

Registration Date:	18 October 2023	Application No:	P/12934/018
Officer:	Alex Harrison	Ward:	Colnbrook and Poyle
Applicant:	Talwinder Hayre, DKH Investment (Colnbrook) Ltd	Application Type:	Outline
Agent:	GA&A Design, Suite 1, First Floor, Aquasulis, 10-14, Bath Road, Slough, Berkshire, SL1 3SA	13 Week Date:	15 April 2022
Location:	Land rear of Theale, Old Bath Road, Colnbrook, Slough, SL3 0NS		
Proposal:	Outline planning permission with some matters reserved for the redevelopment of the site to provide 24 No. flats contained within 2 separate apartment blocks. Block C will contain 4 storeys and Block D will contain 5 storeys together with access parking and hard landscaping.		

Recommendation: Delegate to the Planning Manager for approval



P/12934/018

1.0 **SUMMARY OF RECOMMENDATION**

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

1) For approval subject to:

- (i) The satisfactory completion of a Section 106 Agreement to secure off-site affordable housing contributions, financial contribution towards improvements to open spaces which are required to mitigate the impacts of development, education contributions, highways works and highway contributions including a traffic regulation order;
- (ii) No substantive objection being raised from the public and the Council's Environmental Quality Officer with regards to noise and dust and the Environment Agency in respect of clarifying flood risk, and resulting from re-consultation on additional information relating to Design and Access Statement, Sustainability Statement, Affordable Housing Statement, Noise Assessment;
- (ii) Finalising conditions and agreeing pre-commencement conditions;
- (iii) Any other minor changes.

OR

2) Refuse the application if a satisfactory section 106 Agreement is not completed by 2 June 2025, unless otherwise agreed by the Planning Manager in consultation with the Chair of Planning Committee.

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 more than 10 dwellings.

1.3 It should be noted that this planning application was previously considered by Members of the Planning Committee at the meeting of 13 April 2022 and Members resolved to determine as follows:

Having noted the Amendment Sheet, and the removal of the Holding Objection from the Environment Agency, delegated to the Planning Manager for approval subject to:

- i) the satisfactory completion of a s106 agreement;*
- ii) finalising conditions and pre-commencement conditions;*
- iii) and any other minor changes.*

Or, refuse the application if a satisfactory s106 Agreement was not completed by 31st October 2022, unless otherwise agreed by the Planning Manager in consultation with the Chair.

1.4 Following the resolution from Members, discussions have taken place relating to the Section 106 agreement but had stalled. Over this period the Council

received correspondence from the agents representing the land to the immediate east of the application site, known as the Waste Facility.

- 1.5 As this application remained undermined, the agents of the adjacent site for the Waste Facility submitted representations and raised a number of issues which are now considered within this report. As the application had not been determined by virtue of a decision notice not being issued, it is incumbent on the Local Planning Authority to take into consideration any information that may come to light.
- 1.6 As time progressed a subsequent, a planning application was submitted for the redevelopment of the Waste Facility (ref: P/10697/015) which was referred to Planning Committee on 29 November 2023 and consent has recently been granted for this development. During the Planning Committee for the Waste Facility, it was reported to Members that this application would come back to Planning Committee as there are material considerations that have been brought to light that Officers are obliged to advise Members of.
- 1.7 Furthermore, the Local Planning Authority has received amended plans, the changes are set out within the relevant section of the report and as Members have considered an application on the land adjacent to the east, it is considered that this application should return to committee for re-consideration by Members with a report that considers these other material considerations.

PART A: BACKGROUND

2.0 Proposal

2.1 This is an outline planning application with only landscaping reserved for future determination, it means that landscape details will be required to be submitted via a condition, as a reserved matter application:

- Construction of two blocks of flats – Block C to be 4 storeys and Block D to be 5 storeys.
- Comprising the provision of 24 self-contained residential units.
- The mix entails 9no. 1-bed flats, 14no. 2-bed flats and 1no. 3-bed flat.
- There will be 9 units within Block C and 15 units within Block D.
- Car parking in a mix of ground level open and undercroft areas, providing 41 spaces for the proposed residential units. Fifteen spaces are to be provided with electric charging facilities and 6 are to be designated for disabled access standards.
- There will be 17 car parking spaces allocated to block C and 24 car parking spaces allocated to block D.
- The provision of cycle parking facilities for future residents and visitors.
- Secure bin and recycling storage facilities.

