

PLANNING COMMITTEE

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

Amendment Sheet

**1. Agenda Item 5 – P/01158/046
19-25 Lansdowne Avenue, Slough, SL1 3SG**

- (i) The Recommendation (at both 1.1 and 23.4) have been amended by the words in italics, to read as follows:

Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager:

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

OR

- 2) Refuse the application if a satisfactory section 106 Agreement is not completed by *31st December 2024*, unless otherwise agreed by the Planning Manager in consultation with the Chair of the Planning Committee.

- (ii) The Recommendation as set out in the published committee report should be amended accordingly.

2. Agenda Item 6 – P/03596/074
Verona 2, 50 Wellington Street, Slough, SL1 1YL

- (i) Members should note that the agent for this submission is Simply Planning of 214 Creative Quarter, 8a Morgan Arcade, Cardiff, CF10 1AF and not “Tetra Tech”, as incorrectly set out in the tabled report.
- (ii) The following letter was received from the agent on behalf of the owners of the adjacent Queensmere Shopping Centre – the executive Summary was set out in the Agenda Papers and the full text is now set out below for Members’ information:

Slough Borough Council
Observatory House
25 Windsor Road
Slough
SL1 2EJ

FAO: Michael Sco

13 December 2023

Our ref: JVC/HBR/HDA/U0017975

Your ref: P/03596/074

Dear Michael,



One Fitzroy 6 Mortimer Street
London W1T 3JJ
Tel. +44 (0)20 7493 3338
geraldev.com

**Land Adjacent to Verona Apartments, 50 Wellington Street, Slough, SL1 1UL ('the Site')
Objection to Planning Application (ref. P/03596/074)**

We are writing in response to the submission of an application for Full Planning Permission on behalf of CG Slough 2 Ltd ('the Applicant') for the following development at the above address (ref. P/03596/074): **"Redevelopment of the site to provide a residential building (Use Class C3) with associated infrastructure, demolition, landscaping, drainage, car parking, cycling parking and ancillary works"** ('Proposed Development').

These representations are submitted on behalf of Green Monarch B1 2016 Limited and Green Monarch B2 2016 Limited – the Applicant of the QM OPA and registered owner of the Queensmere and Observatory Shopping Centres. This response is informed by our Client British Land who act as Asset and Development Manager representing the landowner.

We understand that the submitted proposals (ref. P/03596/074) are substantially the same as a previous scheme (ref. P/03596/071) submitted to Slough Borough Council on 18 October 2022 and withdrawn by the Applicant on 20 February 2023. A total of six reasons for refusal were given by Officers within the prepared Committee Report in respect of the previous submission (ref. P/03596/071). The application was subsequently withdrawn prior to being formally determined by the Local Planning Authority. The applications will be referred to as 'the previous submission' (ref. P/03596/071) and 'the current submission' (ref. P/03596/074) throughout for ease of reference.

Executive Summary

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, notably in respect of access / egress and planning obligations. These are discussed in further detail below. However, Officers expressed particular concern regarding the scale, height, bulk, and mass of the previous scheme, which were listed within three of the six reasons for refusal.

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 Officers 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 as 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, are because of the Site's location and proximity to existing assets, are not possible to overcome.

In addition to the above, these representations also seek to request clarifications to several points made within the submission material, as well as amending factual inaccuracies relating to the Queensmere Outline Planning Application ('QM OPA' – ref. P/19689/000). The QM OPA received a resolution to grant by Slough Borough Council Planning Committee on 29 September 2022 and seeks to kickstart the major regeneration of Slough Central and deliver significant housing and employment opportunities.

Background

The current submission was validated on 23 October 2023 following confirmation of the Applicant's intention to progress a scheme of the same nature as the previous submission (a 29-unit scheme), rather than a 36-unit scheme, as originally submitted in October 2023.

For the avoidance of doubt, the previous submission sought to deliver 29 no. residential units (including 11 no. affordable units) and associated car and cycle parking.

