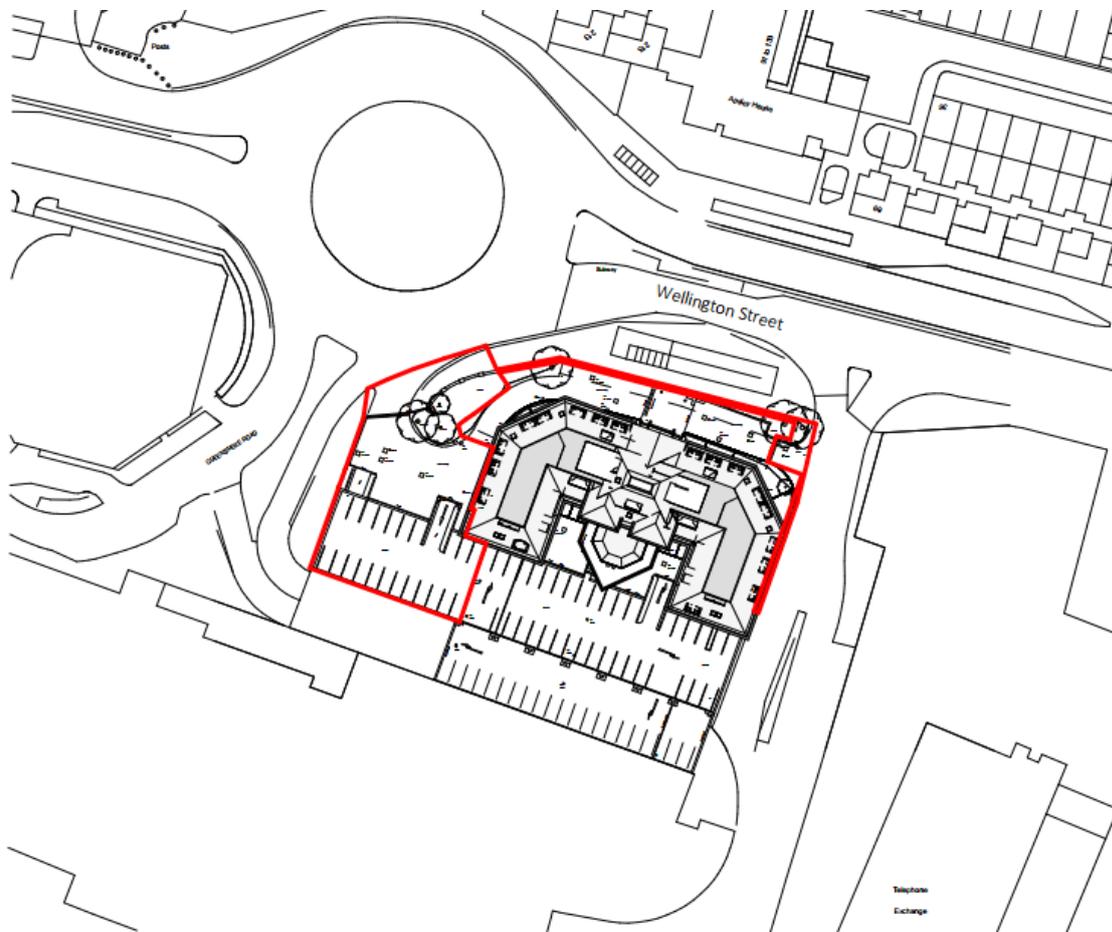


Registration Date:	23-Oct-2023	Application No:	P/03596/074
Officer:	Michael Scott	Ward:	Central
Applicant:	CG Slough 2 Ltd.	Application Type:	Major
		13 Week Date:	22 January 2024 [EoT 05 Apr 2024]
Agent:	Tetra Tech, 1 Angel Court, 11th Floor, London, EC2R 7HJ		
Location:	Verona 2, 50, Wellington Street, Slough, SL1 1YL		
Proposal:	Redevelopment of site to provide a residential building (Use Class C3) comprising 29 apartments with associated infrastructure, demolition, landscaping, drainage, car parking, cycling parking and ancillary works.		

Recommendation: Delegate to the Planning Group Manager for Refusal



1.0 SUMMARY OF RECOMMENDATION

1.1 Having considered the relevant policies set out below, the representations received from all consultees and residents; as well as all other relevant material considerations, it is recommended that the application be **REFUSED** for the following reasons:-

1. The proposed block of flats by reason of its scale, height, bulk and massing would fail to respect or respond to the established character and appearance of the area, and would constitute a cramped form and an overdevelopment of the site. As a result, the proposed development would significantly harm the character and appearance of the area and the wider street scene and would prejudice the potential future development of adjoining land. The proposal is considered to be contrary to the provisions of The National Planning Policy Framework (2023); Core Policy 8 of Slough Core Strategy (2006-2026), December 2008 and Policies EN1 and H9 of Slough Local Plan 2004.

2. The proposal would, if acceptable in other respects, be required to legally secure affordable housing, off-site infrastructure made necessary by the development including financial contributions towards education, open space enhancements and mitigation for the cumulative impact on Burnham Beeches, 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 the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

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

PART A: BACKGROUND

2.0 Proposal

2.1 This is a full planning application for:

- Demolition of the existing car park structure.
- Construction of a part 9/part 10-storey building to provide a total of 29 no. residential apartments (11 x one-bed, 11 x two-bed and 7 x three-bed).
- The scheme at submission included 12 affordable housing units on the basis of Rent to Buy/Shared Ownership/Discount Market Rent which represents 41% i.e. policy compliant – a subsequent letter sets out that a body may take and deliver 29 Rent to Buy affordable housing units.
- 14no. car parking spaces would be provided; so, off-street parking would be reduced by some 23 car parking spaces.
- None of the remaining car parking is identified for Blue Badge holders.
- 4no. parking spaces have been identified for the provision of electric vehicle charging facilities (EVCP).
- Secure storage for 58no. cycles within an integral store at Lower Ground floor level for future residents.
- New brick-built secure bin and recycling storage facilities would be provided to serve each of block - Verona 1 and the propose Verona 2 separately.
- Access/egress would be shared with Verona 1 as per the existing circulation within the overall site.

2.2 The new building would be sited: immediately on the western boundary; some 1.5m from the southern boundary; some 7.3m. from the closest part of Verona 1 beyond the eastern boundary of the plot; and, project some 2.5m. further forward than the northern face of the existing car park decks that it would replace.

2.3 The overall footprint of the proposed building would be almost square – some 18.25 metres (west-east) and 18 metres (north-south). There would be a single-storey undercroft area at the north-west corner to provide the entrance at ground floor level There would be a set-back (of some 6 metres across west-east by some 2.25 metres deep north-south) above first floor level at the north-west corner closest to Verona Apartments; so, the northern face of the new building would then rise to nine storeys, whilst the western, southern and eastern facades would rise to ten-storeys, with a mix of recessed and projecting balconies. At roof level there would be a flat roof giving space to provide solar panels and the lift overrun set behind a parapet. The overall height would be close to 34 metres.

2.4 The facades would comprise of contrasting red and grey facing materials with a blue/grey anodised aluminium cladding.

3.0 Application Site

- 3.1 The application relates to a plot to be formed by adapting the western end of the two-tier deck parking structure serving the Verona Apartments (Verona 1) building. The existing decks at lower ground and ground floor level are accessible to any vehicle; though private parking controls apply. There is a ramp up from the street level access off the HTC roundabout to the open upper ground floor level and a separate ramp alongside to the covered lower ground floor level. The existing deck structure would be demolished and the plot made ready for the foundation of the new building rising to ten storeys.
- 3.2 The Verona Apartments building is a former office block now converted and occupied as residential flats. This is 'horse-shoe' shaped with a long axis fronting Wellington Street and two return 'wings' at the western and eastern ends. A south facing aspect is formed by the siting of the block around a deck level amenity area. It comprises five storeys with a sixth floor at roof level. There are some 130 private residential units at Verona 1.
- 3.3 Immediately adjacent to the south of the application plot is the sheer but open colonnaded north face of the Observatory Car Park serving the integral Shopping Centre. The ramp within the car park lies within the open colonnade. By contrast, Verona 1 lies some 20 metres away to the north of the north façade of the Observatory Centre.
- 3.4 For completeness, it should be noted the plot lies: in the designated Town Centre; in an Air Quality Management Quality Management Area (AQMA); in Flood Zone 1 (where no Flood Risk Assessment is required); but is not in a Conservation Area and there are no heritage assets close by; and, there are no trees under a Tree Preservation Order in close proximity.

4.0 Relevant Site History

- 4.1 There have been a series of Pre-Application submissions in relation to this plot.

(a) Pre-App/00824

In February 2017 an enquiry was received for a scheme entailing a "Proposed development of 102 residential units comprising 26 studio apartments, 62 one bed apartments and 12 two bedrooms apartments".

(b) Pre-App/00946

In November 2017 an enquiry was received for a scheme entailing the "Erection of a 12 storey building to provide with 46 flats (32 x 1 bed & 14 x 2 bed)".

The officers' concluding remarks in a letter dated 3 January 2018 regarding Pre-App/00946 were, as follows:

As proposed [the 12-storey scheme], the building would be of an excessive height which would be out of keeping with the context of the area and result in potential conflict with prospective proposals for the comprehensive redevelopment of Slough High Street. The proposed height and siting of the building would also result in harmful impact upon neighbouring residential living conditions resulting in significant loss of light and increased sense of enclosure and overbearing appearance in outlook. As such, the proposal cannot be supported in any form which would result in this kind of impact.

It is commendable that the proposal has been amended from previous schemes to reduce its height and scale and which addresses concerns regarding overlooking, however insufficient evidence has been provided at this stage to justify the proposed height in terms of context, density and scale.

The proposal has also failed to take into account the context of the site regarding its impact on the existing townscape and although the proposed height has taken into consideration the emerging proposals for the Queensmere redevelopment, no regard has been taken of the proposed accessing arrangements required for the redevelopment to take place. If it were possible to overcome concerns relating to scale and impact on the adjoining buildings, you would be encouraged to review the proposals under application P/06684/015 and to develop a comprehensive approach to any potential development on this site. You are also encouraged to take into account emerging proposals for extensions at Verona 1 and the potential impact of the proposals upon this residential neighbour.

These remarks are not binding on the determination of a formal planning application.

(c) Full planning application P/03596/070

This formal submission was received in August 2018 for "Redevelopment of existing car park to provide a new part 8 part 10 storey detached building comprising 39 dwellings (14no. 2-bed units and 25no. 1-bed units). Associated parking and landscaping."

This application was REFUSED by Slough Borough Council Planning Committee at its meeting on 31st October 2018 for the following reasons:

1. *The proposed block of flats by reason of its scale, height, bulk*

and massing would fail to respect or respond to the established character and appearance of the area, and would constitute the overdevelopment of the site. As a result, the proposed development would significantly harm the character and appearance of the area and the wider street scene. The proposal is considered to be contrary to the provisions of The National Planning Policy Framework (2018); Core Policies 7, 8 and 9 of Slough Core Strategy (2006-2026) and Policies EN1 and EN3 of Slough Local Plan.