- Vehicular access to the site from Old Bath Road through the approved scheme to the north.
- An 8-metre-wide wildlife strip alongside the Poyle Channel in conjunction with the continuation of the public right of way linking that already approved to the north to link Old Bath Road with the pedestrian bridge over the Poyle Channel to the south.

2.2 The application was deferred from the Committee Meeting of 25 September 2024 following the late submission of a letter on behalf of the commercial site to the immediate east of the site, dated 25 September 2023. The letter raised a number of issues which it was felt required further consideration and input from the applicant.

2.3 It has resulted in the submission of amended plans and a number of other documents listed below:

- Design and Access Statement
- Planning Statement
- Affordable Housing Statement
- Sustainability Appraisal.
- Response letter to the objections received.

2.4 The revised information has necessitated a re-consultation process of 21 days, which began on 4 December 2024 and will run until 25 December 2024. This is beyond the committee date but is reflected in the recommendation.

3.0 **Application Site**

3.1 The site comprises a portion of currently undeveloped ground to the rear of two blocks of flats approved under various approvals (culminating in the latest amendments set out in P/12943/013). Those blocks of flats occupy the site of a former bungalow called "Theale". Additional land formerly part of the redundant West Drayton to Staines railway line was added to the site and enables both vehicular access to the flats and a new public right of way under Section 106 for a footpath from Bath Road to Poyle New Cottages to the south.

3.2 The site is located between the predominantly industrial part of Colnbrook to the east and north, and some residential parts of Colnbrook straddling the Old Bath Road to the west and north-west.

3.3 Immediately to the east of the site is the site of the Waste Recycling operation, Poyle New Cottages, Rosary Farm, part of which is located within the Green Belt. The access and parking to this site is provided from the east and away from the application site.

3.4 On the west side of the former railway line are the two storey flats in Meadowbrook Close.

3.5 Directly to the north of the application site lies the southern of the two flatted blocks with the other block beyond and on the opposite side of the Old Bath Road is the small industrial estate in Galleymead Road.

3.6 To the northwest of the site is the southern terminus of the live railway line, which is used for the Heathrow fuel freight service. Adjoining to the west of the

railway is a mix of three storey and two storey residential units. The nearest three storey block has retail units on the ground floor.

3.7 At the southern end of the site is the Poyle Channel.

3.8 Some trees remain within the site at its southern end adjacent to Rosary Farm.

4.0 **Relevant Site History**

4.1 Relevant site history relating to this site is as follows:

P/12934/013

Redevelopment of site to provide 27no. flats contained within one 5 storey and one 4 storey block together with access parking and landscaping. (Retrospective)
Approved 10/12/2020.



Figure 1: Approved site and block plan for the consented scheme which has already been implemented.

P/12934/009

Redevelopment of site to provide 22no. flats contained within one 5-storey and one 4-storey blocks together with access, parking and landscaping.
Approved 08/03/16.

P/12934/007

Application for the extension of time to implement extant planning permission P/12934/004 for erection of a three-storey frontage block containing 6 no. one-bedroom flats and 2no four-storey rear terraced blocks each containing 3 no. three-bedroom houses; together with access and parking for 18 no. cars.
Approved 15/09/11.

P/12934/004

Erection of a three-storey frontage block containing 6no. x one bedroom flats and 2no. four-storey rear terraced blocks each containing 3no. three-bedroom houses; together with access and parking for 18no. cars. Approved 31/07/08.

P/12934/002

Demolition of existing bungalow and other buildings and redevelopment to provide 22no. flats in two blocks three and four storeys high to accommodate 17no. one-bedroom flats and 5no. two-bedroom flats together with access and parking for 33 cars.
Approved 07/06/06.

4.2 Also of relevance to this application is the planning history of the site to the immediate east, Waste Facility, Poyle New Cottages:

P/10697/000

Permanent retention of waste recycling facility
Approved 02/02/1999

P/10697/003

Relocation of sorting hall at waste recycling centre, realignment of the Poyle Channel and associated landscape
Approved 03/10/2002

P/10697/009

Proposed new light line recycling facility including new building, revised access and internal layout
Approved 22/04/2016

P/10697/010

Demolition of existing building and installation of new light and heavy recycling facility including associated works.
Approved 03/07/2018

This application has now expired without being lawfully commenced

P/10697/015

Redevelop the site to deliver a leading industrial and logistics unit of approximately 34,000 sqft (Mixed Use Class E(g)(iii)/B2/B8) with 6,000 sqft of ancillary office floorspace (Use Class E(g)(i)), parking, associated service yards and landscaping.
Resolved to approve subject to Section 106 at Committee meeting of 29 November 2023 and consent was granted on 19/11/2024, subject to conditions.