The previous submission was recommended for refusal for the following six 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 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 future development of adjoining land;
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);
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 poor outlook, a sense of enclosure and the likelihood of noise and disturbance, as well as light intrusion, arising from the existing 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;
4. The proposed development has failed to 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 and mitigation for the cumulative impact on Burnham Beeches as required by Core Policy 10 of Slough Core Strategy 2006-2026;
5. The proposed egress is at a point where visibility is substandard, and visibility cannot be provided in accordance with the Manual for Streets visibility standards. The proposed development would cause a highway safety problem which would create conflicts between vehicles and other highway users; and
6. The applicant is not able to make adequate provision for a refuse vehicle to ingress/egress the site or turn within the site. The development if permitted would therefore be likely to lead to stationing of refuse and delivery vehicles on the highway; or to refuse vehicles reversing onto the public highway to the detriment of public and highway safety

Current submission

The Applicant has sought to amend the proposals to seek to respond to the abovementioned reasons for refusal. The current submission seeks to deliver 29no. residential units (including 12no. affordable housing units) an associated car and cycle parking.

Access / egress

From a review of the current submission, it is understood that access and egress into the Site is proposed to be retained as existing in response to reasons for refusal 5 and 6.

Planning obligations

In response to reason for refusal 4, the current submission provides a number of draft Heads of Terms (HoTs) for planning obligations to which the Applicant would be willing to agree: Provision of affordable housing; off-site highways works and financial contributions towards education, recreation and open space; and Burnham Beeches SAC mitigation albeit that the specific financial contributions to be made are still to be confirmed by Officers.

There is no information within the current submission detailing how the proposed planning obligations have been calculated. In addition, due to the Site's location and the need to ensure consistency between applications, we would anticipate that the Applicant would be obligated to pay a Sustainable Transport contribution proportionate with that required as part of the QM OPA planning application

In respect of affordable housing, the current submission confirms that the proposals comprise 41% affordable housing (i.e., 12 of the 29 proposed residential dwellings). Paragraph 3.4 of the Planning Statement states that Metropolitan Thames Valley Housing have expressed interest in delivering the residential units as 100% affordable housing and the Applicant requests that the legal agreement attached to any forthcoming Decision Notice contains flexibility for the scheme to be delivered as such. The draft HoTs, enclosed at Appendix 2 of the Planning Statement, however, state that the Applicant agrees to provide 30% affordable housing. There are therefore inconsistencies within the submission material as to the percentage of affordable housing to be delivered.

There is no further information provided in respect of the practicability or viability of delivering the proposed levels of affordable housing within the current submission with the exception of a letter from Metropolitan Thames Valley Housing enclosed at Appendix 4. This letter confirms that the Metropolitan Thames Valley Housing team *“are still undertaking a full review of the opportunity, although [the representative] can confirm that the principle of delivering 29 Rent to Buy homes in this location, meeting the housing mix provided, is of strong interest to [the organisation].”*

Principle of redevelopment of the Site

Reasons for refusal 1-3 relate specifically to the characteristics of the Site itself, which has not changed from the previous submission, and are not, by virtue of the Site’s location and proximity to the existing Verona Apartments block and the Observatory Shopping Centre, able to be amended as part of the current submission.

The Committee Report in respect of the previous submission (ref. P/03596/071) stated at Paragraph 8.11 that there is a *“fundamental objection to the principle of a new building on this plot, as it does not entail a brownfield site but would be a cramped form of development that represents overdevelopment that would prejudice the comprehensive development of adjoining land.”*

Whilst the Applicant argues that the Site does represent the redevelopment of brownfield land to which it considers substantial weight should be afforded in the planning balance, the Committee Report is clear that, regardless of the typology of land, the Site itself is restricted in what can be feasibly and physically delivered as a result of its location and proximity to existing assets.

Notably, Officers considered that the scale, height, bulk and massing of the Site would harm the established character of the area; constitute a cramped form and overdevelopment of the Site; prejudice the potential future development of adjoining land as sought by local planning policy; and result in a loss of outlook, increased sense of enclosure, light intrusion, noise and disturbance to residents in the existing, adjacent Verona Apartments as well as any future occupiers of the proposed building which is the subject of the current submission.