- 2. The proposed development, by reason of its siting, scale, height and massing would result in loss of outlook, an increased sense of enclosure and light intrusion, and by reason of the close proximity of the proposed new building there would result in increased noise and disturbance that would be detrimental to the residential amenity of the occupiers of the adjacent residential occupiers located at Verona Apartments (Verona 1). Such impacts upon the residential amenity of the neighbouring occupiers are considered to be unacceptable and harmful contrary to the aims of the NPPF, Core Policy 8 of Slough Local Plan and Policy EN1 of Slough Local Plan.*
- 3. The proposed development, by reason of its proximity to the adjacent buildings at Verona Apartments and the Observatory Shopping Centre would result in a very poor outlook, a very strong sense of enclosure and the likelihood of noise and disturbance, as well as light intrusion, arising from the occupation of the Verona Apartments and the vehicular activity within the Observatory Shopping Centre, that would be detrimental to the residential amenity of the future occupiers of the proposed residential building. Such a failure is considered to be unacceptable and harmful contrary to the aims of the NPPF, Core Policy 8 of Slough Local Plan and Policy EN1 of Slough Local Plan.*
- 4. The proposed development has failed to demonstrate, to the satisfaction of the Local Planning Authority that the development should not provide: (1) affordable housing as required by Core Policy 4 of Slough Core Strategy 2006-2026, and, (2) a financial contribution to open space enhancements as required by Core Policy 10 of Slough Core Strategy 2006-2026.*

This was a formal determination, which represents a material consideration in the determination of the current application P/03596/071.

(d) Pre-App 1165

In March 2019 an enquiry was received for a scheme entailing the “Erection of a new residential development on a redundant brownfield to provide 34no. apartments”.

The officers’ concluding remarks in a letter dated 9 July 2019 regarding Pre-App/01165 were, as follows:

The proposed scheme reduces the footprint of the previously refused building, and in doing this it improves the relationships to neighbours to some extent. However, this does not overcome the first reason for refusal nor does it demonstrate that the development would overcome the second and third reasons. The fourth reason for refusal could be overcome by providing a suitable section 106 agreement that would make provision for an appropriate quantum of affordable housing and off-site amenity improvements, subject to any scheme coming forward that fully addresses reasons 1, 2 and 3.

Given the very tightly constrained nature of the site, it is apparent that there are very considerable difficulties in bringing forward an acceptable development on this site. It is questioned whether this small area of land should be considered for development as a stand-alone site. Redevelopment may be more achievable if it was to be carried out in conjunction with the future development of the Observatory Shopping Centre.

The concluding remarks were as follows:

Given the very tightly constrained nature of the site, it is apparent that there are very considerable difficulties in bringing forward an acceptable development on this site. While it was not cited in the reasons for refusal [under P/03596/070], it is noted that saved Local Plan Policy H13 sets out a range of criteria for infill development. The refused application failed to meet some of those criteria, and the possibility for optimising the potential for more comprehensive development of the area forms a further point of assessment which it is considered relevant to this proposal. While no objection was raised on that point, in light of the type of development being proposed for this very small parcel of land both in the refused application and in this amended [Pre-app] proposal, it is questioned whether this small area of land should be considered for development as a stand-alone site; its redevelopment may be more achievable if it was to be carried out in conjunction with the future development of the Observatory Shopping Centre.

These remarks are not binding on the determination of a formal planning application.

(e) Full planning application P/03596/071

This formal submission was received in October 2022 for “Redevelopment of site to provide a residential building (Use Class C3) comprising 29 apartments with associated infrastructure including landscaping, drainage, car and cycle parking.”

This application withdrawn by the applicant prior to determination.

The current application for determination is largely the same as P/03596/071 but with a different access arrangement.

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), five site notices were displayed – each immediately adjacent to the perimeter of the application site which encompasses the site of Verona 1 - on 14/11/2023.
- 5.2 The application was advertised as a major application in the Slough Express published on 3rd November 2023.
- 5.3 There have been representations from some 37 neighbours at the time this report was complete for publication – any further objections will be included on the Amendments Sheet for Members at the Committee meeting. The matters raised cover a wide range of issues, not all of which are “planning” matters, the objections are summarised below:
- Loss of privacy/overlooking due to proximity of the new buildings, its height and large footprint.
 - It would compromise the quality of life and diminish the living conditions for the residents.
 - Slough Borough Council have acknowledged in SLDF the key demand for properties in Slough is 4+ bedroom houses. Therefore, approving this scheme would not align with the local planning policy.
 - The Slough Local Development Framework (2026) shows that there is already a significant oversupply of flats / apartments compared to conventional housing, which is 30% below the average for Berkshire, a further development of flats is only going to make this worse.
 - Consequent pressure to extend existing family housing.
 - The SLDF notes that Slough has the highest level of overcrowding in the region. Slough Borough Council (SBC) itself has stated that with the vast majority of new dwellings being built in Slough being one and two bedroom flats, there is increased pressure upon the existing housing stock to be extended or adapted to meet the demand for larger family housing in the Borough.
 - Parking, traffic and highway safety: this development is in a highly densely populated part of the town, next to an extremely busy roundabout which will only be further exacerbated. This will increase risk of traffic accidents and danger to pedestrians crossing. In addition, car park space is already at a premium and this development will only add to the demand for car parking spaces. There is insufficient local parking, there are parking spaces in the adjoining development but the design of the space is prohibitive for

many vehicles and there are no electric charge points.

- Noise and disturbance: When the 6th floor penthouse suites were constructed on top of the existing Verona apartments, the developers were very inconsiderate of the existing residents. Construction work was prolonged and below par which led to leaks into existing apartments as well as falling masonry creating a very unsafe environment. Residents have no confidence in the developers as responsible, health safety conscious builders.
- Pest infestation and Security: the bin areas for the existing Verona building are already overloaded and despite security measures it's difficult to stop trespassers. There have been incidents of residents' private correspondence being used as part of scams. The overloading has led to pest infestation on the ground floor of Verona. The new building does not appear to have a waste disposal solution to deal with this problem and believe they are planning to use the existing bin area which will only lead to further problems.
- Ageing population doesn't need flats.
- Density puts pressure on existing limited open space/parks.
- Many unsold flats in Slough Borough Council
- Loss of light
- Developer's "poor track record", for example the common areas of the existing Verona Apartments were neglected for a number of years, and the increase in local residents will make this worse. Developers who have submitted this plan have neglected to maintain their existing building Verona Apartments to an acceptable state. Putting their focus on a new development would further take their focus away from making the existing building safe and liveable.
- The Slough Schools Strategy 2018-2023 recognises there is insufficient capacity for older school pupils and this will only worsen with an increasing population, as such these properties are potentially adding to this problem.
- The Developers have an exceptionally poor track record of similar developments in Slough and should not be trusted, they are exceptionally aggressive and use highly complex and convoluted corporate structures to avoid accountability. As an example, the current Verona Apartment block is without a Building Guarantee Warranty and with properties which cannot be sold. They have sold the freehold to another company without giving leaseholders any notice, which I understand is a breach of the law.
- Leaseholders at Verona Apartments have had to spend tens of thousands of pounds to start to put right the mess they have left, including forming a Right to Manage Committee. I am one of many leaseholders who have been trapped in this terrible situation with these extremely aggressive developers, doubling ground rent issue, no building

insurance in place, unsafe parking and inadequate spacing making it difficult to actually use many of the spaces, and now the new development plan to build another tall building right next to the existing one.

- Developer has “contractual/legal issues with existing building/transfer of freehold and tenants”.
- Leaseholders “trapped” by legal issues.
- Incorrect information submitted and boundary has been inaccurately described by the applicant.

5.4 Additionally, observations have been received from the agent representing British Land (the owner/developer of the Queensmere Shopping Centre).

Their Executive Summary states:

“Our client acknowledges that the applicant has sought to respond to some of the reasons for refusal included within the Committee Report for the previous submission [P/03596/071], notably in respect of access/egress and planning obligations. ... Officers expressed particular concern regarding the scale, height, bulk, and mass of the previous scheme.

The footprint, scale, height, bulk, and mass of the current submission have not been amended from the previous submission. Furthermore, the location and orientation of the proposals have not been updated and as such, the current submission has not addressed the key concerns expressed by Officer in respect of the previous scheme.

These elements, which constituted reasons for refusal of the previous submission, therefore remain unresolved and in our view remain valid reasons for refusal as they are equally applicable to the current submission. It is noted that several of the reasons for refusal, including the concern that the proposals would represent an overdevelopment of the Site’s location and proximity to existing assets, are not possible to overcome.”

6.0 Consultations

6.1 Highways and Transport

Introduction

This document provides Slough Borough Council’s consultation response regarding Highways and Transport for application P/03596/074.

A Transport Statement by Patrick Parsons has been submitted in support of the application.

Vehicle Access

SBC Highways and Transport require the agreement of a planning condition which secures amendment of the access arrangement prior to planning permission being granted.

The vehicle access to the site would need to be amended to ensure that residents of the proposed development do not exit the site in close proximity to the ramp for the Observatory Shopping Centre where there is poor visibility of vehicles approaching from both directions (photos provided below). Egress could be restricted by road markings, signage and metal flaps known as 'alligator teeth'.

The application does not confirm the visibility splays available from the site egress adjacent to the ramp for the Observatory Shopping Centre car park. Photos of left hand and right-hand visibility from the proposed egress are shown below:



The northern access junction (egress) has been designed as the site egress with a no-entry sign and the building line angled to allow right hand visibility towards vehicles approaching from Observatory Car Park and car parks to the rear of the High Street Shops. A fence appears to have been erected which would need to be removed/reduced to allow suitable visibility.

Refuse and Delivery Vehicle Access

SBC Highways and Transport are satisfied that refuse collection and deliveries to the proposed development could be completed under the existing arrangement for the existing dwellings at Verona 2. The existing arrangement is for refuse vehicles to enter from HTC roundabout and this access to the site would be retained.

Measurements taken on site indicate there is 4 metres overhead clearance within the undercroft which provides enough overhead clearance to allow fire engines and delivery vehicles to pass through the undercroft. The Transport Statement states there is 5 metres overhead clearance available.

Access by Sustainable Travel Modes

SBC have previously requested improvements to the sustainable transport infrastructure for any application on this site. Due to the low level of car parking on-site, the proposed development would create additional demand for Slough's walking, cycling and public transport facilities.

The Transport Statement submitted by Patrick Parsons states in Paragraph 5.13 that the 'The client is willing to fund/undertake the following works as part of a Section 278 agreement:

- The upgrade of the pelican crossing outside the site to a toucan crossing through a Section 278 Agreement. This is to connect cyclists from the site with the shared cycle path along the north side of the A4 and with Slough railway station;
- The provision of a table crossing across the site access junction along the Southern A4 footway;
- The upgrade of the footway to shared footway between the site entrance and the new toucan crossing;

The proposed development is located 600 metres (9 minutes' walk) from Slough Railway Station and just 5 minutes' walk from Tesco Extra and Slough High Street.

The closest bus stops to the site are 'The Sorting Office' Bus Stops on the A4 which are located 150 metres from the proposed dwellings. Buses available at these stops include the A4, No. 5, No. 6, No. 7, No. 81, No. 107 and No. 703 which allow travel to Britwell, Cippenham, Wexham, Slough Trading Estate, Heathrow Airport, Hounslow, Uxbridge, Maidenhead and Bracknell.