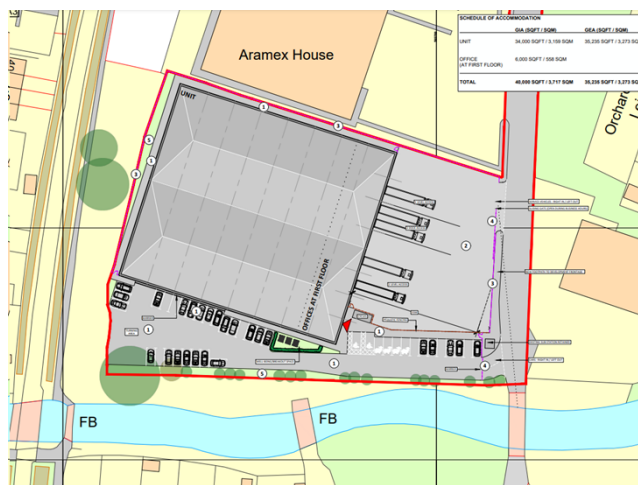


Figure 2: Proposed Block Plan

5.0 **Neighbour Notification**

5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) site notices were displayed at five lampposts in the local area – on Old Bath Road and around Meadowbrook on 27/10/2023. The revised application was advertised as a major application in the edition of The Slough Express on 11/03/2022 and 17/11/2023. The application was re-consulted upon, and site notices were posted on 29 November 2023 and again on 4 December 2024.

5.2 At the time of drafting this report, two letters have been received from the owner of the land to the immediate east of the site, known as Waste Facility, Poyle New Cottages. The points in the second letter are set out and addressed specifically in section 19 of this report. Remaining issues from the first letter are summarised below:

- There are plans referenced in proposed Condition 2 that are not available on the website.
- There are discrepancies between the proposed plans making it unclear what plans were used to determine the application previously.

Officer comment: The plans condition is regarded as being accurate and the amended plans do not show any discrepancies of note.

5.3 At the time of drafting this report the application is still under consultation. A further letter may be received from the adjacent landowner and could be received up to the expiry of the consultation period. The recommendation to Members reflects this in that it defers approval to the Planning Manager subject to a number of things, including whether or not any new substantive objections are received. It is anticipated that the report, notably Section 19 addresses the issues that have been raised to date.

6.0 **Consultations**

6.1 **Local Highway Authority:**

Vehicle Access

SBC Transport Officers have no objection to the vehicular access to the site which has already been constructed through the previously permitted development of 22 dwellings (2016, Planning Ref: P/12934/009).

The site access road is 6.2m wide in proximity to Bath Road and narrows to 4.8m in the southern portion of the site. The site access road is wide enough for two vehicles to pass each other along its full length. There is sufficient turning space within the site for a refuse vehicle and a Luton box van. Therefore, the site access design will not cause vehicles to reverse out onto the Bath Road.

The Bath Road is subject to a 30mph speed limit on the approaches to the site access junction. The visibility splay for the junction was considered acceptable within the previous planning application. There have been no collisions causing injury to road users recorded during the most recently

available 5-year period on the Bath Road in close proximity to the site access junction.

Pedestrian Access

The applicant amended the proposed site plan to provide a pedestrian walkway along the west side of the site access to provide a pedestrian connection between the site and the public highway on the A4 Bath Road. This footpath would also connect the site to the existing footbridge over the Poyle Channel to the south of the site. The Poyle New Cottages currently benefit from a private footpath through the site which runs adjacent to the route of the old railway line.

Section 106 Contributions

SBC Transport Officers retain the requirement for the Section 106 contributions listed below to mitigate the impact of the development.

