Officer:	Michael Scott	Ward:	Elliman
Applicant:	SWASTIK HOLDINGS LIMITED	Application Type:	Major
		13 Week Date:	26 December 2023 [EoT: 05 Apr 2024]
Agent:	GA&A Design 10-14, Bath Road, Slough, SL1 3SA		
Location:	19-25, Lansdowne Avenue, Slough, SL1 3SG		
Proposal:	Variation of conditions 2 (Approved Plans) and 19 (Secured by Design) of planning permission P/01158/037 dated 13/10/2023 for the construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space (involving amendments to Block B to remove the pitched roofs on the third and fourth floor and replace with brickwork, cladding and flat roofs).		

**Recommendation:** Delegate to Planning Group Manager for approval



**P/01158/046**

**1.0 SUMMARY OF RECOMMENDATION**

1.1 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:

1) For approval subject to: the satisfactory completion of a Deed of Variation to the extant section 106 agreement to ensure financial contributions towards a policy compliant contribution to off-site affordable housing, as set out in section 20.0 above in this report, finalising conditions, and any other minor changes.

2) Refuse the application if a satisfactory section 106 Agreement is not completed by 30<sup>th</sup> September 2024, unless otherwise agreed by the Planning Manager in consultation with the chair of the Planning Committee.

1.2 The proposal comprises a variation to an approved major planning application, submitted under Section 73 (s.73) of the Planning Act; therefore the development is required to be determined by Slough Borough Council Planning Committee.

**PART A: BACKGROUND**

**2.0 Proposals**

2.1 This application is submitted under Section 73 of the Town and Country Planning Act 1990 as amended. S.73 allows for applications to be made for permission to develop without complying with a condition or conditions previously imposed on a planning permission. The Council can grant such a permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original conditions should remain.

2.2 In this instance the applicant has sought to apply for permission under s.73 to vary a previously approved scheme at the site which was granted by Members under reference: P/01158/037 following a resolution to approve at the Committee meeting of 21 December 2022 with the decision notice issued on 13 October 2023. That planning permission is for the same content as per this submission with only changes to vary the form of the approved buildings.

- 2.3 The variations sought through this application are amendments to the external form of Building B – the block to the rear of the site i.e. furthest from the public highway – with changes entailing the omission of the approved pitched roofs at 3<sup>rd</sup> and 4<sup>th</sup> floor levels and substitution with brickwork, cladding and flat roofs. There are detailed changes to the elevations and a change of profile of the proposed block in terms of its side profile. The overall height does not change from that previously approved.
- 2.4 Additionally, the submission seeks to change the trigger for submission of details to discharge condition 19 (Secured by design) of P/01158/037. Currently this requires the matter to be discharged prior to any development above ground floor slab being commenced. They seek to amend this to prior to occupation, as the certification process must follow construction.

### **3.0 Application Site**

- 3.1 The application site has been cleared for some time. For the record the former dwellings at the site were previously used as a guest house. Since their demolition a builder's hut and mounds of rubble have been located at the site.
- 3.2 The site is in an area of a mixed residential character, close to but less than 50m outside the Town Centre boundary. Housing types include a mix of detached and semi-detached dwellings, ranging in age from late Victorian or very early twentieth century and through the interwar period to the 1960s, with a range of flats that appear to date from the 1960s and 1970s.
- 3.3 To the south on the site boundary, lies the Bharani Medical Centre at 17 Lansdowne Avenue, which is accommodated within an attractive, gable-fronted, bay-windowed, Victorian property on a relatively narrow plot. Car parking to the rear of the Medical Centre is accessed off Gatewick Close, a cul-de-sac on its southern side.
- 3.4 To the north of the site are Gatewick Close and Lansdowne Court, each of which are flatted developments. Those at Gatewick Close are three storeys high adjacent to the street frontage and four storeys to the east. While the buildings at Lansdowne Court are three storeys in height.
- 3.5 To the immediate rear of the site is a section of disused former railway line that linked the Windsor line with the west-bound GWR mainline. Stranraer Gardens is also located close by, to the north-east and adjacent to the main railway line but is screened from direct views to and from the site by trees growing on the former railway land. This redundant railway land forms site no. SSA12 in the Council's Site Allocations Development Plan Document, where it is

identified as a Non-statutory Informal Nature Reserve. The operational Slough-Windsor branch railway line is beyond this reserve, at a distance varying from 40m to 60m from the applications site's rear boundary measured perpendicular to the rear of Block B.