Trip Generation and Traffic Impact

SBC have no objection to the proposed dwellings due to the forecast vehicle trips. The 29 dwellings and 14 parking spaces are forecast to generate up to 7 two-way vehicle trips per hour throughout the day. SBC Transport Officers would not expect the development to have a severe impact on vehicle queues or congestion.

The forecast is based on survey data from developments of flats in the TRICS Database. The TRICS Database provides trip survey data from similar developments around the UK.

Proposed Car Parking

14 parking spaces are proposed, which equates to 0.48 parking spaces per dwelling. This would be considered in accordance with Slough's Car Parking Policy and is acceptable given the improvements offered for sustainable travel and the site's close proximity to Slough Station, Slough Town Centre and bus stops.

The proposed dwellings are situated within Slough's defined Town Centre Area where Nil Car Parking is allowed by Slough's Adopted Car Parking Standards.

Slough's Core Strategy provides the following policy regarding car parking for developments in the Town Centre: '*Maximum restraint will be applied to parking for residential schemes in the town centre*' – Slough Core Policy 7 (2006 – 2026).

Blue Badge/Disabled Parking

SBC Transport Officers require a planning condition which secures one parking space for blue badge/disabled drivers. No blue badge/disabled car parking spaces are shown on the submitted site plans.

SBC Transport officers require that a minimum of 1 car parking space is designed for blue badge/accessible drivers. Inclusive Mobility (2021) recommends 5% of parking spaces are designed to an accessible standard with a 1200mm access strip at residential developments.

DfT data released in March 2023 showed that 4.6% of the UK population (2.57 million people) hold a valid blue badge.

Electric Vehicle Parking

The Transport Statement outlines that 4 parking spaces would be provided with EV Chargers in an unallocated car parking layout with passive provision for future activation. This would be considered acceptable according to the requirements of the Slough Low Emissions Strategy (2018 – 2025).

Cycle Parking

SBC also request a planning condition which secures the provision of Sheffield stands at the entrance to the proposed development to provide short-stay visitor cycle parking. These short-stay cycle parking spaces cater for those visiting the development on bikes or Deliveroo riders. The Slough Developer's Guide requires the provision of short-stay visitor cycle parking for flatted developments

of 10 dwellings or more.

58 secure and covered cycle stands are proposed inside the development which would provide two cycle parking spaces per dwelling for residents. The Slough Developers' Guide requires the provision of 1 secure and covered cycle parking space per dwelling.

Summary and Conclusions

I can confirm that I would have no objection to the application and recommend approval is subject to the conditions and informatives listed below:

Conditions for Approval

Vehicle Access

No part of the development shall commence until a drawing has been submitted to and approved in writing by the Local Planning Authority which includes measures preventing egress via vehicle access adjacent to the ramp for Observatory Car Park. Once approved, the altered means of access shall be sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Design Guide.

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

Car Parking

Prior to the development hereby approved first being brought into use, 14 no. car parking spaces shall be provided and made available for use in connection with the residential development and maintained for the parking of cars thereafter. The car parking spaces shall not be used for any separate business, commercial or residential use.

REASON: In the interests of ensuring that the use benefits from satisfactory car parking provision in the interests of 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`

Disabled Car Parking

Prior to the commencement of the development, a drawing shall be submitted to and approved by the Local Planning Authority which provides an amended car parking layout with 1 car parking space

for disabled/blue badge driver in accordance with DfT Guidance Inclusive Mobility. The parking space shall be designed with a 1200mm access strip and sign posted for blue badge users only. Once approved, the development shall be constructed in accordance with the approved parking layout.

REASON: To ensure suitable car parking providing for blue badge holders or disabled drivers.

Electric Vehicle Charging

Prior to the commencement of any development hereby approved, details of the 4 active electric vehicle charging points (Type 2' socket and be rated to at least 3.6kW 16amp 0 7kW 30amp single phase), together with underground ducting and cable provision to provide a passive supply for the remaining car parking spaces shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully installed and the active charging points shall be fully operational prior to the first occupation of the development and be retained in good working order at all times in the future.

REASON: to provide mitigation towards the impacts on air quality in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, the Slough Low Emission Strategy 2018 – 2025 Technical Report, and the requirements of the National Planning Policy Framework 2021.

Residents Cycle Parking

No part of the development shall be occupied until secure cycle parking store has been provided in accordance with the approved plans and in accordance with the standards set out in the Slough Developers Guide. Once laid out and constructed that area shall not thereafter be used for any other purpose.

REASON: To ensure that adequate and convenient cycle storage is provided to accord with the standards set out in the Slough Developers Guide.

Visitor Cycle Parking

No part of the development shall be occupied until details of short-stay visitor cycle parking have been submitted to and approved by the Local Planning Authority. Once approved, the cycle parking shall be provided in accordance with these details and shall be retained at all times in the future for this purpose.

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

Construction Traffic 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 the following details:

1. A site set up plan displaying hoarding/fencing extents, vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries, site office and wheel cleaning facilities during the construction period.
2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 0800 – 0900 and 1700 – 1800, and outside of 1430 – 1530 where the development is located in proximity to a school.
4. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
5. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
6. Details of dust control measures and wheel washing facilities to be provided on site.
7. Confirmation of whether any abnormal loads will be required for the construction or demolition. If so, the LHA must be notified of any abnormal loads at the following location:
<https://www.slough.gov.uk/licences-permits/abnormal-loads/1>.

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

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

Bin Storage

No part of the development shall be occupied until bin storage has been provided in accordance with the approved plans and standards set out in the Slough Developers Guide.

REASON: To ensure that adequate refuse storage is provided to serve the development.

Informatives

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

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.

6.2 **Lead Local Flood Authority**

Having reviewed the applicant's submitted details located within:

1. P/03596/074(002) PLANNING STATEMENT
2. P/03596/074(012) DRAINAGE STRATEGY

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

We consider that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions,

the proposed development on this site may pose an unacceptable risk of flooding.

Condition

Before any above ground works commence a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- i) Details (i.e., designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, and attenuation structures
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which will include a 10% allowance for urban creep.
- iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iv) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.
- v) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.

Reason

To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

Condition

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

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

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

method is to be used.

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

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

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

Reason

To ensure the future maintenance of drainage systems associated with the development

Condition

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, ref. P/03596/074(012) DRAINAGE STRATEGY 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

Informative

Please note that the comment on the acceptability covers only submissions for the proposed surface water drainage scheme for the development.

We ask to be re-consulted on this requested surface water drainage information. We will provide you with bespoke on formal re-consultation.

Please find my comments in relation to air quality and environmental noise considerations of the scheme: Verona Apartments, 50, Wellington Street, Slough, SL1 1UL (P/03596/074).

Proposal

This application is an amendment to a previous proposal under /071, for the redevelopment of the site to provide a residential building (Use Class C3) comprising 29 apartments with associated infrastructure including landscaping, drainage, car and cycle parking. The updated proposal now includes demolition and ancillary works.

The main change to the development design is the reduction of external amenity space to accommodate a new entranceway. Diagrams which illustrate this are presented below:



Air Quality Comments

The air quality assessment that accompanies the application is dated September 2022, therefore it is expected that no changes have been made to the assessment. As such, the comments made on the previous application (P/03596/071) still apply and are presented below for completeness.

In line with the Slough Low Emission Strategy, the scheme is considered to have a minor impact on air quality due to the low number of predicted vehicle trips. The proposed development is approximately 25m from the roadside, therefore exposure to poor air quality is very unlikely for future occupants.

A Construction Environmental Management Plan (CEMP) 'framework' has been submitted in support of this application. It states that as contractors have not yet been appointed, this CEMP aims to set out the fundamentals of construction management and it is expected that an updated version will be

submitted once details are confirmed. Within this CEMP, much of the detail on noise and dust management is already provided, including use of wheel washing facilities, screens to reduce dust and damping down. It is noted however that details of emission standards are not provided, which is expected to be specified in the updated submission.

As the development is expected to cause a minor air quality impact, the scheme only requires the integration of Type 1 Mitigation measures, contained in the LES Planning Guidance and replicated below:

Mitigation Requirements

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report. As stated in the Design and Access Statement, 4 EV charges will be provided, which is accepted. It is recommended that cabling is installed to allow for future provision for the remaining parking spaces allocated to this development.
- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works. It must include details of Institute of Air Quality Management (IAQM) dust mitigation, including a Dust Management Plan as specified within the Air Quality Assessment, plus methods to control noise.
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard.
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report.

Construction Environmental Management Plan

A revised Construction Environmental Management Plan (CEMP) has been submitted as part of this application. As outlined above, the core principles of the CEMP were accepted, however some information was missing.

The case remains that the contractors for the development have not yet been appointed. Once appointed, the contractors will liaise with SBC prior to starting on-site to finalise and agree details and methods. It is expected therefore that a CEMP will be required via condition (details provided below).

Construction Environmental Management Plan:

No demolition or development shall commence on site until a Construction Environmental Management Plan to control

environmental effects of demolition and/or construction, has been submitted to and approved in writing by the Local Planning Authority.

The Plan shall include the provision to be made to accommodate:

- i) all site operatives and visitors*
- ii) construction vehicles which meet a minimum Euro 6/VI Standard*
- iii) loading and off-loading*
- iv) parking and turning within the site*
- v) wheel cleaning facilities during the construction period*
- vi) non-road mobile machinery (NRMM) to comply with the emission standards in Table 10 in the Low Emission Strategy guidance.*

The Plan shall also include details of:

- (i) control of noise*
- (ii) control of dust, smell and other effluvia*

The Plan shall thereafter be implemented as approved before development begins and throughout the duration of the demolition and/or construction works period.

Environmental Noise Comments

An updated environmental noise assessment has been prepared by Tetra Tech in support of this application. A summary of the original application is provided below:

- The assessment was informed by a combination of noise monitoring to establish the baseline (survey period 10th – 16th August 2022) and noise modelling to determine noise impact to future occupants of the development. Dominant noise sources identified include road traffic noise from the A4, some residential noise and aircraft.
- Results indicated that noise levels reached 62.3dB LAeq during the day and 57.7dB during the night, with an L_{Amax} of 94.7dB.
- To mitigate against these noise levels, double glazing (30dB R_w achieved with 6/12/6mm) and an acoustic ventilation system was proposed, which was accepted.
- In regards to external amenity noise levels, only the northern facing balconies (AR03) experience noise levels above the limit of 55dB. As the use of this balcony is at the occupant's discretion, and there is alternative screened outside space available on the ground floor, this was accepted.
- The proposal included a substation on the ground floor, however at the closest receptor, noise levels were predicted to be 10dB below the background noise level, under the assumption that plant noise will be limited to 39.3dB(A) at 1m or 30.1dB(A) at 3m.
- Conditions regarding glazing and ventilation details, and plant noise limits (43dB), were applied, which would result in an acceptable application in terms of noise impact.

A comparison between the two reports has been provided below.