Zebra Crossing Contribution

The applicant has agreed to pay £50,000 for the provision of a Zebra crossing on Bath Road in place of an existing refuge island to the west of Ingleside. This is necessary to serve the needs of future residents who will need to cross Bath Road to reach Pippins Primary School, Colnbrook Food and Wine and the eastbound Bus Stop at Galleymead Road. This will ensure safe crossing provision for the forecast 34 pedestrian trips per day and access to the bus stop for the 28 daily bus trips.

The NPPF Para 116 requires that applications for development: *'Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles'*. The Zebra crossing is displayed on a drawing produced by SBC Subcontractors, ITS.

Traffic Regulation Order (TRO) for Car Parking Restrictions

The LHA require a Section 106 contribution of £3,000 towards a TRO for updated car parking restrictions to provide double yellow lines around the site access junction.

Access by Sustainable Travel Modes

The site is in on the edge of Slough Borough, in a location where there are very few facilities within walking and cycling distance of the proposed development. Residents of the development are likely to be reliant on cars or public transport to travel.

The Galleymead Road Bus Stop is 120m from the centre of the site. The Number 81 Bus Service provides a service every 12 minutes between Slough Town Centre, Langley and Hounslow. The Number 5 offers 1 bus per hour between Slough, Cippenham and Heathrow Terminal 5. The 703 'flightline' service offers 2 buses per hour to Slough Town Centre, Heathrow Terminal 5, Bracknell and Windsor.

The nearest Railway Station is Heathrow Terminal 5 which is 1600m from the site. Heathrow Terminal 5 provides 4 services per hour to London Paddington

only, with a journey time of 20 minutes. Wraysbury is the next nearest railway station which is 4000m from the proposed development.

Car Parking

The Local Highways Authority have no objection to the proposed development on the basis of parking supply. 41 car parking spaces measuring 2.4m x 4.8m are proposed for the development. The development is not expected to cause an overspill of parked vehicles onto the surrounding roads.

The 41 spaces are a shortfall of 3 spaces when considered against the Slough Borough Council Parking Standards. However; the 41 spaces are considered sufficient to meet expected parking demand given the 44 spaces would be enough to ensure each 1-bedroom flat has 1 allocated parking space and that all 2 or 3-bedroom dwellings have 2 allocated parking spaces; with 2 spaces left over for visitor car parking. The Slough Parking Standards for the 24 dwellings proposed are presented in the table below:

Slough Borough Council Parking Standards (Predominantly Residential Area)		
Dwelling Type	Spaces per Dwelling	No. of Spaces
1-Bedroom Dwelling (x9)	1.5	14
2- Bedroom Dwelling (x14)	2	28
3-Bedroom Dwelling (x1)	2	2
Required Total Parking Spaces		44
Proposed Parking Spaces		41
Shortfall		3

Source: Slough Developers Guide – Part 3: Highways and Transport (2008).

The following nearby roads have uncontrolled, on-street parking (Including Poyle New Cottages, Meadowbrook Close, Ingleside, Sherborne Close and Rodney Way). However, 41 parking spaces will ensure no parking overspill onto these roads from the proposed development.

Car Ownership Data (2023 Census)

The 2023 Census demonstrates 24.6% of flats in Colnbrook and Poyle surrounding the development did not own a vehicle in March 2023. The census data is summarised in the table below:

2023 Census Data		No Cars or Vans	1 Car or Van	2 Cars or Vans	Totals Flats
Slough (Slough 014D)	Percentage	24.6%	55.6%	19.8%	100%
	Number	51	115	41	207

Source: Office for National Statistics.

Vehicle Trip Generation

SBC Transport Officers do not have any objection to the proposals due to expected trip generation. The dwellings are not expected to have a noticeable impact on vehicle queues or congestion on the surrounding road network.

The 24 dwellings are forecast to generate the equivalent of 1 vehicle trip every 6 minutes during the peak hours. This is 9 two-way vehicle trips between 08:00 – 0900 and 9 two-way vehicle trips during the PM Peak Hour (1700 – 1800). 73 two-way vehicle trips are forecast over a 12-hour day (0700 – 1900).

The NPPF Para 115 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.

The forecast vehicle trips are provided in a Technical Note by Sanderson Associates. The forecast is based on TRICS which is the national database for trip generation surveys. The trip surveys used were of similar flats located in Suburban and Edge of Town Areas.