- 3.6 Salt Hill Park is located 200m west of the application site, and can be accessed via a pedestrian crossing at the western end of Lansdowne Avenue where it joins Stoke Pages Lane.
- 3.7 For completeness, it should be noted: the site lies in Flood Zone 1 (where no Flood Risk Assessment is required); the site is not in a Conservation Area; there are no heritage assets close by; and, there are no trees under a Tree Preservation Order in close proximity.

#### **4.0 Site History**

- 4.1 The following application is the most relevant to the proposal, as it is the original application that the current submission proposes should be varied:

P/01158/037

Construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space.

The committee report, amendment sheet, minutes and decision notice for this application is appended to this committee report.

- 4.2 The following determinations are now relevant to the planning history of the site:

P/01158/048 Submission of details pursuant to condition 13 (Contamination) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 05/03/2024.

P/01158/047 Submission of details pursuant to condition 26 (Wheelchair accessible flats) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 08/12/2023.

P/01158/045 Submission of details pursuant to conditions 16 (Landscaping) & 17 (Boundary Treatment) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 13/11/2023.

P/01158/044 Submission of details pursuant to condition 9 (Tree Protection Measures) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 13/12/2023.

P/01158/043 Submission of details pursuant to condition 11 (Thames Water) of planning permission P/01158/037 dated 13/10/2023  
DECISION PENDING

- P/01158/042 Submission of details pursuant to condition 12 (Phase 2 Intrusive Investigation Method Statement) of planning permission P/01158/037 dated 13/10/2023 DISCHARGED – 07/11/2023
- P/01158/041 Submission of details pursuant to condition 10 (Sound attenuation and ventilation) of planning permission P/01158/037 dated 13/10/2023  
DECISION PENDING
- P/01158/040 Submission of details pursuant to condition 4 (New Surface Treatments) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 09/11/2023
- P/01158/039 Submission of details pursuant to condition 6 (Drainage) of planning permission P/01158/037 dated 13/10/2023  
DISCHARGED – 27/12/2023
- P/01158/038 Submission of details pursuant to condition 5 (Archaeology) of planning permission P/01158/037 dated 13/10/2023 – PARTIALLY DISCHARGED – 08/11/2023
- P/01158/037 Construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space.  
APPROVED, CONDITIONS – 04/05/2021

## **5.0 Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), site notices were displayed in the immediate vicinity of the site on 14/11/2023. Due to the development being a major application, the application was advertised in the 22/12/2023 edition of The Slough Express.
- 5.2 No representations have been received at the time of writing this report.

## **6.0 Consultations**

- 6.1 Given the variation proposed, which only relates to the form and design of a part of one block in the previously approved scheme, it is not considered that consultation is required with any of the external or internal consultees.
- 6.2 [For Members convenience, the previously reported observations and comments of all consultees regarding the scheme, when presented for the earlier determination under P/01158/037, can be noted in the appended original report.]

## **PART B: PLANNING APPRAISAL**

### **7.0 Policy Background**

- 7.1 National Planning Policy Framework 2023 and National Planning Practice Guidance  
Section 2: Achieving sustainable development  
Section 4: Decision-making  
Section 5: Delivering a sufficient supply of homes  
Section 8: Promoting healthy communities  
Section 9: Promoting sustainable transport  
Section 11: Making effective use of land  
Section 12: Achieving well-designed places  
Section 14: Meeting the challenge of climate change, flooding and coastal change  
Section 15: Conserving and enhancing the natural environment
- 7.2 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (adopted December 2008)  
Core Policy 1 - Spatial Vision and Strategic Objectives for Slough  
Core Policy 3 – Housing Distribution  
Core Policy 4 - Type of housing  
Core Policy 7 - Transport  
Core Policy 8 - Sustainability and the Environment  
Core Policy 9 - Natural 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)  
H11 - Change of Use to Residential  
H13 – Backland/Infill Development Policy  
H14 - Amenity space  
EN1 - Standard of Design  
EN3 - Landscaping  
EN5 - Design and Crime Prevention  
OSC15 - New facilities in Residential Developments  
T2 - Parking Restraint  
T8 - Cycling Network and Facilities  
T9 - Bus Network and Facilities
- 7.4 Slough Local Development Framework Site Allocations DPD (2010)  
The site abuts a Non-statutory informal nature reserve, site reference SSA12 (Land south of Stranraer Gardens) in the Slough Local Development Framework Site Allocation DPD. The land is part of the former rail route that would have linked Windsor to towns to the west, along with land between it and the existing Windsor-Slough branch

line. Site planning requirements are noted in the DPD as:

- Encourage habitat enhancement and / or creation
- Ensure public access if appropriate is managed to ensure it does not have a negative impact on biodiversity.