Report Section	P/03596/071	P/03596/074
1.1 Purpose of the Report	Lists development as residential.	Lists development as 'residential-led mixed use'. This issue of the report has been updated to include the existing road into the proposed development from the HTC roundabout that was previously removed.
1.2 Legislative Context	Provides a summary of NPPF and applicable paragraphs, plus PPG guidance summary.	No change.
1.3: Acoustic Consultants' Qualifications and Professional Memberships	Summary table provided of personnel involved in the report development.	No change.
2.1: Internal and External Noise Assessment Criteria	Internal and external noise assessment criteria provided in table with alignment with NPSE effect level.	No change.
2.2: Pro PG Planning and Noise	Summary of Pro PG guidance provided, including Stage 1 and 2 risk assessment methodology.	No change.
3.1: Noise Modelling Methodology	Methodology for noise modelling provided with CADNA noise model figure and assumptions.	Outline of proposal updated – everything else unchanged
3.2: Model Verification (Existing Ambient Noise Climate)	Tables provided that compare the modelled data against the monitored data.	No change.
3.3: Receptor Locations	(Two sections are both labelled 3.3 – receptor locations and external amenity receptors). Table with sensitive receptor locations is provided with supporting map.	External amenity labels have been corrected (previously wrongly labelled between map and table). Receptor A04 and A05 appear to have changed orientation but table description is unchanged. Appears to still represent external communal green space.
4.1 Noise Survey Methodology	Noise survey methodology provided, with map showing monitoring locations.	No change.
4.2 Noise Survey Results	Table of results provided. Table 4.2 shows meteorological information with a description of the	No change.

	dominant noise source, and Table 4.3 shows the average baseline noise monitoring survey results.	
5.1 Building Services Plant Assessment	The substation is located on the ground floor of the building facing east, therefore breakout noise is assessed via the louvre on east of the building.	Substation is now on ground floor of building facing north, inside proposed commercial unit, therefore plant breakout assessed through louvre on north of building. Plant rating levels have therefore been updated in Table 5.2, showing highest noise levels at R06. The results are similar (10dB – 36dB below background), just affecting different receptors.
5.2 ProPG Stage 1 Risk Assessment	A table of risk levels is provided, with the noise contour outputs from the model. Shows risk is low during the day, and medium-low during the night.	Table/figure descriptions in the text have been updated. Under Figure 5.3, the text has been reworded slightly but no fundamental changes.
5.3 ProPG Stage 2	<p>External amenity noise levels provided in Table 5.4, showing compliance against 50dB target noise level, but exceedance of this is experienced at AR03 at 58dB (northern façade).</p> <p>The noise intrusion assessment (5.3.2) shows the noise impact with and without windows open, compared with the internal noise level criteria, for day and night, supported with noise contour maps.</p> <p>Proposed mitigation includes glazing of Rw + Ctr 30dB and ventilation with sound reduction equivalent to glazing (typically acoustic trickle vents) for all living rooms and bedrooms of the development</p>	<p>Wording has been amended slightly, nothing fundamental. External amenity noise levels in Table 5.4 have been amended – higher than the original assessment by 1dB and 0.3dB, at A02 and A03, respectively. A04 and A05 are less than the original results by 0.4dB and 1.1dB, respectively. External amenity area includes 1.8 solid fence and includes existing fence around bin storage for Verona Apartments. Previously was a solid fence/equivalent 'green wall' – seemingly removed from design. Figure 5.3 shows external amenity barrier location amended to enclose a section closer to the main building (design was changed to accommodate new road).</p> <p>The noise intrusion tables have been updated in light of the information above. Table 5.5 noise levels are mostly the same, although external façade LAeq at 1m distance have been amended slightly. Daytime changes: decrease by 0.4dB at R05 and R06, 0.2dB at R07, 0.1dB at R08, and a 0.1dB increase at R09. Night time changes: decrease</p>

		<p>by 0.3dB at R05, 0.5 decrease at R06, 0.2dB at R07, no change at R08, and 0.1dB increase at R09.</p> <p>Overall relatively unchanged and expect this is a result of the reorientated barrier.</p> <p>Table 5.6 L_{Amax} noise intrusion levels, small decrease in external façade L_{Amax} at 1m distance by maximum 0.2dB. Very little change in internal noise levels, 0.1dB worsening of internal noise level at receptors R08-R10.</p> <p>Text under Figure 5.6 is unchanged.</p> <p>The same glazing and ventilation performance requirements are presented.</p>
5.4 Approved Document Part O	Not included in original report.	<p>An additional Section (5.4) has been added regarding overheating, stating that the internal noise levels at night do not exceed the L_{Aeq} or L_{Amax} limits specified within Approved Document O, therefore can rely on openable windows to prevent potential overheating. All receptors however show exceedance of the BS8233 internal noise limit of 30dB, the greatest being at R06 (39dB), therefore there is risk that this will result in noise impacts during the night.</p> <p>It is therefore requested that an overheating assessment is provided which determines the frequency and duration of overheating occurrences, to determine whether use of windows for overheating mitigation is a suitable option.</p>
6.0 Conclusions	A summary of the above details is provided, concluding that an exceedance of the SOAEL is not expected.	<p>Changes include removal of the term 'eco sound barrier/green wall' from the description of the fence.</p> <p>External amenity noise level 'set to achieve the desired 50dB external amenity limit', now changed to 'set to achieve the upper 55dB external amenity limit'. As before, this is acceptable.</p>

		Glazing configuration is the same. Conclusion is the same that no exceedance of SOAEL.
--	--	---

To conclude, the above conclusions are accepted pending detail of the frequency and duration of overheating occurrences, to determine whether the proposed overheating mitigation strategy (natural ventilation via openable windows) is acceptable from an internal noise perspective. The conditions requested in the original comments regarding glazing and ventilation details and plant noise limits (no exceedance of 43dB) still apply.

6.4 Natural England

No comments received. Any comments received will be reported into the Amendment Sheet.

6.5 Thames Water

Waste Comments

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

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Management of surface water from new developments should follow guidance under sections 167, 168 & 169 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further

information please refer to our website.

<https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design>

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

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

Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at

[thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).

The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk.

The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

On the basis of information provided, Thames Water would advise

that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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.

6.6 Crime Prevention Design Advisor (Thames Valley Police)

I ask before any planning permission is granted an Access and Security Strategy is provide to support the application illustrating further detail including:

- The access controls proposed, their attributes and positioning.
- How adequate compartmentation will be achieved through the development.
- How lobbies protecting lift/stair cores and residential corridors will be secured.
- The positioning of postal services preventing the need for unrestricted access into private areas of the development.
- How the development will differentiate between users, residents/visitors/trades and how access will be varied (intrinsicly linked to the ability to compartmentalise the development).
- The proposed level of physical security in terms of standard achieved relating to windows and doorsets across the development and ensuring their fitness for purpose (BS 6375).
- How the car parking areas will be secured in terms of vehicle and pedestrian control as mentioned briefly in the DAS.

This is not a finite list of contents, however detail of the requirements relating to the physical security are enclosed in the link below and makes up my recommendations for this development.

https://www.securedbydesign.com/image/HOMES_GUIDE_2023web.pdf

To aid the applicant, below is the previous response to the site under

P/03596/071 where many points have not been addressed but are relevant to this application and its layout.

It is good to see that the applicant has acknowledged the requirement for a suitable level of security being present to protect the future residents and the development itself from the negative impacts of crime and anti-social behaviour. This is particularly pertinent due to the location.

Having reviewed the application I have been unable to find a 'Security and Access Strategy' for the development, this should be provided and approved prior to planning permission being granted.

I make the following comments and ask that these are either confirmed, amended or addressed in additional documentation requested.

- From the DAS (P39) the bin storage is proposed to be enclosed and secure. I have significant concerns in relation to a single large bin store for the site in that it is likely to attract anti-social activities if left insecure. If the requirement is that the bin store should be enclosed then the following should be addressed;
 - Additional bin stores should be provided to allow a reduction in size of each unit creating a sense of ownership amongst residents for these stores. Reducing the size will likely increase better visibility internally around the store, prevent the flytipping of large unwanted items and reduce the potential for the store to be used for a number of other unwanted activities.
 - Robust access controls must be present – electronic fob access must be present on each store.
 - A single wide self-closing door should be provided with an internal thumb turn to prevent accidental lock in.
 - The door should meet the minimum standards of LPS 1175 SR1 to ensure both physical security and durability of hardware.
 - Internal lighting must be present.

Alternatively I would suggest the use of an external store with visibly permeable sides to allow surveillance in and open to the elements reducing the potential and desire of individuals to use these stores for other activities.

- I have been unable to identify any details regarding the provision for postal services. Postal services should not have unrestricted access into the development and any entry into the stairwells, lifts or communal corridors should only be possible for postal services when allowed to enter by a resident. If the proposal is that postal services will be located in the secure lobby area then postal workers should have access only through the initial front door set. The most appropriate system for this type and size of development would be to provide through the wall delivery requiring access only through the perimeter gate. Further confirmation and details are required.
- From the plans provided access controls are proposed for the perimeter gate to the development. Further detail is required regarding how visitors to the site will be managed. **This should be addressed in the security and access strategy.**
- I have been unable to identify how compartmentation will be provided through the building. Whilst there is the potential to access controls doors exiting the stair core the same is not possible in terms of the lift cores.

A visitor entering the development and accessing the lift would be able to exit on any floor. This could be addressed through access controlled lift operation if the current layout cannot be amended. **This should be addressed in the security and access strategy.**

- Whilst the DAS refers to the presence of access control no further details have been provided. The positioning and attributes of access controls and visitor entry systems must be provided to ensure they provide sufficient physical security to this development. This should confirm that no 'Trades' or timed release button will be present. Break glass to exit should not be present as these leave the development insecure in some cases for several days until the glass is replaced. An alternative that allows the system to be reset in timely manner after an emergency or false activation must be present. **This should be included in the security and access strategy.**
- Not all offenders are external to a development. Compartmentation must be provided through the development to allow residential fobs to be programmed, enabling access only to those areas they have a legitimate need to access and in all other locations treated as visitors. E.g. a resident located on the second floor should not have unrestricted access to the communal corridor of the 6th floor and should enter this area as a visitor. **This should be included in the security and access strategy.**
- I have been unable to find any details relating to the proposed secure vehicle gate its structure and how it will operate. Additional documentation should be provided. **This should be included in the security and access strategy.**
- Formal surveillance should be present on this development. Additional details should be provided regarding the positioning and type of cameras provided. **This should be included in the security and access strategy.**
- Communal entrance doors should meet the general standards of LPS 1175 SR2 or equivalent to ensure sufficient physical security and durability are present. This should include the doors located in from the parking area into the development. Confirmation is required. **This should be included in the security and access strategy.**

6.7

Fire Safety Office

No comments have received. An update will be provided on the

Amendments Sheet.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 National Planning Policy Framework 2023

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes

Section 7: Maintaining the vitality of Town Centres

Section 8: Promoting healthy communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

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

7.2 The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document (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)

H9 – Comprehensive Planning

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

Other Relevant Documents/Guidance

- Local Development Framework Site Allocations Development Plan Document - November 2010
- Slough Borough Council Developer's Guide Parts 1-4 - November 2008, January 2016, December 2017, November

2018

- Slough Flood risk and surface water drainage Planning guidance - January 2016
- Proposals Map – 2010
- Nationally Described Space Standards May 2016 (as amended)
- Slough Low Emission Strategy - 2018 - 2025
- Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems - March 2015
- The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended)
- Footprint Ecology report 'Impacts of urban development at Burnham Beeches SAC and options for mitigation: update of evidence and potential housing growth, 2019'

7.4 Slough Local Development Framework Site Allocations DPD (2010)

The Site Allocations DPD (2010) includes a number of Site Specific Allocations (SSA) with detailed development proposals for selected sites.