The proposed installation of obscure glazing on specified windows of the Proposed Development and the proposed approach to deliver three residential units without external amenity space to reduce the likelihood of overlooking into and out of the existing Verona Apartments block are reflective of the physical constraints of the Site.

As set out above, the proposals are not substantially different from the previous submission, and as such, the reasons for refusal still stand. The footprint, scale, height, bulk, and mass of the current submission have not been amended from the previous submission and the parapet height remains as per 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 Officers in respect of the previous scheme. These elements, which constituted reasons for refusal of the previous submission, therefore remain unresolved and are equally applicable to the current submission.

Impact on the Observatory Shopping Centre

The southern elevation of the Proposed Development, as with the previous submission, extends up to the northern elevation of the Observatory Shopping Centre (

Development within close proximity of the OBS Shopping Centre could constrain the future the Site. This is contrary to SBC planning policy and the future proofing approach for the wider regeneration of the Town Centre as set out within the QM OPA Planning Statement. This was recognised by Officers within reason for refusal 1 of the previous submission.

The Applicant acknowledges at Paragraph 6.88 of the Planning Statement for the current submission that Officers previously *“expressed a concern in the previous application about the potential for the proposed development to prejudice the redevelopment of the adjoining housing alloca*

Site Allocation SSA14 of the SBC Site Allocations Development Plan Document (2010) identifies both the Queensmere and the Observatory Shopping Centres as sites suitable for a mix of retail, leisure, restaurants, and bars, residential, community and car parking. In light of this, the QM OPA Planning Statement confirms the following:

“The Queensmere Shopping Centre forms part of a wider area of land that comprises both the Queensmere and Observatory Shopping Centres, known as ‘Slough Central’. The Slough Central area has been identified in the adopted and emerging Slough Borough Council (SBC)

Local Plan documents as a one of the most important regeneration sites in Slough Town Centre. The QM OPA is the first phase of a wider development aspiration for Slough Central and is being brought forward as a standalone planning application. The Observatory Shopping Centre is included within the wider Slough Central area but is excluded from the QM OPA and does not form part of the application site (Site). The QM OPA has been developed so that it works both with the Observatory Shopping Centre being retained but also to allow for the Observatory to be successfully redeveloped in the future alongside what is being proposed at Queensmere.”

The current submission does acknowledge the Council’s aspiration to deliver major development within Slough Town Centre as set out within the SBC Site Allocations Development Plan Document (2010) and the Centre of Slough Interim Planning Framework and the Applicant has sought to demonstrate that the Proposed Development would not constrain future redevelopment of the OBS shopping centre. However, this justification is provided on the basis of an image extracted from the ‘Queensmere Shopping Centre – Proofing a Phased Redevelopment of Slough Central’ document submitted in support of th QM OPA (Paragraph 2.35 of the Verona Apartments Planning Statement).

The Future Proofing Document is itself clear, at Paragraph 1.6, of its purpose to demonstrate that the QM OPA can be consented and delivered without prejudicing the future redevelopment potential of the OBS shopping centre. Furthermore, as clarified within the Future Proofing Document, the aforementioned image demonstrates one way in which the OBS site could be developed in future to align with the broader vision of Slough Central. The configuration of Development Zones within this image therefore remains illustrative at this stage. The assessment and conclusion of the Applicant that the Proposed Development at Verona Apartments would therefore be located *“a substantial distance”* (Paragraph 2.36 of the Planning Statement) from the redevelopment site is not sufficiently robust and regardless of any future redevelopment of the OBS shopping centre, the Proposed Development remains in close proximity to both the existing Verona Apartments block and the existing OBS car park.

Whilst the redevelopment of the Observatory Shopping Centre remains a future prospect, we request that the Verona Apartments application is assessed in the round and in the context of the wider proposed regeneration of the Town Centre.