The site policy goes on to say that:

*This small area of trees and shrubs is hemmed in between houses and railway but is linked to open countryside via vegetation alongside the railway. The latter helps wildlife come into the town. There is no public access and the site is mostly hidden. There is scope for it to be managed to increase its nature conservation value.*

#### 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
- Nationally Described Space Standards
- Slough Low Emission Strategy (LES) 2018 – 2025 Technical Report

#### 7.6 The Emerging Local Plan for Slough

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

However, it is noted that the emerging local plan is at an early stage of development and as such can be given little weight in planning decisions.

#### 7.7 Slough Local Development Plan and the NPPF

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework (NPPF) 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 NPPF was published in December 2023.

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.

Following the application of the updated Housing Delivery Test set out in the NPPF, the Local Planning Authority cannot demonstrate a Five Year Land Supply. Therefore, when applying Development Plan Policies in relation to the development of new housing, the presumption in favour of sustainable development will be applied, which comprises a tilted balance in favour of the development as set out in Paragraph 11(d) (ii) of the NPPF and refined in case law. The 'tilted balance' as set out in the NPPF paragraph 11 requires local planning authorities to apply the presumption in favour of sustainable development (in applications which relate to the supply of housing) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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

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

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

HRA employs the precautionary principle and Reg. 102 ensures that where a project is 'likely to have a significant effect' (LSE), it can only be approved if it can be ascertained that it 'will not adversely affect the integrity of the European site'. Burnham Beeches is designated a SAC under this Directive which is located to the north of Slough.

The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore

required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC).

## 7.9 Equality Act

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

### 7.10 The planning considerations for this proposal are:

- Principle of development
- Design, impact on the character and appearance of the area
- Impact on amenity of neighbouring occupiers
- Housing mix
- Living conditions for future occupiers of the development
- Safe environment and accessibility
- Highways, sustainable transport and parking
- Flood risk & surface water drainage
- Trees & Landscaping
- Archaeology/Heritage and Ecological/Burnham Beeches issues
- Land contamination
- Environmental Quality & Sustainable design and construction
- Section 106 Contributions
- Presumption in favour of sustainable development
- Equalities Considerations

## 8.0 Principle of development

8.1 The applicant has submitted an application under Section 73 of the Town & Country Planning Act 1990 seeking variation of Condition 2 of planning permission P/01158/037 for construction of two buildings containing 33 no. residential dwellings together with associated, car parking, landscaping and amenity space (granted 13 October 2023).

The applicant can apply for an amendment to the extant scheme permission, under s.73 of the Town and Country Planning Act (As Amended). Section 73 of the Act can be used, amongst other things, to approve amendments to an existing planning permission by amending a condition (or conditions) upon which the permission was granted. In law, a section 73 application results in the grant of a new planning permission affecting the same site that is subject to the relevant amended conditions.

- 8.2 This minor material amendment procedure was confirmed by the Government as appropriate in 2009 when it streamlined the procedure for s.73 applications and issued accompanying guidance on how best to achieve flexibility with planning permissions by allowing minor material amendments to planning permissions without the need for the submission of entirely new planning applications. The overriding purpose of the streamlined procedure and guidance was to avoid the burden that would fall on both planning authorities and developers if a fresh planning application had to be submitted every time that a development is materially amended.
- 8.3 The guidance is now contained in the Department for Levelling Up, Housing and Communities' National Planning Practice Guidance. Amongst other things the guidance states that a minor material amendment is likely to include any amendment whose scale and/or nature results in a development which is not substantially different from the one which has been approved. Relevant and recent case law on this matter indicates that the s.73 route can be applied to determine amendments which do not result in a "fundamental" change to an approved development. It should also be noted that the proposals do not seek to amend the description of development, which cannot be secured by way of an application under s.73.
- 8.4 The submission of the s.73 application does not give an opportunity to reassess the previously determined proposal.
- 8.5 In this instance the proposed variations are to the form and design of a part of one block, the number of units proposed is the same and the housing mix proposed is also the same. As the changes involve pitched roofs being replaced by flat roofs, there would be more useable floorspace within the affected units given an larger area of floorspace with full head room height. Therefore, in principle, the development is considered to be of the same nature as originally approved and the principle of making the application is acceptable as provision is made for it within the s.73 of the 1990 Act.
- 8.6 In accordance with the s.73 procedure, the variation of condition 2 pursuant to the extant planning permission would necessitate the need to issue a new planning permission with the time limit remaining the date of the original planning permission (dated 13 October 2023). The new planning permission would take the same form as the extant

scheme, although it would have a new reference number and take account of the discharge of the conditions previously imposed as the consent to those details discharged is carried over under s.73 to this determination.