The location of the current application plot does not lie in any SSA site but lies adjacent to one of these sites – designated SSA14, the Queensmere and Observatory Shopping Centres.

- The proposed uses for the site are “*Mixed: retail, leisure, restaurants/bars, car parking, residential and community.*”

The stated Reasons for Allocation are:

To establish the principles for the comprehensive redevelopment and/or reconfiguration of the Queensmere and Observatory shopping centres.

To ensure that the future development of the shopping centres positively contributes to the wider regeneration proposals for the town centre particularly the Heart of Slough.

To support development proposals that will encourage further retail investment in the town centre.

The Site Planning Requirements in the DPD are:

Redevelopment and/or reconfiguration proposals should:

- *Improve the retail and leisure offer around the Town Square through change of use of key units and improved retail offer*
- *Link to the Heart of Slough through provision of a western entrance to the shopping centre and access to residential*

units above the centre.

- *Create active frontages along the A4 Wellington Street and St Ethelbert's Church frontage*
- *Remove the service ramp to the Prudential yard in coordination with the Heart of Slough proposals in the area*
- *Improve pedestrian links to the bus and railway stations via Wellington Street*
- *Rationalise multi-storey car parking provision and its links to the centres and Wellington House.*
- *Redevelopment of the western end of the Queensmere Centre adjacent to St Ethelbert's church, including improved retail units, residential accommodation above the centre and removing the toilet block*
- *Transform Wellington Street frontage to create an urban boulevard with tree planting, improved north-south route connection to the town centre, active retail frontages and access to residential above the retail units*
- *Aim to reduce the negative impacts of construction upon existing businesses and the quality of life for residents and users of the town centre by appropriate phasing and implementation.*

7.5 Centre for Slough Interim Planning Framework (2019)

The Council is promoting "major comprehensive redevelopment within the Centre of Slough" as part of its wider growth agenda. This Interim Planning Framework is produced by the Local Planning Authority's Policy Team and is the first step in producing a Centre of Slough Framework Master Plan.

The Framework does not replace any of the existing policies in the Local Plan, Core Strategy or Site Allocations DPD. It does, however, provide a land use framework that future work can be hung upon. It can be used to inform planning decisions but does not have the weight of planning policy. The Framework was considered at Planning Committee on the 31 July 2019 and members endorsed the approach taken in the strategy.

The Interim Planning Framework was intended to demonstrate how comprehensive redevelopment and regeneration could take place within the Centre of Slough. It recognised that the town centre was failing as a shopping centre and so promoted an "activity" led strategy which sought to maximise the opportunities for everyone to use the centre for a range of cultural, social, leisure and employment activities which are unique to Slough. In order to do this it promoted it as a major transport hub, identified the potential for it to be a thriving business area which could accommodate a large amount of new housing and recognised the aspiration to create a new cultural centre in Slough.

The Framework defined a “central area” within the centre of Slough which consisted of the High Street, Queensmere and Observatory shopping centres which together perform many of the traditional town centre functions. Within the context of a declining number of visitors to the town centre and a significant number of shop closures, the preferred strategy was to keep the High Street as the primary shopping area and redevelop the southern part of the Queensmere and Observatory centres as integral parts of the new High Street. This would then allow the Wellington High Street to be redeveloped for a mix of other uses including high rise residential.

7.6 The Proposed Spatial Strategy (Nov 2020)

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

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

7.7 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).

7.8 Fire Safety Provisions - DLUHC Guidance - Fire safety and high-rise residential buildings (from 1 August 2021)

The Department for Levelling Up, Homes and Communities (DLUHC) has brought in changes to the planning system whereby HSE Gateway One are a statutory consultee on specified planning applications. The DLUHC Guidance states that the changes are intended to help ensure that applicants and decision-makers consider planning issues relevant to fire safety, bringing forward thinking on fire safety matters as they relate to land use planning to the earliest possible stage in the development process and the result in better schemes which fully integrate thinking on fire safety.

7.9 Slough Local Development Plan and the NPPF

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

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

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2023, the Local Planning Authority cannot demonstrate a Five-Year Land Supply. Therefore, when applying Development Plan Policies in relation to the development of new housing, the presumption in favour of sustainable development will be applied, which comprises a tilted

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

The weight of the harm and benefits are scaled as follows:

- Limited
- Moderate
- Considerable
- Substantial

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.

7.10 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 supply and mix
- Living conditions for future occupiers of the development
- Crime prevention
- Highways and parking
- Flooding and drainage
- Trees and landscaping
- Habitats
- Energy and sustainability
- Air quality
- Heritage issues
- Land contamination
- Infrastructure and Section 106 Contributions
- Presumption in favour of sustainable development
- Equalities Considerations

8.0 Principle of development

8.1 The red-line of the application site comprises a car parking area with formal spaces marked out at lower ground level and an open deck surface with no bays marked but where the parking of vehicles occurs.

8.2 The area included in the red line is indistinguishable from the areas at

each level and alongside (to the east) within the context of its use for car parking with the exception that on the upper level there are no bays marked out on the surface of the deck.

- 8.3 It has been indicated by the applicant that the “site” is defined by its different ownership to that of the areas beside but which appear indistinguishable.
- 8.4 Paragraph 123 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.
- 8.5 Paragraph 127 of the NPPF states local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to: a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.
- 8.6 The applicant’s case is that *“The application site comprises an area of hardstanding and multistorey car parking area that is no longer fit for purpose. The areas of hardstanding are used for access, car parking and manoeuvring.”* Furthermore, they state *“The redevelopment of the site will also result in a reduction of hardstanding, and an increase in soft landscaping and biodiversity, improving its sustainability and enabling the site to be adapted to climate change.”*
- 8.7 The applicant’s Design & Access statement describes the application plot as part of a “redundant” car park. However, the specific portion of the car park that the applicant includes in this application, is a functional and integral part of the larger car park. Furthermore, it includes an access and an egress for the overall complex; albeit, these specific access and egress points are not the sole access and egress points; so, the rest of the car park can function were these points of access and egress no longer available.
- 8.8 Core Policies 1 and 4 which seek high-density, non-family type housing to be located in the Town Centre; whilst, in the urban areas outside of the town centre, new residential development is expected to be predominantly family housing.
- 8.9 The plot is located within the designated Town Centre, where it would be appropriate to consider flatted accommodation, were there not a

fundamental issue with the principle of siting a new building at this location.

- 8.10 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high-quality homes which should be considered in the context of the presumption in favour of sustainable development.
- 8.11 Whilst the plot is considered to be located in a sustainable location, as it benefits from access to public transport, education, retail, leisure, and employment and community facilities, there remains an objection of principle to the formulation of this scheme.
- 8.12 As set out above, the adjacent land is designated in the SPD as SSA14 where significant redevelopment is anticipated. However, the proposed scheme would entail a ten-storey building with south facing windows serving residential accommodation almost on the boundary. As such, it is considered that the potential relationship would not be respectful of the rights of an adjoining ownership and effectively prejudice the future plans for the land within SSA14.
- 8.13 Therefore, having regard to the National Planning Policy Framework and the Local Development Plan, there is fundamental objection to the principle of a new building on this plot, as it would be a cramped form of development that represents an overdevelopment that would prejudice the comprehensive development of adjoining land.

9.0 Impact on the character and appearance of the area

- 9.1 The National Planning Policy Framework 2023 encourages new buildings to be of a high-quality design that should be compatible with their site and surroundings. This is reflected in Core Policy 8 of the Core Strategy, and Local Plan Policy EN1.
- 9.2 Furthermore, Paragraph 8 of the NPPF sets out that achieving sustainable development means that the planning system has three over-arching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective. Of these, it is considered the proposals raise significant issues in relation to the environmental objectives of the thrust of the NPPF.
- 9.3 Paragraph 9 of the NPPF stresses that sustainable solutions should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 9.4 In Core Policy 1 the Council seeks a scale and density of development that will be related to a site's current or proposed accessibility, character and surroundings.

- 9.5 In Core Policy 8 the Council seeks all development to be sustainable, of high-quality design that respects its location and surroundings, in that it should respect the amenities of adjoining occupiers and reflect the street scene and local distinctiveness of the area.
- 9.6 Local Plan Policy H9 sets out that:
- 9.7 *“A comprehensive approach should be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised.”*
- 9.8 The emphasis is on the promoting of comprehensive development rather than piecemeal schemes in order to ensure the rational layout of land for residential use.
- 9.9 In summary, were the proposals to be acceptable in principle, the issues would turn on overall impact on potential redevelopment of the wider area in conjunction with whether the scale of any infilling development could be accommodated sensitively with the fullest regard to the character of the surroundings, as well as, the handling of any potential impact on the amenities of the neighbouring occupants.
- 9.10 As described above, the application plot lies in the Town Centre and forms a part of a structure which is an integral and operational part of the Verona complex. It is characterised by its function, which is to provide access and parking within that context. As the plot lies adjacent to the HTC roundabout and the pedestrian and vehicular routes to the Queensmere Centre, it is considered to be a part of the functional town centre and its visual characteristics flow from these functions. The Queensmere Centre and adjoining land has a resolution to grant planning permission by Slough Borough Council Planning Committee on 29 September 2022, reference: P/19689/000 for *Outline application (with all matters reserved) for the demolition of buildings and the phased redevelopment of the Site to provide a mixed-use scheme comprising residential floorspace (C3 use and provision for C2 use); flexible town centre uses floor space (Use Class E and Use Class F), provision for office floorspace (Use Class E (g) (i)), supporting Sui Generis town centre uses (including a range of the following uses: pubs, wine bars, hot food takeaway), Sui Generis leisure uses (provision for a cinema or live music venue); provision for the creation of basements, car and cycle parking (including provision for a Multi-Storey Car Park); site wide landscaping, new public realm including provision of a new town square and public spaces and associated servicing, associated infrastructure, energy generation requirements and highways works*. It should be noted that at the time of the previous refusal in 2018 for this site, Queensmere did not have a resolution, although now the position has changed and the impact on

this site in terms of not sterilisation the neighbouring site, needs to be taken into consideration to not prejudice the potential future development of adjoining land.

- 9.11 The existing form of the car park decks is unobtrusive and of modest scale; albeit, of no particular visual quality in the foreground of the open-sided, larger scale of the Queensmere centre behind.
- 9.12 The proposals entail a new ten-storey, flatted block sited at the back-edge of the footway leading to and/from the Queensmere centre. This would represent a very overbearing form alongside the public footway.
- 9.13 The proposals entail a narrow gap of some 1.5m between the northern face of the Queensmere Centre and the ground to fourth floors of the new ten-storey, flatted block. So, the upper floors of the proposed building with its south-facing windows would effectively be borrowing amenity from the air space over the adjacent land, which is in a different ownership, which is contrary to the thrust of Policy H9.
- 9.14 The setting of the current proposals is very similar to those under P/03596/070, when it was noted:

“The proposed form of the development would introduce a significant built form on the site where there has been none of significance. The proposals are described as “part 8/part 10” storeys in the application which would be out of scale with the adjacent existing forms of Verona 1 and the Observatory Shopping Centre.