National Planning Policy Framework references

The current submission has been predicated on the argument that the Development Plan for the Site is out of date. On this basis, the Applicant has assessed the scheme in accordance with Paragraph 11 (D) of the National Planning Policy Framework (NPPF), which requires decision makers to grant planning permission for proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The Applicant concludes at Paragraph 7.25 that the *“previously identified adverse impacts do not come close to significantly and demonstrably outweighing the benefits that the proposed development would offer. As such, we cannot see a scenario whereby a recommendation for refusal can be made to planning committee once again, once the benefits of the scheme are fully considered and reported in the determination of this application.*

Despite th Paragraph 2.2 of the Planning Statement (dated October 2023) references a previous version of the NPPF (July 2021). The NPPF was mostly recently revised in September 2023. The Planning Statement also incorrectly references a NPPF paragraphs (which are incorrect in both the 2021 and 2023 versions of the NPPF) against which the scheme has been assessed by the Applicant.

Inaccuracies relating to the QM OPA

There are limited references to the QM OPA within the current submission, which is surprising considering the QM OPA forms a significant part of the context within which the development will sit. That said, the Applicant has used the proposed height, bulk and massing of the QM OPA to help justify the height of the Proposed Development.

The previous submission had more explicitly referenced the emerging context within the Slough Town Centre and as such, had extensively considered the QM OPA as part of the proposals (although a number of inaccuracies were included within the submission in relation to the QM OPA). Representations were submitted in 2022 on behalf of our Client to address these inaccuracies.

The current submission also contains inaccuracies which do not align with the QM OPA scheme as brought to Planning Committee in September 2022

The inaccuracies and the relevant corrections have been set out in the table below for ease of refere

Inaccuracy	Location within Verona Apartments Submission	Correction
The QM OPA will reach a maximum of 19 storeys.	Planning Statement (Paragraph 6.7)	The QM OPA proposals range from 3 to 18 storeys.
Queensmere development approved residential-led mixed use scheme delivering 950 – 1600 residential units	Design and Access Statement (Page 12)	<p>The application has a recommendation for approval but has not yet been formally approved.</p> <p>The QM OPA has the potential to deliver up to 1,600 residential homes. There is flexibility built into the QM OPA, with potential for up to 40,000 sqm of office floorspace to be delivered alongside the residential units. However, if the total 40,000 sqm of office floorspace did come forward, the number of residential units that could be delivered would be reduced to up to 950 units.</p>

Overlapping of red line boundaries

Having compared the red line boundaries of the current submission, and the QM OPA, there appears to be a slight overlap on the highways to the west of Verona Apartments and the east of the QM OPA.

Any necessary highways works proposed under the QM OPA or the current submission would, in any case, be delivered by Slough Borough Council through the relevant legal agreements. Nevertheless, in acknowledgement of this overlap, our Client would like confirmation that the Verona Apartments proposals would not be physically incompatible with the QM OPA scheme. If this is not possible, we request that the Verona Apartments Applicant amend their red line boundary to ensure consistency across submission material.

Clarification on blue line ownership boundaries

Our Client, British Land, acts as Asset and Development Manager for the registered owner of the Queensmere and Observatory Shopping Centres and as such, is seeking confirmation that the proposals at Verona Apartments do not extend across the QM OPA blue line ownership boundary.

Consultation

At the time of writing, in excess of 40 objections have been received in respect of the Proposed Development. The majority of objections have been submitted by residents on the adjacent, existing Verona Apartments block. Many of the objections highlight that residents do not consider they have been adequately consulted on the development proposals during the pre-application stage.

The Planning Statement confirms that a flyer was issued on behalf of the Applicant to residents of the existing Verona Apartments block in May 2023 with a public forum held on 25 May 2023. The application was submitted in October 2023, and it is unclear whether any further public consultation was undertaken during this 4-month period.

Design clarifications

In respect of the proposals themselves, Page 40 of the Design and Access Statement states that Level 09 “provides an opportunity for 2no. penthouse apartments with access to a private terrace.” Having reviewed the submitted drawings, it appears that there are a total of three residential units proposed at this level and we request that this is clarified by the Applicant.

Conclusion

We trust that the above queries and clarifications will be taken into consideration in the determination of this application.