## **9.0 Design, impact on the character and appearance of the area**

9.1 The National Planning Policy Framework encourages new buildings to be of a high quality design that should be compatible with their site and surroundings and of a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policies EN1 and H13.

9.2 The provision to submit a planning application under section 73 of the 1990 Act gives the scope to propose variations and amendments to approved applications without having to apply for the development in full again. The considerations with a section 73 application that seeks to propose amendments is whether or not the resultant scheme is largely the same proposal as was previously approved, i.e. the amendments should be of a scale that does not result in the development being materially different to that which was originally consented. Overall, it is considered that the omission of the elements of pitched roof and the introduction of flats behind is a matter of detail that would not be out-of-keeping with the composition of the scheme, the approach to consider this under a section 73 is acceptable.

9.3 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area. The proposals therefore comply with the requirements of the National Planning Policy Framework 2023 and Core Policy 9 of the Core Strategy, as such the scheme is considered to therefore comply with Policies EN1 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document.

## **10.0 Impacts on the amenity of neighbouring occupiers**

10.1 The National Planning Policy Framework 2023 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and H13.

10.2 The distances between the proposed buildings and those adjacent remain the same as in the previous proposals and so it is considered that the proposed variation does not raise and fresh issues in this

respect.

- 10.3 The changes introduced by these latest proposals do not adversely affect the previously agreed relationship with the neighbouring occupiers. Therefore, in conclusion, it is considered that there would be no adverse harm for neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy and Policy EN1 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2023.

## **11.0 Housing mix**

- 11.1 The mix and thus the density of the current submission remains identical to that of the previously approved submission under P/01158/037.

The approved mix comprised:

- 1bedroom / 2person – 11 units – 33.33%
- 2bedroom / 3person – 11 units – 33.33%
- 2bedroom / 4person – 7 units – 21.21%
- 3bedroom / 4person – 1 unit – 3.03%
- 3bedroom / 5person – 1 unit – 6.06%
- 3bedroom / 6person – 2 units – 3.03%

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

- 12.1 The National Planning Policy Framework 2023 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Polies EN1 and H13.

- 12.2 All of the units would still meet the Council's internal space standards, as set out in the Technical Housing Standards – Nationally Described Space Standards 2015 (as amended). As noted above, the three affected units would benefit from a larger area of floorspace with full headroom height.

- 12.3 In terms of the levels of daylight, aspect, and outlook, it is considered that each unit would still provide satisfactory living conditions for future occupiers.

12.4 Based on the above, the living conditions for future occupiers in this case is considered satisfactory and thus to be in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H14 of the Adopted Local Plan.

### **13.0 Safe environment and accessibility**

13.1 Paragraph 96 of the NPPF 2023 states 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.

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

13.3 It is considered that the proposed variation to the trigger of Condition 19 is logical and is practical.

### **14.0 Highways, sustainable transport and parking**

14.1 The National Planning Policy Framework states that planning should seek to promote development that is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians and where appropriate local parking standards should be applied to secure appropriate levels of parking.

14.2 This is reflected in Core Policy 7 and Local Plan Policy T2 (Parking Restraint) which set out: in terms of residential car parking that the level will be appropriate to both its location and scale whilst taking account of local parking conditions, impact on street scene, need to overcome local road safety problems and protect amenities of adjoining residents.