The proposed development would be sited immediately at the back edge of the footway alongside the pedestrian route on the east side of the access from the HTC roundabout to the Shopping Centre. It would rise ten storeys on that façade.

The rear of the ten-storey structure would be some 2.5 to 3.0 metres from the northern façade of the Shopping Centre car park.

The building would be some 2.5 to 3.5 metres from the Verona 1 apartments. At this point the proposed building would be eight-storeys high.

The close proximity of a building that is also taller than the neighbouring structures would appear somewhat cramped and oppressive. Given its siting is also immediately adjacent to the footway between Wellington Street and the Shopping Centre, there is a concern that it would be somewhat overbearing for pedestrians at this point.

Therefore, for the reasons above, it is considered that the scale and height would appear out-of-keeping on the site within the context of its place in the street scene.”

- 9.15 The current proposals involve a new building rising to 10-storeys, which would be sited a modest distance further from Verona Apartments (than those under P/03596/070) and negligibly different in

relation to its southern and western boundaries.

- 9.16 Essentially, the proposals are piecemeal with a harmful relationship to the adjacent major site – SSA14 – where a significant form of development is expected to be comprehensively pursued. The earlier pre-application advice has set out that the developer should note that the site is constrained and would not be suitable for piecemeal proposals.
- 9.17 Based on the above, the proposals would have an unacceptable impact on the character and visual amenity of the area, whilst failing to bring forward comprehensive proposals that would not prejudice the wider redevelopment of the area. The proposals therefore do not comply with Policies EN1 and H9 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, and the requirements of the National Planning Policy Framework 2023.

10.0 **Impacts on the amenities 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 satisfactory level of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policy EN1.
- 10.2 As set out above, there are the Prior Approval residential units in the converted former offices now called Verona Apartments. The western end of this block lies immediately to the north-east of the proposals.

In respect of daylighting and sunlight

- 10.3 A full Daylight and Sunlight Assessment has been produced for the impact of the proposed scheme on that property, with the following findings:

In terms of daylight criteria –

“The results of the detailed technical analysis demonstrate that the daylight VSC [Vertical Sky Component Assessment (which is the ratio of the direct sky illuminance to the unrestricted sky)] targets for existing residential windows will be achieved at 39 (75%) of the 52 assessed windows as the VSC measured at the centre of the window is greater than 27% and more than 80% its former value, in accordance with BRE guidance.

Further technical analysis for daylight was undertaken using NSL [No skyline] for existing residential living spaces. The NSL assessment

demonstrates that 46 of the 46 assessed living spaces met the criteria for NSL by retaining more than 80% its former value and will therefore receive 'adequate' daylight."

In terms of sunlight criteria (this criterion is only applicable to those relevant windows that lie in relation to the path of the sun) –

"A sunlight assessment was undertaken for the existing residential living spaces surrounding the proposed development to determine the annual probable sunlight hours (APSH) and winter probable sunlight hours (WPSH). Of the 46 living spaces within existing residential properties, 21 living rooms contain at least 1 window facing 90 degrees due south, and 17 (80.95%) meet the BRE criteria for full year and winter periods. The remaining 25 living spaces, which do not have a window facing within 90 degrees due south, are considered not to receive sufficient sunlight due to their orientation and therefore do not require APSH or WPSH assessment, in accordance with BRE guidance. It should be noted that it is acknowledged within BRE guidance that is 'difficult to achieve good levels of sunlight in all spaces within a building.'"

10.4 It has to be noted that the NPPF sets out that at Paragraph 129 that:

"Where there is an existing or anticipated ... [shortfall] ... to meet housing needs, it is especially important that ... developments make optimal use of the potential of each site. In these circumstances:

(c) In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."

10.5 So, it must be noted that as the affected property at Verona Apartments lies in the Town Centre there may have to be an expectation that the tight urban grain will create difficulties with achieving full levels to meet BRE guidelines. So, further to the NPPF and the Council's housing shortfall, 'adequate' levels may have to be accepted.

10.6 However, there are fundamental issues with the proposals that result in a recommendation to not support the scheme and as such the outcome of the daylight and sunlight study ought to be considered as further indicator of a cramped form of development.

In respect of potential loss of privacy and light issues

10.7 As set out above, the proposed new building would be sited close to Verona Apartments. The application submission has been accompanied by a Design & Access Statement that has sought to

demonstrate that the detailed design incorporates means to avoid overlooking and loss of privacy between both sets of potential and extant occupiers.

- 10.8 The introduction of blanking panels to the windows to block line-of-sight from the proposed block, as well as, the detailed treatment of window openings, reveals and angles of faces on the elevation and the introduction of fins to the external balconies with the intention of preventing direct overlooking, are somewhat artificial techniques to avoid direct issues of harm. So, whilst it must be recognised that these are remedies that could reduce or avoid the issues, this degree of attention to the design to overcome potential harm, is a further indication of the cramped setting and overdevelopment of the plot.

11.0 **Housing supply and mix**

- 11.1 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. Core Policy 3 states that proposals for new development should not result in the net loss of any existing housing.

- 11.2 Slough Borough Council is in the process of preparing a new Local Plan for Slough which covers the 20-year plan period between 2016 and 2036. The Council's Housing Delivery Action Plan (July 2019) confirms that the objectively assessed housing need for the plan period is 893 dwellings per annum (dated April 2019). The emerging targets are for the delivery of near 20,000 new homes over the plan period in order to ensure this strategic target is achieved and exceeded to allow for additional population increases over the lifetime of the Local Plan.

- 11.3 Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework, the Local Planning Authority cannot demonstrate a Five- Year Land Supply. The proposal for 28 residential units would make a contribution to the supply of housing, and given that that the tilted balance is engaged, this contribution would in principle attracts positive weight in the planning balance although tempered given the quality of the development and over-provision of smaller flats.

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

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

- 1 bed / 1persons = 3
- 1 bed / 2persons = 8
- 2bed / 3persons =1
- 2bed / 4persons =10
- 3bed / 5persons = 7

So, were the scheme to have been acceptable in all other terms, given the location of the plot and its particular circumstances, it is considered that the mix would be appropriate and thus would have been acceptable.

12.0 Living conditions for future occupiers of the development

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

12.2 Core policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions."

Internal layout

12.3 All the units would meet the Council's internal space standards, as set out in the Technical Housing Standards – Nationally Described Space Standard 2015.

In respect of daylighting and sunlight

12.4 The applicant's Daylight & Sunlight Assessment sets out that:

In terms of daylight criteria –

"Further assessment was undertaken to consider the daylight Factor (DF) within the proposed rooms. 83 proposed internal rooms which represent the 149 windows were assessed for DF. The DF assessment demonstrates that 56 (67.47%) out of the 83 rooms meet the DF criteria and will therefore receive 'adequate' daylight.

An additional assessment was undertaken to determine the level of Spatial Daylight Autonomy (SDA) within proposed rooms. The SDA assessment demonstrates that 73 (87.95%) out of the 83 rooms meet the BRE criteria and will therefore receive 'adequate' daylight."

In terms of sunlight criteria for the proposed accommodation (this

criteria is only applicable to those relevant windows that lie in relation to the path of the sun) –

“A sunlight assessment was also undertaken for the proposed living spaces to determine the Sunlight Exposure (SE). Of the 83 living spaces at the proposed development, 55 (66.27%) meet at least the respective requirement for minimum Sunlight Exposure.

It is recommended within the guidance that at least one habitable room in the dwelling should have exposure to at least ‘adequate’ sunlight. Therefore, of the 29 proposed habitable dwellings assessed, 28 (96.55%) meet the respective criteria for Sunlight Exposure. It should be noted that all 3 habitable rooms within the ground floor dwelling which did not meet the SE criteria, met at least one of the VSC, DF or SDA criteria.”

- 12.5 In conclusion, it is considered that in accordance with the BRE guidelines for a setting in the Town Centre and the context of a dense urban grain, there would be reasonable levels of light, both daylight and sunlight, and as such these findings would not warrant a reason for refusal.

In respect of potential loss of privacy and light issues

- 12.6 It is noted that work has been done to refine the design of the proposed block to avoid the direct issues of loss of privacy for future occupiers between both the proposed flats and their accompanying balconies and the proximity of the existing Verona Apartments.

Amenity space

- 12.7 Policy H14 of the Adopted Local Plan states that development will only be allowed with the provision of the appropriate amount of private amenity space with due consideration given for type and size of the dwelling, quality of the proposed amenity space, character of the surrounding area in terms of type and size of amenity space and the proximity to existing public open space and play facilities.
- 12.8 Of the upper floor flats twenty-five would have a reasonably proportioned balcony. However, three units at first floor level would have no private amenity space.
- 12.9 The single ground floor flat, which would represent family accommodation, has potentially an outside ‘defensible’ space – it is annotated as indicating that the area is dedicated to this unit though it would have required some means of enclosure were it to have been included in a scheme that were otherwise acceptable. In terms of quality, it is impaired by its openness to the public realm.

- 12.10 However, there is no other place within the scheme for communal or private amenity to support potential future occupants' needs on site. As such, their needs for such recreational space would have to be met by public open spaces. There are no such meaningful parks or gardens close by – as both Herschel Park and Lascelles Park lie just under one kilometre from the proposals.

Conclusion

- 12.11 Based on the above, there are outstanding issues relating to the living conditions for future occupiers that would have required amendments and mitigation, in order to have considered the overall level of living conditions satisfactory and to have been in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy EN1 of the Adopted Local Plan.

13.0 Safe environment and accessibility

- 13.1 Paragraph 96 of the NPPF 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, which seeks to ensure all development schemes are designed to reduce the potential for criminal activity and anti-social behaviour.
- 13.3 Thames Valley Police has reviewed the submission – their comments are set out in full at 6.6 above – and states that a suitable level of security is particularly pertinent due to the location.
- 13.4 As such, they require a Security & Access Strategy prior to any approval. The agent for the developer has submitted a response confirming their client's how they intend to satisfy the requirements – this response is listed under the List of Documents in the Informatives below.
- 13.5 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential security and safety aspects of the scheme is a neutral consideration in the planning balance.

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 sets 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 115 of the National Planning Policy Framework 2023 states that: *'Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.
- 14.4 It is noted that the plot lies within the designated Town Centre and benefits from a high level of accessibility to a range of public transport and all the facilities for retail, entertainment, employment, education and health. So, it is acknowledged that the plot lies in a sustainable location
- 14.5 Moreover, given the plot's location in the designated Town Centre, it must be noted that the Council's parking standards require nil parking spaces.
- 14.6 The Highway Authority (HA) would require that measures are introduced to ensure the vehicles do not egress using the one-way access from the HTC roundabout. Were the scheme to have been otherwise acceptable, details could have been subject to a condition as set out under the HA comments in 6.1 above.
- 14.7 The HA is satisfied that the extant circulation pattern of entry from the HTC roundabout and egress on to Wellington Street via the eastern end of the overall complex would be satisfactory. This would be capable of serving residents'/visitors' cars, deliveries and the refuse collection service.
- 14.8 It is noted that irrespective of the Council's Parking Standards, as the scheme involves the extant car parking structure, the submission does

propose to retain some 14no. parking spaces. However, whilst the HA has no objection, it would have required a single space to have been designated for a Blue Badge holder's use.