Electric Vehicle Parking

The proposed site plan states that 12 car parking spaces will have Electric Vehicle Charging Points installed. This falls below the requirements of the Slough Low Emissions Strategy (2018 – 2025) which exceeds the requirement of the Slough Low Emissions Strategy to provide EV chargers for 10% of spaces were a communal parking layout is provided.

The National Planning Policy Framework Paragraph 112 requires applications for development to: *'Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations'*.

Cycle Parking

At the request of SBC Highways and Transport, 26 secure and covered cycle parking spaces are now shown on the proposed site plan, providing enough cycle parking for residents and visitors to the site. The SBC Developers Guide requires the provision of 1 secure, covered cycle parking space per dwelling.

The Slough Developers' Guide – Part 3: Highways and Transport (2008) requires the provision of 1 secure and covered cycle parking space per dwelling to encourage the uptake of cycling within the borough.

Deliveries, Servicing and Refuse Collection

The applicant has provided swept path analysis which demonstrates that there is suitable space within the site for a Refuse Vehicle (9.595m long and 2.53m wide) and a 7.5t Luton Box Van measuring 8.0m long and 2.1m wide can turn within the site and can enter and exit the site in a forward gear. The swept paths are shown on Drawing No. 300694-002, dated February 2022 and titled *'7.5t Box Van Swept Paths'*.

Therefore, delivery vehicles or removals vans can enter the site and will not need to be stationed on the Bath Road to the detriment of public and highway safety and the free flow of traffic.

SBC Highways and Transport are satisfied that servicing and refuse collection for the proposed dwelling can be completed under the proposed arrangements.

Construction Impact

If planning permission is granted, then the Local Highways Authority require the applicant provide a Construction Management Plan (CMP) which details control measures for construction and construction routes for traffic. The CMP can be secured by planning condition.

Summary and Conclusions

The Local Highways Authority would have no objection to the proposed development on highways and transport grounds. I would recommend inclusion of conditions and informatives relating to gates, parking, layout, EV parking, cycle parking and construction management should planning permission be granted.

Following the submission of amended plans:

Raised no objection but requested a further condition to require an alternative accessible parking space to 'Space 9' that is better located to the Block C entrance.

6.2 **Thames Water**

No comments received. Should any comments be provided they will be reported on the Update Sheet to Committee.

6.3 **SBC Environmental Officer**

Dust Risk Assessment Comments

A dust risk assessment has been prepared by Cass Allen in support of this application. The land to the east of the site was previously used to store potentially dusty materials such as sand, aggregates and scrap, which resulted in complaints from nearby receptors. As such, this report aims to assess the potential impacts of dust deposition from this source on future occupants of the development.

Site activity

During the site visit on 4th October 2023, no potentially significant sources of dust emissions were observed. It is understood that the site was previously used for storage of construction or waste materials, however the site visit suggested that the site was now used for the storage of skips. However, it is not clear whether this is now the permanent use of the area. The applicant should clarify this.

Dust risk assessment

Despite the skip storage yard being considered as having 'small' dust generation potential, sticky pad deposition gauges were installed on the eastern site boundary to measure the dust deposition rate for 4 weeks from 4th October 2023. Historic meteorological data from Heathrow Airport was also examined to consider conditions at the site, which indicated that north-north east to south winds which could potentially result in impacts at the proposed receptors, had a frequency of 6.68%. This is deemed 'moderately frequent' in line with IAQM dust risk assessment methodology.

The proximity of the proposed receptors to the dust emission source is within 100m and as such, classed as 'close' in the IAQM guidance, and is therefore a 'moderately effective' dust pathway, however as the residual source emissions is classed as 'small', the dust impact risk at proposed receptors is 'negligible'.

Dust monitoring results

The dust deposition survey was undertaken at two monitoring locations (ML1 and ML2) on the eastern boundary of the site and the data was compared to the Environment Agency threshold of 200mg/m²/day above which complaints are likely to occur. Over the 4 weeks, the dust deposition rate was low from 84.6mg/m²/day to 126.8mg/m²/day. Higher dust activity was recorded during the first two weeks of the monitoring period when considering area coverage criteria due to dry and windy conditions, however the applicant suggests this has originated from the undeveloped site itself.

Conclusion

The report concludes that due to low deposition rates and considering meteorological conditions at the site, the risk of and effect caused by dust is negligible, although there is some risk that isolated events may result in dust levels.

The conclusions of the report are accepted, however it is requested that the applicant confirms with the adjacent site whether the site is now used permanently for skip storage or if this is only a temporary arrangement.