14.3 Paragraph 111 of the National Planning Policy Framework 2023 states that: *'Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, (*

*the residual cumulative impacts on the road network would be severe’.*

- 14.4 The Highway Authority had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

#### **15.0 Flood risk and surface water drainage**

- 15.1 The Local Lead Flood Authority had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

#### **16.0 Trees & Landscaping**

- 16.1 The earlier scheme under P/01158/037 was considered to be satisfactory, subject to conditions and Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

#### **17.0 Archaeology/Heritage and Ecological/Burnham Beeches issues**

- 17.1 Berkshire Archaeological services had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.
- 17.2 As reported above, there are no heritage assets nearby and the site does not lie in a conservation area.
- 17.3 Paragraph 180 d) of the NPPF 2023 advises that planning decisions should minimise impacts on and provide net gains for biodiversity, for example by establishing coherent ecological networks that are more resilient to current and future pressures. NPPF paragraph 180 d) supports and encourages development to incorporate biodiversity improvements, especially where this can secure measurable net gains for biodiversity. The earlier scheme under P/01158/037 was considered to be satisfactory, subject to conditions in this respect and

Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

- 17.4 It is noted that the site is located less than 5 km from the Burnham Beeches Special Area of Conservation (SAC). The principle of providing mitigation in this regard was accepted under P/01158/037. This proposed variation does not change the previously noted impact on Burnham Beeches and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable with the previously agreed manner of mitigation.

18.0 **Land Contamination**

- 18.1 The Council's specialist officer for contamination assessment had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

19.0 **Environmental quality & sustainable design and construction issues**

- 19.1 The Council's Environmental Quality officer had considered the earlier scheme under P/01158/037 to be satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.
- 19.2 NPPF 2023 seeks to promote high levels of sustainability. NPPF paragraph 162 in the NPPF sets out that:
- In determining planning applications, local planning authorities should expect new development to:*
- a) *comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
  - b) *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*
- 19.3 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.*

19.4 In order to achieve a high degree of energy efficiency that would assist in the transition to a low carbon future, it is required that the scheme achieves a Very Good rating under the BREEAM categorisation. It is considered that the earlier scheme under P/01158/037 was satisfactory, subject to conditions. Members approved that set of proposals. This proposed variation does not change any of those previously agreed matters and therefore does not raise any fresh issues; so, it is considered that the current proposals are acceptable.

## **20.0 Infrastructure and Section 106 requirements**

20.1 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. The following Section 106 contributions were secured through the originally approved scheme:

<b>Financial contributions</b>	
Education	£84,744
Recreation, open space and local nature reserve improvements	£35,700
Highways - sustainable transport	£20,000
Burnham Beeches SAC mitigation	£11,900
<b>Total</b>	<b>£152,344</b>

20.2 The NPPF 2023 at paragraph 64 requires that planning policies should specify the type of affordable housing required, and that in most cases this need should be met on-site – unless

- a) Off-site provision or an appropriate financial contribution in lieu can be robustly justified.*

20.3 Under P/01158/037 Members agreed to accept a package of 5no. ground floor units comprising 2no. 2-bedroom and 3no. 3-bedroom. It was noted that “While the proportion of affordable units proposed is not policy compliant, the viability reviews undertaken have been rigorous”.

- 20.4 However, the developer states they *“have reached out to all of the registered social landlords which are recommended by Slough, and they have either not responded on this scheme or are not able to take on the 5 affordable units on offer”*. This is likely due to the difficulties of managing a small number of units and in two blocks.
- 20.5 As such, the proposal is that now there should be a financial settlement for an off-site provision in lieu of the previously agreed package.
- 20.6 After appropriate advice from the Housing Department and/or the Council’s experts at BPS (Viability Consultant’s) a figure will need to be agreed.
- 20.7 A deed of variation to the extant Section 106 legal agreement will now need to be completed before any planning permission can be issued, in order to provide a policy compliant affordable housing contribution off-site.

## **21.0 Presumption in favour of sustainable development**

- 21.1 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.
- 21.2 Notwithstanding the assessment in this report, officers have considered whether there are any other material circumstances that need to be taken into account, notwithstanding the development plan provisions.
- 21.3 The application has been evaluated against the Development Plan, the NPPF and assessed against the core planning principles of the NPPF to establish whether the proposals deliver “sustainable development.” The proposal would deliver 33 new flats of an acceptable standard in a very sustainable location, along with the infrastructure made necessary by the development and a financial contribution to off-site affordable housing.
- 21.4 Paragraph 11 of the NPPF highlights that there is a presumption in favour of sustainable development. Based on the current Local Plan and housing supply position in the SBC area, paragraph 11(d) also applies. This directs that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF, taken as a whole.
- 21.5 However this has been considered and planning permission will only be granted if mitigation of these impacts is provided through a completed section 106 Agreement. Therefore, with respect to 11 (d)(ii), any adverse impacts of granting planning permission would not

significantly and demonstrably outweigh the benefits.