- 14.9 It is noted that the current submission does identify the provision of four spaces for EV charging facilities. The HA has confirmed that this meets the minimum requirements of the Council's Low Emissions Strategy.
- 14.10 In line with the greater need for pedestrian movements, as well as the safety of cyclists in the location, the applicant has confirmed that they would have been willing to facilitate improvements to the infrastructure in the locality.
- 14.11 The proposals show the provision of secure but communal cycle storage facilities in a Lower Ground floor area. The HA notes that the Council's standards require 29no. spaces; though the scheme would have provided some 58 spaces. Notwithstanding this level of provision, the HA would have required cycle facilities for visitors at the ground level close to the building's entrance. Were the proposals to have acceptable, this could have been subject to a condition.
- 14.12 The proposals include a new enclosed bin and recycling facility, in conjunction with the replacement of the existing facilities, in order to serve Verona 1 and the proposed building in separate enclosures, which would have been close to the highway, in accordance with the Council's standards. The HA is satisfied with the scheme, subject to conditions, as noted above in 6.1.
- 14.13 Given the form of the scheme is detrimental to the character and appearance of the area, it is considered the proposals are not capable of being supported. However, based on the above, it is noted that subject to conditions, as set out by the HA in paragraph 6.1 above, the proposals would have not led to severe harm to highways users and thus could be considered to be in accordance with the requirements of the NPPF and comply with Policies T2 and T8 of the adopted Local Plan and Core Policy 7 of the Core Strategy.

15.0 Flood risk and surface water drainage

- 15.1 In respect of flooding matters, it is noted that according to the Environment Agency's flood maps, the site is located in Flood Zone 1. It is at low risk of tidal, fluvial, groundwater flooding, surface water flooding and flooding from artificial sources. As the site is located in Flood Zone 1, the proposals do not require a Flood Risk Assessment.
- 15.2 Since April 2015, major developments have been required to provide measures that will form a Sustainable Drainage System. It has been

recognised that Sustainable Drainage Systems (SuDS) are an effective way to reduce the impact of urbanisation on watercourse flows, ensure the protection and enhancement of water quality and encourage the recharge of groundwater in a natural way.

- 15.3 The National Planning Policy Framework (2023) states that the surface run-off from site cannot lead to an increase from that existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. In the scenario where infiltration techniques are not possible, attenuation will be required in order to reduce surface water run-off.
- 15.4 Paragraph 175 of the NPPF 2023 requires major developments to incorporate SuDS unless there is clear evidence that this would be inappropriate.
- 15.5 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development.
- 15.6 Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document states that development must manage surface water arising from a site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 15.7 As this is a major application, the application includes a drainage strategy. The Lead Local Flood Authority has commented that the relationship between the proposals and the adequacy of the system to cope with the scale of the scheme meets their requirements. Their views are set out in full at 6.2 above; so, were the proposals to have been acceptable, this matter would have been dealt with by appropriate conditions.
- 15.8 In NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

16.0 **Trees & Landscaping/Impact on biodiversity and ecology**

16.1 Paragraph 180 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

16.2 Firstly, it is noted that the application site does not represent a habitats

site, as set out in paragraphs 185-187 of the NPPF.

- 16.3 Secondly, that given its existing uses and structures, the application site does not represent a site of biodiversity or part of an ecological network.
- 16.4 The developer's Planning Statement cites the inclusion of some *"tree planting and green walls in between brick piers at the entrance, to soft the site entrance and provide a more verdant entrance to the site"*.
- 16.5 It considered that these proposals are somewhat modest and would not be significant in the scale of the setting.

17.0 **Habitats**

- 17.1 In accordance with the Natural Environment and Rural Communities Act 2006 Local Planning Authorities have a statutory duty to show regard for conserving biodiversity in the exercise of all public functions.
- 17.2 Paragraph 186 of the NPPF states that when determining planning applications, if significant harm to biodiversity cannot be avoided or adequately mitigated or as a last resort compensated for then planning permission should be refused. It also states that opportunities to incorporate biodiversity improvements in and around the developments should be encouraged, especially where this can secure measurable net gains for biodiversity. Core Policy 9 of the Core Strategy relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.
- 17.3 Regulation 61 of The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended), requires the local planning authority to make an appropriate assessment of the implications of a particular proposal, alone or in combination with other plans or projects on any likely significant effect on a European Site designated under the Habitats Directive.
- 17.4 Evidence put forward within the Footprint Ecology report 'Impacts of urban development at Burnham Beeches SAC and options for mitigation: update of evidence and potential housing growth, 2019' recognises that new housing within 5.6km of the Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure.
- 17.5 The site is located approximately some 5.3 km from the Burnham Beeches Special Area of Conservation (SAC) and therefore falls within the potential 5.6km development impact zone as proposed within the evidence base carried out by Footprint Ecology.

- 17.6 The applicant has submitted a Habitat Regulations Assessment as part of the submission. The findings set out that: given the low number of trips arising from the proposed development its impact on air quality “*a detailed assessment is not considered required*”: “*no likely significant effects are expected*” as a result of a small increase in visitor numbers; “*no likely significant adverse effects are expected*” in relation to habitat fragmentation; the proposals “*will not have any effect on deer management*”; there will be “*no significant adverse effects*” on species decline or invasive species in the SAC.
- 17.7 The assessment then states:
- “The overall combined pressure [of development in 5.6km. of Burnham Beeches] could result in a possible significant effect ...”*
- 17.8 Thus the Council has adopted a mitigation strategy based on the cumulative impact of all further major residential development in the Borough. As such, any scheme with 10 or more residential units falls within the scope of the scheme.
- 17.9 Following negotiations with Natural England a fee of £570 per dwelling towards enhancements and proposals at Upton Court Park (or another suitable location) has been introduced and will be linked to the completion of a section 106 agreement. The recommendation of this report includes a requirement for the mitigation package to be secured by the Council.

18.0 **Energy & Sustainability**

- 18.1 Core Policy 8 combined with the Developers Guide Part 2 and 4 requires both renewable energy generation on site and BREEAM/Code for Sustainable Homes. The Developer’s Guide is due to be updated to take account of recent changes and changing practice. In the interim, to take account of the withdrawal of Code for Sustainable Homes new residential buildings should be designed and constructed to be better than Building Regulations (Part L1a 2013) in terms of carbon emissions. Specifically designed to achieve 15% lower than the Target Emission Rate (TER) of Building Regulations in terms of carbon emissions.
- 18.2 A statement that the proposed scheme can achieve the required targets would have been needed were the proposals to have been capable of support in principle.
- 18.3 Notwithstanding this omission, in NPPF terms, the meeting of the requirement for adequate and satisfactory response to the potential impacts of the scheme is a neutral consideration in the planning balance.

19.0 **Air Quality**

- 19.1 Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. The proposal should not result in unacceptable levels of air pollution. This is reflected in the National Planning Policy Framework which also goes on to require any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.
- 19.2 The Council has adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic, requiring electric charging points, and low emission boilers within new developments. The Low Emission Strategy is a material planning consideration, but it does not form part of the current local development plan.
- 19.3 The application site is situated within an Air Quality Management Area (AQMA).
- 19.4 The application is accompanied by an Air Quality Assessment by an appropriate specialist practice. In summary, this sets out that:
- A range of best practice mitigation measures will be implemented with a Dust Management Plan
 - Development generated trip generation is well below criteria - thus the effect will not be significant
 - There will be no significant point of sources of emissions within the proposed development
 - Pollutant concentrations will be below the relevant air quality objectives and air quality for future residents will thus be acceptable
 - Overall, the construction and operational air quality effects are judged to be “not significant”.
- 19.5 It is noted that electric charging points have included and thus the proposals do accord with the Local Environmental Strategy, which seeks to mitigate air quality concerns from additional traffic and parking.
- 19.6 Were the scheme have been acceptable, a condition governing noise and dust could have been imposed to ensure satisfactory atmospheric conditions prevailed during demolition and construction works.
- 19.7 As is fully set out in 6.3 above, the Council’s Environmental Quality officer has examined the proposals and concluded that the scheme would have been capable of being completed to a level that ensures

future occupants would be able to satisfactorily occupy the accommodation were the appropriate measures introduced at the detailed stage.

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

19.9 Based on the above, were the application to have been supported, it is considered that these issues could have been covered by the appropriate conditions to ensure compliance and a satisfactory outcome.

20.0 **Heritage Issues**

20.1 As reported above, there are no heritage assets in the vicinity of the proposed new building and the site does not lie in a conservation area. The nearest is the Church of Our Lady Immaculate & St. Ethelbert, which lies some distance to the west along Wellington Street. Therefore, it is considered that these proposals would have no potential impacts on the significance of that heritage asset.

21.0 **Land Contamination**

21.1 Paragraph 189 of the NPPF sets out that the LPA should ensure policies and decisions ensure a site is suitable for its proposed use taking account of grounds conditions and any risks arising from land instability and contamination. Core Policy 8 states that development shall not be located on polluted land.

21.2 The submission is not accompanied by a ground investigation report. However, as described above, it is noted that the plot is currently a concrete framed car parking structure. Its removal would facilitate further investigation of any potential contaminants.

21.3 Based on the above, were the application to have been supported, it is considered that these issues could have been covered by the appropriate conditions to ensure compliance and a satisfactory outcome.

22.0 **Infrastructure and Section 106 requirements**

22.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructure must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the

developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements

22.2 Were the application to have been supported the following Section 106 financial contributions would have been required:

Financial contributions	
Education	£96,837
Recreation and open space.	£8,700
Burnham Beeches SAC mitigation	£16,530
Total	£122,067

The applicant has submitted a Draft Heads of Terms (HoT) with the application, which sets out their agreement to each of these specific figures.

22.3 Additionally, their draft HoT sets out their agreement to off-site highways Works involving the following works:

- The upgrade of the Pelican crossing outside the site to a Toucan crossing through a Section 278 Agreement. This is to connect cyclists from the site with the shared cycle path along the north side of the A4 and with Slough railway station.
- The provision of a table crossing across the site access junction along the southern A4 footway.
- The upgrade of the shared footway between the site and the new Toucan crossing.

Affordable housing

22.3 The NPPF requires that planning policies should specify the type of affordable housing required, and that in most cases this need should be met on-site.

22.4 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).

22.5 The Draft Heads of Terms sets out an offer of the provision of 30% Affordable Housing in accordance with Core Policy 4.

22.6 Notwithstanding that initial offer by the applicant, they have subsequently provided details of an interest from Metropolitan Thames Valley (MTVH) *"in taking on and delivering 29 flats in this location"*.