Environmental Noise Comments

Noise Survey

A noise assessment has been prepared by Cass Allen for the 'Colnbrook View' development, to assess the acoustic design of the proposals.

The assessment is supported by a noise survey conducted between 23rd and 29th August 2023, which identified the dominant noise source as road traffic on Old Bath Road, followed by regular aircraft flyovers. It is noted in the report that the only commercial noise source identified during the survey period originated from Colnbrook Cargo Centre, across Old Bath Road from the site.

It is noted in Paragraph 4.6 that no significant noise was generated on the adjacent Lanz Group Waste Management Services site during the survey. It

is unclear whether the site was operating at the time of the survey, and therefore, whether the monitoring period was adequately representative of nearby commercial noise sources. This requires clarification, alongside a description of the activities occurring on site at the time of the survey.

It should be noted that an application has been submitted to the LPA for the redevelopment of the Lanz Group Waste Management Services site into an industrial and logistics unit. The noise assessment that supports this application suggests that noise impacts on the Colnbrook View receptors as a result of the Lanz Group redevelopment will be low and suitable mitigation and conditions have been proposed. As such, the risk of disturbance from the existing Lanz Group site is limited to the duration between the Colnbrook View site being constructed and occupied, and the Lanz Group site being developed. It is therefore requested that detail on the timeline of construction and occupation of both sites is provided. The applicant will also need to consider the screening effects of the proposed Lanz Group unit and its effectiveness on the upper storeys facing the site.

Survey Results

The monitoring location most representative of the proposed future occupants of the development is L1, which recorded the following results: 61dB LAeq16h, 42dB LA90 (day), 45dB LAeq8h, 39dB LA90 (night), 71dB LAm_{ax} (night). L2 was located closer to Bath Road and recorded the following results: 64dB LAeq16h, 50dB LA90 (day), 54dB LAeq8h, 46dB LA90 (night), 72dB LAm_{ax} (night). This supports the applicant's comment that road traffic noise was the greater contributor to overall noise levels recorded on site.

Mitigation

The glazing performance requirements of the development have been calculated using façade modelling software, based on the survey results, project drawings and assumptions on building fabric provided in Table 1 of the report. The proposed glazing specification to meet internal noise levels in Block C is 32dB Rw+C_{tr} and 31dB Rw+C_{tr} for bedrooms and living rooms, respectively. For Block D, the specification is slightly lower at 30dB Rw+C_{tr} and 31dB Rw+C_{tr} for bedrooms and living rooms, respectively. As internal noise levels can only be met with closed windows, the applicant has proposed to use mechanical ventilation with heat recovery to provide background ventilation. An overheating assessment will need to be undertaken to demonstrate compliance with Part O of the Building Regulations. This will be required via condition, alongside full details of the chosen glazing and ventilation specifications.

To confirm acceptability of the proposed glazing configurations, it is requested that the applicant confirms whether there will be direct line of sight from the top floor dwelling to the service yard area of the Lanz Group development site. If so, it is recommended that the glazing specification on the façade of the upper units which face the Lanz Group development is increased.

Additional Considerations

Revised drawings (23014-GAA-ZZ-ZZ-DR-A-0104) dated 12/12/23, appear to show a reduction in building massing of Block D when compared to the

original drawings of the proposal (BDBC/21/111 – 02), with increased external amenity. The winter balconies which faced towards the east also appear to have been removed. Clarification is required on the current status of the designs and whether the removal of the eastern facing winter balconies is part of the final design.

The original drawings showed 'high level timber acoustic fences' on the eastern boundary of the site, which have not been acknowledged in the noise assessment. As such, it is not clear what the noise levels will be in the external amenity areas or whether this acoustic fencing is being retained in the final design. This information should be provided.

Construction noise has not been considered in the noise assessment. It is recommended that noise is controlled through implementation of a Construction Environmental Management Plan (CEMP), which includes noise limits on construction noise at the nearest noise sensitive receptors of the development, based on monitored data and the ABC method prescribed within BS5228. The CEMP will be required via condition.