21.6 With respect to 11 (d)(i), there is one statutory nature conservation asset of particular importance in the general vicinity of the site, Burnham Beeches SAC, along with a non-statutory local nature reserve adjacent to the application site. Burnham Beeches SAC, in particular, could be impacted by additional residents.

21.7 It is therefore considered that, in applying the planning balance, the presumption in favour of sustainable development adds significant weight to this application. The development would make a welcome addition to the housing stock within Slough, including a contribution to off-site affordable housing.

## **22.0 Equalities Considerations**

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

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

22.2 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access. A condition is set out to ensure level thresholds at the entrance to each block. Furthermore, proposals will make provision for wheelchair accessible car parking spaces.

22.3 It is considered that there will be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development e.g.: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to

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

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

## 23.0 **PART C: RECOMMENDATION**

- 23.1 If Members resolve to approve the application, it will result in the issuing of a new decision notice which would include all relevant conditions that were previously included on the first decision with the relevant conditions varied that allow for the implementation of this application.

- 23.2 In this instance the applicant has proposed the variation of Condition 2 to substitute the proposed plans for the previously approved plans where relevant. The trigger point for condition 19 (secure by design) has been amended to prior to occupation. Note that where conditions have previously been discharged, the wording has been updated. Otherwise, as per the submission from the applicant, all other previous conditions will be included as part of the recommendation below.

- 23.4 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:

1) For approval subject to: the satisfactory completion of a Deed of Variation to the extant s.106 agreement to ensure financial contributions towards each of the matters, including a policy compliant contribution to off-site affordable housing, as set out in section 20.0 above in this report, finalising conditions, and any other minor changes.

2) Refuse the application if a satisfactory s.106 Agreement is not completed by 30<sup>th</sup> September 2024, unless otherwise agreed by the Planning Manager in consultation with the chair of the Planning Committee.

## 24.0 **PART D: LIST CONDITIONS AND INFORMATIVES**

### 1. Commencement

The development hereby permitted shall be commenced within three years from the date of the original planning permission P/01158/037 dated 13th

October 2023.

REASON: To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

## 2. Approved Plans

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

- (a) Drawing No. 20001-GAA-XX-00-DR-T-0101 S4 Rev. P01; Dated 28/02/20; Recd On 17/08/2022
- (b) Drawing No. 20001-GAA-A1-XX-00-DR-T-0112 S4 Rev. P09; Dated 17/08/22; Recd On 17/08/2022
- (c) Drawing No. 20001-GAA-ZZ-GF-DR-A-2020 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (d) Drawing No. 20001-GAA-ZZ-01-DR-A-2021 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (e) Drawing No. 20001-GAA-ZZ-02-DR-A-2022 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (f) Drawing No. 20001-GAA-ZZ-03-DR-A-2023 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (g) Drawing No. 20001-GAA-ZZ-RF-DR-A-2024 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (h) Drawing No. 20001-GAA-ZZ-GF-DR-A-2030 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (i) Drawing No. 20001-GAA-ZZ-RF-DR-A-2035 S4 Rev. P03; Dated 17/08/22; Recd On 17/08/2022
- (j) Drawing No. 20001-GAA-ZZ-XX-DR-A-2120 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (k) Drawing No. 20001-GAA-ZZ-XX-DR-A-2121 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (l) Drawing No. 20001-GAA-ZZ-XX-DR-A-2122 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (m) Drawing No. 20001-GAA-XX-XX-DR-A-2123 S4 Rev. P06; Dated 17/08/22; Recd On 17/08/2022
- (n) Drawing No. 20001-GAA-ZZ-XX-DR-A-2130 S4 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (o) Drawing No. 20001-GAA-ZZ-XX-DR-A-2131 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (p) Drawing No. 20001-GAA-ZZ-XX-DR-A-2132 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (q) Drawing No. 20001-GAA-ZZ-XX-DR-A-2133 Rev. P04; Dated 17/08/22; Recd On 17/08/2022
- (r) Design & Access Statement by GAA ref no. 20001-GAA-XX-XX-DA-A-0001 S4 Rev. PO3; Dated 287 July 2022; Recd On 17/08/2022