- 22.7 This would entail their *“use of Grant funding to facilitate delivering this scheme as fully affordable, with all Homes being delivered as Rent to Buy. It is our intention therefore to include these units within our bid for the Homes England Affordable Homes Programme 21/26.”*
- 22.8 In their undated letter, MTVH state *“We view Rent to Buy as an excellent affordable tenure to be delivering in the current economic climate. It allows those in the private rented sector who cannot currently afford Shared Ownership housing, to rent from us at 80% of market rent, enabling them to save for a deposit to eventually buy their own home from us”.*
- 22.8 Finally, they state *“Our technical team are still undertaking a full review of the opportunity, although I can confirm that the principle of delivering 29 Rent to Buy homes in this location, meeting the housing mix provided, is a strong interest to us.”*
- 22.9 Given the Recommendation that the proposed form of development could not be supported, no further analysis and negotiation has been pursued regarding this matter.

23.0 Presumption in favour of sustainable development/Tilted Balance

- 23.1 It is concluded that there would be significant harm to the character and appearance of the area in respect of conflict with Core Policy 8 and policies EN1 and H9 of the Local Plan. As these policies go to the heart of the decision, it is considered that the proposal conflicts with development plan taken as a whole.
- 23.2 It is noted that there is a shortfall in the supply of deliverable housing land that is less than 5 years, as the current supply of deliverable housing land amounts to 2.6 years supply.. Therefore, it is considered the shortfall to be considerable and significant. Consequently, paragraph 11d of the Framework is engaged.
- 23.3 In the absence of a five-year supply of housing land, the most important policies for determining the appeal are out-of-date. Whilst it is acknowledged that both the Core Strategy and the Local Plan pre-date the original 2012 NPPF, it is considered that any conflict with relevant policies should not be disregarded, as that will depend on their consistency, or otherwise, with the policies in the Framework.
- 23.4 It has been concluded that the proposed development would have a significant, adverse effect on the character and appearance of the area. That brings the development into conflict with Policy 8 of the Core Strategy, and Saved Policies EN1 and H9 of the Local Plan.
- 23.5 Core Policy 8 sets out requirements for environmentally sustainable development with a high standard of design and without giving rise to unacceptable impacts in terms of pollution and flooding are relevant to all

development. Furthermore, it requires development within existing residential areas to respect the amenities of adjoining occupiers and provide a high quality of design, which has a clear synergy with para 131, 135 of the NPPF. As such, full weight should be given to any conflict with the policy in this determination.

- 23.6 Policy EN1 seeks to ensure that development proposals reflect a high standard of design and must be compatible with and/or improve their surroundings in relation to a range of criteria, including relevant to the appeal, scale, height, massing and bulk, visual impact and the relationship with neighbouring properties. It goes onto say that factors will be assessed in the context of each site and immediate surroundings. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused. Whilst it is recognised the policy lacks the more nuanced approach of the Framework, which requires a balanced judgement taking into account the shortfall of housing land and to make efficient use of land. Nevertheless, the objectives of the policy reflect paragraph 131 of the NPPF which seeks to ensure developments achieve good design, are visually attractive, are sympathetic to local character and history. Moreover, the policy strongly resonates with paragraph 139 of the NPPF which states very clearly that development that is not well designed should be refused. Synergy also exists with paragraph 135f of the NPPF with regards to ensuring a high standard of amenity for existing and future users. Consequently, therefore at least moderate, if not almost full weight must be given to the conflict with policy EN1.
- 23.7 Attention is drawn to Core Policy 1, which sets out the spatial strategy for the area. It directs development to within the built-up area, predominately on previously developed land. It also directs development for high density development to appropriate parts of the town centre. It goes onto say that elsewhere the scale and density of development will relate to a site's current accessibility, character and surroundings. Core Policy 3 directs development to the town centre or other appropriate urban areas. Core Policy 4 relates to the type of housing, directing high-density housing to the Town Centre and requires a minimum density of 37 dwellings per hectare. These policies are consistent with the NPPF.
- 23.8 The proposal should make contributions to education provision, off-site open space improvement in lieu of satisfactory on-site provision of private open space and include measures to mitigate the effect of the development on the Burnham Beeches SAC. These contributions are merely required to mitigate the effect of the development. So, these are not a positive matter in the equation of planning balance merely neutral factors in this case.
- 23.9 It is noted that the proposals would contribute to the supply of housing where there is currently a significant shortfall consistent with NPPF, which seeks to significantly boost the supply of housing. Substantial weight must be attached to the contribution of 29 dwellings in this case.

- 23.10 It is also noted that the proposal would result in investment in the town, through the creation of a number of temporary jobs in the short term and it would also result in longer term benefits from increased expenditure from the additional occupiers. Significant weight must be attached to these economic benefits.
- 23.11 It is also noted that the site is in a location that benefits from access to a range of public transport connections. In addition, the proposal may lead to a reduction in vehicular movement and car use within the Town centre. Significant weight should be attached to this matter.
- 23.12 Furthermore, the proposal would lead to the redevelopment of previously developed land within a sustainable location. Substantial weight must be attached to this matter.
- 23.13 Consequently, the considerations in favour of the development collectively carry significant to substantial weight in NPPF terms.
- 23.14 However, it is considered that the proposal would have a significant harmful effect on the character and appearance of the area. Overall, it is considered that the proposal conflicts with the NPPF taken as a whole.
- 23.15 Consequently, it is considered that the cumulative adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. Neither are the benefits sufficient to overcome the statutory presumption in favour of the development plan.

24.0 **Equalities Considerations**

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

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

24.2 It is noted that were the proposals to otherwise be acceptable the

scheme 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 would be imposed to ensure level thresholds at any entrance to the block; and, furthermore, proposals will be required to make provision for wheelchair accessible car parking spaces.

24.3 Likewise, were the proposals to otherwise be acceptable, it is considered that there would have been only temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development was under construction, by virtue of the construction works taking place. People with the following characteristics would have had 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 would have had the potential to cause nuisances to people sensitive to noise or dust. However, measures under other legislation covering environmental health would have been exercised as and when required.

24.4 In relation to the car parking provisions, there are potential adverse impacts on individuals within the pregnancy/maternity, disability and age protected characteristics, if the occupier/individual does not have access to a car parking space in the development. A justification for the level of car parking is provided in the transport section of this report to demonstrate compliance with the NPPF and transport planning policies in the Local Plan/Core Strategy.

24.5 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.

25.0 **PART C: RECOMMENDATION**

25.1 Having considered the relevant policies set out below, the representations received from all consultees and residents; as well as all other relevant material considerations, it is recommended that the application be refused for the reasons set out in full at 1.1 above.

26.0 **PART D: INFORMATIVES**

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner. However, in this case the application was deemed fundamentally unacceptable and as such has been recommended for refusal. It is the view of the Local Planning Authority that the proposed development

does not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.

2. Reason for Refusal no. 2 is the LPA's "holding" position, as the applicant has not yet signed a completed Section 106 Agreement to encompass the issues set out in this Reason for Refusal.

3. The development hereby refused was submitted with the following plans and drawings:

(a) Drawing No. 15-569-WCA-V2-XX-DR-A-PL001-P03, Dated 18/10/22, Recd On 23/10/2023

(b) Drawing No. 15-569-WCA-V2-XX-DR-A-PL002-P12, Dated 20/02/24, Recd On 20/02/2024

(c) Drawing No. 15-569-WCA-V2-XX-DR-A-PL003-P01, Dated 17/10/22, Recd On 23/10/2023

(d) Drawing No. 15-569-WCA-V2-XX-DR-A-PL004-P03, Dated 08/02/23, Recd On 23/10/2023

(e) Drawing No. 15-569-WCA-V2-000-DR-A-PL99-P07, Dated 17/05/23, Recd On 23/10/2023

(f) Drawing No. 15-569-WCA-V2-00-DR-A-PL100-P10, Dated 26/05/23, Recd On 23/10/2023

(g) Drawing No. 15-569-WCA-V2-01-DR-A-PL101- P07, Dated 17/05/23, Recd On 23/10/2023

(h) Drawing No. 15-569-WCA-V2-02-DR-A- PL102- P07, Dated 17/05/23, Recd On 23/10/2023

(i) Drawing No. 15-569-WCA-V2-02-DR-A- PL104- P07, Dated 17/05/23, Recd On 23/10/2023

(j) Drawing No. 15-569-WCA-V2-09-DR-A-PL109-P06, Dated 17/05/23, Recd On 23/10/2023

(k) Drawing No. 15-569-WCA-V2-RF-DR-A-PL110-P04, Dated 08/02/23, Recd On 23/10/2023

(l) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL200-P07, Dated 29/03/23, Recd On 23/10/2023

(m) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL201-P06, Dated 03/03/23, Recd On 23/10/2023

(n) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL202-P04, Dated 08/02/23, Recd On 23/10/2023

(o) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL300-P06, Dated 16/03/23, Recd On 23/10/2023

(p) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL301-P03, Dated 08/02/23, Recd On 23/10/2023

(q) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL302-P04, Dated 14/02/23, Recd On 23/10/2023

(r) Drawing No. 15-569-WCA-V2-ZZ-DR-A-PL303-P02, Dated 14/02/23, Recd On 23/10/2023

(s) Air Quality Assessment by Air Quality Consultants ref: J10/13792A/10/1/F1, Dated 29 September 2022, Recd On 23/10/2023

(t) Construction Management Plan Framework by Patrick Parsons ref:

10937 Rev. 4.0, Dated 22/05/2023, Recd On 23/10/2023
(u) Daylight, Sunlight & Overshadowing Assessment by NALO Tetra Tec ref: 784-B028672 Issue 2, Dated 28th March 2023, Recd On 23/10/2023
(v) Design & Access Statement by Whittam Cox Architects ref: 15-569 Issue 02, Dated October 2022, Recd On 23/10/2023
(w) Drainage Strategy by Partick Parsons ref: 10937 Rev. 2.0, Dated 12.04.23, Recd On 23/10/2023
(x) Gateway One Fire Statement by Artec Fire ref: 00022-XX-XX-RP-FE-0001 Rev. 03, Dated 31/05/2023, Recd On 23/10/2023
(y) Noise Assessment & Mitigation Strategy by Tetra Tec ref: 784-B028672 Rev. 2, Dated 13th February 2023, Recd On 23/10/2023
(z) Planning Statement by Simply Planning ref: SP22-1217 V2, Dated October 2023, Recd On 23/10/2023
(aa) Transport Statement by Patrick Parsons ref: 10937 Rev. 5.0, Dated 22/05/2023, Recd On 23/10/2023
(bb) Travel Plan Framework by Patrick Parsons ref: 10937 Rev. 3.0, Dated 22/05/2023, Recd On 23/10/2023
(cc) Undated/unnumbered statement regarding Car Parking by PBM, Recd On 23/10/2023
(dd) Habitats Regulations Assessment by Aval Consulting Group ref. no. 93102 Rev. B Final, Dated 8th January 2024, Recd On 09/01/2024
(ee) Access & Security Statement letter by Simply Planning ref. no. SP22-1217, Dated 25th January 2024, Recd On 25/01/2024
(ff) Existing & Proposed Site Egress by Patrick Parsons dwg. no. VER-PPC-00-XX-DR-C-0009 Rev. P2, Dated 08.03.24, Recd On 08/03/2024