Please contact [REDACTED] this office, if you would like to discuss this further.

Yours sincerely

- (iii) The Local Highway Authority (LHA) has confirmed the following with regard to the comments in paragraph 6.1 of the Agenda papers:

[For the avoidance of doubt the] LHA [does not] wish to raise an objection on transport/highways matters due to the low speed nature of the access road and given that better visibility could be provided from the northern access junction if needed.

- (iv) The Recommendation (reasons for refusal) set out in the published committee report is to be amended and read as follows:

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. 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 Policy EN1 of Slough Local Plan 2004.
2. The proposed block of flats is considered to be a piecemeal proposal rather than a comprehensive scheme and that by reason of its siting and proximity to the adjacent boundary with the Queensmere Shopping Centre is considered to prejudice the potential future development of adjoining land, which is designated as SSA 14 in the Slough Local Development Framework Site Allocations Development Plan Document (2010). 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.
3. 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.

**3. Agenda Item 7 – P/04628/030
Haymill Centre, Littlebrook Avenue, Slough, SL1 6LZ**

- (i) The following additional Informative should be noted and added to the tabled report:

Informative 4. Each of the drawings hereby approved shall be read in conjunction with the site layout plan drawing no. 151530-STL-P-13-A (Site Plan – Roof Level), which shows an amendment to the detailed alignment of a boarder to the area rear of house plots 12, 13 and 14.

- (ii) The developer – SUR – has indicated that the scheme has been designed in accordance with the principles of Secured by Design but that they had not made any commitment to any particular level as they will not be delivering the scheme themselves. In light of this they have significant concerns that the condition refers to the Gold standard as they cannot foresee whether this would be feasible for a future developer.

That being said as a compromise they would be comfortable to accept a revised condition requiring an accreditation level of Bronze to be achieved.

It should be noted that the Developers Guide does not specifically state which accreditation would be sought and as such, Officers recommend Condition 21 (Secured by Design) be reworded as shown in italics below:

Prior to commencement of works above slab level, written details as to how the development will achieve the Secured by Design Award - minimum accreditation level of Bronze to be achieved - shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall not be occupied or used until written confirmation of Secured by Design accreditation has been submitted to the Local Planning Authority. The approved security measures shall be retained thereafter.

- (iii) The Recommendation (at both 1.1 and 25.1) be amended by the words added in italics and omitted as crossed through, to read as follows:

Having considered the relevant policies of the Development Plan set out below, and representations that have been received from consultees and the community, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager:

A) Approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure policy compliant affordable housing, education and Burnham Beeches contributions, together with funding towards highway issues (including

Traffic Regulation Order and Travel Plan), which are required to mitigate the impact of the development *and any other minor changes*.

(ii) ~~Finalising conditions and any other minor changes;~~

Or

B) Refuse the application if the completion of the Section 106 Agreement is not finalised by *31 December 2024* unless a longer period is agreed by the Planning Manager, ~~or~~ *in consultation with the* Chair of the Planning Committee.

The Recommendation as set out in the previously published committee report should be amended accordingly.

4. Agenda Item 8 – P/20369/000
Car Park R/O, 198 High Street, Slough, SL1 1BN

- (i) The agent for this application has formally requested that this application be withdrawn from the committee agenda.

5. Agenda Item 9 – Development Management Performance Report

- (i) This item is only to be noted and is for information purposes which sets out the performance of the Planning Team. Any questions regarding the report can be emailed to Daniel Ray, Chief Planning Officer, who will collate the questions and issue a response collectively to Planning Committee Members.
- (ii) Para 2.1 should end with: the Corporate Leadership Team.

6. Agenda Item 10 – Outstanding Section 106, following resolution to grant at Planning Committee

- (i) This item is only to be noted and is for information purposes which sets out the status of planning applications following a resolution to grant planning permission at Planning Committee subject to the requirement of a s106 agreement being entered into. Any questions regarding the report can be emailed to Daniel Ray, Chief Planning Officer, who will collate the questions and issue a response collectively to Planning Committee Members.