- (s) Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022
- (t) Drainage Planning Strategy by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9050/I2; Dated 27-Apr-21; Recd On 17/08/2022
- (u) Desk Study, Preliminary Site Investigation & Risk Assessment Report by Southern Testing Environmental & Geotechnical ref: no. JT0341; Dated 10 November 2020; Recd On 17/08/2022
- (v) Ecological Walkover by AA Environmental Limited ref: no. 163324/JDT; Dated 4<sup>th</sup> October 2016; Recd On 17/08/2022
- (w) Financial Viability Assessment by Aspinall Verdi issue v.5; Dated September 2021; Recd On 17/08/2022
- (x) Viability Letter re: Lansdowne Avenue by Aspinall Verdi ref: 220413 v1; Dated 13 April 2022; Recd On 07/12/2022
- (y) Unnumbered Habitats Regulations Assessment by The Ecology Partnership Dated 01/11/2022; Recd On 08/11/2022
- (z) Noise & Vibration Impact Assessment by KP Acoustic Ltd ref. no. 13675.NVA.01.Rev.A; Dated 20/03/2017; Recd On 17/08/2022

as read in conjunction with the following hereby approved variation:

- (i) Drawing No. 20001-GAA-A2-GF-DR-A-2031 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (ii) Drawing No. 20001-GAA-A2-01-DR-A-2032 S4 Rev. P01.02; Dated 15.06.2023; Recd On 31/10/2023
- (iii) Drawing No. 20001-GAA-A2-02-DR-A-2033 S4 Rev. P01.02; Dated 15.06.2023; Recd On 31/10/2023
- (iv) Drawing No. 20001-GAA-A2-03-DR-A-2034 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (v) Drawing No. 20001-GAA-A2-04-DR-A-2035 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (vi) Drawing No. 20001-GAA-A2-RF-DR-A-2036 S4 Rev. P01.02; Dated 15.06.2023; Recd On 31/10/2023
- (vii) Drawing No. 20001-GAA-A2-XX-DR-T-2131 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (viii) Drawing No. 20001-GAA-A2-XX-DR-T-2132 S4 Rev. P01; Dated 15.06.2023; Recd On 31/10/2023
- (ix) Drawing No. 20001-GAA-A2-XX-DR-T-2133 S4 Rev. P01.03; Dated 15.06.2023; Recd On 31/10/2023
- (x) Drawing No. 20001-GAA-A2-XX-DR-T-2134 S4 Rev. P01.03; Dated 15.06.2023; Recd On 31/10/2023

**REASON:** To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area in accordance with the requirements of the National Planning Policy Framework 2023 and to comply with the Policies in the Development Plan.

3. New finishes to building works

The external materials to be used on the development hereby approved shall be as set out in the Materials Schedule ref: 20001-GAA-XX-XX-EM-T-0001 S4 Rev. P02, Dated 13/12/2022, Rec'd 13/12/2022 and no other materials unless and otherwise approved by the Local Planning Authority.

REASON To ensure a satisfactory appearance of the development so as to ensure that the proposed development preserves and/or enhances the character and appearance of a conservation area and does not prejudice the visual amenities of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004.

4. New surface treatments

Discharged under SBC ref: P/01158/040 dated 9<sup>th</sup> November 2023.

5. Archaeological matters

A) Discharged under SBC ref: P/01158/038 dated 8<sup>th</sup> November 2023.

B) The Development shall take place in accordance with the WSI approved under condition (A).

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

6. Drainage (SuDS) #1

Discharged under SBC ref: P/01158/039 dated 27<sup>th</sup> December 2023.

7. Drainage (SuDS) #2

No occupation shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in

full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required.

REASON: To ensure the future maintenance of drainage systems associated with the development.

#### 8. Drainage (SuDS) #3

No occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy hereby approved, has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the surface water drainage system is free from defects, damage, and foreign objects
- f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place.

REASON: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

#### 9. Tree Protection Measures

Discharged under SBC ref: P/01158/044 dated 13<sup>th</sup> December 2023.

10. Sound attenuation and ventilation

Prior to commencement of development, full details of the glazing specification must be submitted to and approved in writing by the Local Planning Authority.

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

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

11. Thames Water

The development hereby approved shall not commence until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source is not detrimentally affected by surface water drainage at the proposed development both during and after its construction, has been submitted to and approved by the local planning authority, in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

REASON: To ensure that the water resource is not detrimentally affected by the development.

12. Phase 2 Intrusive Investigation Method Statement

Discharged under SBC ref: P/01158/042 dated 7<sup>th</sup> November 2023.

13. Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy

Discharged under SBC ref: P/01158/048 dated 5<sup>th</sup> March 2024.

14. Remediation Validation

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

and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation from a Building Control Regulator that all such measures have been implemented.

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

#### 15. Construction Environmental Management Plan (CEMP)

The development shall be carried out in accordance with the approved scheme set out in the Construction Management Plan by SPH Structures ref: no. 20025 LAN/SPH/XX/XX/RP/S/9052/I3; Dated 27-Apr-21; Recd On 17/08/2022 or otherwise, as agreed by the Local Planning Authority.

REASON: In the interests of the amenities of the area in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance set out in the National Planning Policy Framework 2023.

#### 16. Landscaping

Discharged under SBC ref: P/01158/045 dated 13<sup>th</sup> November 2023.

#### 17. Boundary Treatment

Discharged under SBC ref: P/01158/045 dated 13<sup>th</sup> November 2023.

#### 18. Bins & Recycling facilities

The refuse and recycling facilities as shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future.

REASON: To ensure that there is adequate storage facilities available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, and the requirements of the National Planning Policy Framework 2023.

#### 19. Crime Prevention

The development shall be carried out in accordance with a secure access strategy and secure letter/parcel drop strategy in line with the principles of Secured by Design and shall not be occupied or used until written

confirmation of Secured by Design accreditation has been submitted to and agreed to by the Local Planning Authority. The approved security measures shall be retained thereafter.

REASON: In order to minimise opportunities for crime and anti-social behavior in accordance with Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices) and Core Policies 8 and 12 of the adopted Core Strategy 2006-2026, and the requirements of the National Planning Policy Framework 2023.

## 20. Access

No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Adopted Vehicle Crossover Policy.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

## 21. Visibility

No other part of the development shall be occupied until visibility splays of 2.4m x 43m have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 43 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 600mm in height above the nearside channel level of the carriageway.

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

## 22. Car Parking Provision

The parking spaces and turning areas shown on the approved plans shall be provided on site prior to occupation of the development and retained at all times in the future for the parking of motor vehicles on a communal basis.

REASON: To ensure that adequate on-site parking provision is available to serve the development and to protect the amenities of the area in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T2 of The Adopted Local Plan for Slough 2004

(saved polices), and the requirements of the National Planning Policy Framework 2023.

### 23. EV Charging facilities

Prior to the first occupation of each unit, the residential car parking provision for the unit shall be provided, to include a 5 electric vehicle charging points and 5 parking spaces with passive electric vehicle parking provision, providing a total of 10 parking spaces with EVCP provision. The residential electric vehicle charging points must have a 'Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure vehicle parking is provided and encourage up-take of electric vehicle use, in accordance with Policy T2 of the Adopted Local Plan (2004), Policies 7 and 8 of the Core Strategy 2008, the guidance contained in the Council's Developer's Guide Part 3 (2008) and the National Planning Policy Framework 2023.

### 24. Cycles storage

Prior to the first occupation of the development hereby permitted details of the cycle parking provision (including the security measures of the facilities and cycle stand details) shall be submitted to for approval by the Local Planning Authority. The cycle parking shall be provided in accordance with these details and shall be retained for this purpose.

REASON: To ensure that there is adequate cycle parking available at the site in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy T8 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

### 25. External Site Lighting

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

REASON: In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site in accordance with Core Policy 8 of The Slough Local Development Framework, Core

Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

26. Wheelchair accessible flats

Discharged under SBC ref: P/01158/047 dated 8<sup>th</sup> December 2023.

27. Level Access

The ground floor entrance doors to the Development shall not be less than 1 metre wide and the threshold shall be at the same level to the paths fronting the entrances to ensure level access. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the main lobbies.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2023.

28. No new windows

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no windows, other than those hereby approved, shall be formed in any elevations of the development without the prior written approval of the Local Planning Authority.

REASON: To protect the privacy of neighbouring properties and to protect the visual amenities of the area in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN1 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

INFORMATIVE(S):

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice; so

it is in accordance with the National Planning Policy Framework.

## 2. Highways

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

No water meters will be permitted within the public footway. The applicant will need to provide way leave to Thames Water Plc for installation of water meters within the site.

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

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

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

The applicant must apply to the Highway Authority for the implementation of the works in the existing highway. The council at the expense of the applicant will carry out the required works.

The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction of the new unit/s.

## 3. Ventilation Strategy

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

## 4. Thames Water

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