Summary

To summarise, the following information is required:

- Clarification on whether the Lanz Group Waste Management Services site was operational during the time of the noise survey, with a supporting description of the activities occurring on site if it was operational.
- Provision of details on the construction and occupancy timeframes of both the proposed development and the adjacent Lanz Group development site.
- Confirmation on whether there will be a direct line of site between the upper storeys of the proposed development and the service yard area of the Lanz Group site. If so, an increase in glazing specification may be required.
- Clarification on whether the removal of the eastern facing winter balconies is part of the final design proposal.
- Provision of details on external amenity noise levels and confirmation on whether the acoustic fencing shown in early design drawings is being retained.

Conditions relating to windows, ventilation and construction management will also be required, pending responses to the above clarifications.

A number of these points have been clarified but final comments are awaited. It is anticipated that there will be no outstanding matters by the time the meeting takes place. Members will be updated via the Amendments Sheet.

Following the submission of additional information:

The key concern highlighted in the objection is that habitable rooms with opening windows in Building D will overlook the car park of the Lanz Group Waste Management site, proposed to be in 24/7 use. It is noted from the drawings associated with the Lanz Group Waste Management site (P/10697/015) that there will be 25 car parking spaces adjacent to Block D. Drawings of the scheme for the Theale (P/12934/018) indicates that there will

be one bedroom on each floor (excluding the ground floor) with a window that will overlook the car park.

The noise contour modelling presented in the Lanz Group development application indicates that at Block D, noise levels during the night are expected to be up to 45dB LAmax (see Appendix E.6). Section 6.2 of the same report states "The WHO Guidelines state that to avoid night-time sleep disturbance indoor sound pressure levels should not exceed approximately 45 dB(A) LAFmax more than 10 – 15 times per night. It is generally accepted that 60 dB(A) LAFmax at the external façades of living spaces corresponds to the LOAEL [lowest observed adverse effect level]". This therefore suggests that the noise level will be acceptable at Block D in terms of LAmax levels.

The closest identified receptors to Block D (R01 and R02) are shown to be 21.4dB – 26.5dB below the criteria, suggesting that noise disturbance is very unlikely in this location. When looking at average noise levels (Laeq), this location also shows noise levels below background for these receptors, further suggesting that disturbance due to the Lanz Group Waste Management site operations is unlikely.

Assuming Block D has standard double glazing as a minimum, which typically has a sound reduction performance of 33dB Rw, internal noise criteria will be met with windows closed. The noise assessment which accompanies the Theale application has suggested an alternative means of ventilation than open windows, to ensure that internal noise levels are not compromised during the night, stating "background ventilation for the development will be provided by mechanical ventilation with heat recovery (MVHR) systems with no direct penetrations in the facade for ventilation into habitable rooms". Both the glazing and ventilation requirements have been secured via condition.

As such, it is not expected that use of the car park will adversely impact future occupants of Block D of the Theale development.

6.4 **Heathrow Airport Safeguarding/BAA**

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any Outline planning permission granted is subject to the conditions detailed below:

[Their recommended conditions covering Height Limitation, Construction Management Strategy, Landscaping, Control of Lighting, and Renewable Energy are included below at 21.0.]

6.5 **National Air Traffic Services (NATS) Safeguarding**

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or

otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Officer comments: The amendments to the scheme are considered to be very minor in terms of the interests of this consultee and no further consultation was sent as a result.

6.6 **Contaminated Land Officer**

Recommended the conditions set out below at 21.0 of this report.

6.7 **Tree Officer**

No comments received. Should any comments be provided they will be reported on the Update Sheet.

6.8 **Lead Local Flood Authority**

Specified the requirements for details pursuant to the condition set out at 21.0.

6.9 **Environment Agency**

My first assessment is that there is no FRA submitted. The applicant says the site is flood zone 1 and the majority of it is. However, the development extends right down to the bank of the river where there is an element of flood risk. We would therefore need a flood risk assessment.

Also, it's likely that we'll be wanting more detailed plans showing the proposed distance from built development and the riverbank. It looks very close from the submitted plans but no measurements are included. Also, I would expect to see ecological surveys of the site given its proximity to the main river.

[Officer Comment: The proposals were revised to include an 8-metre wide development free strip alongside the Poyle Channel. The site does lie wholly in Flood Zone 1 where no FRA is required.]

our maps the site isn't entirely flood zone 1. Flood zones 2 and 3 encroach, albeit very slightly, onto the southern end of the site and therefore a flood risk assessment is required. As the development is within 8m of a main river we would also need plans showing exact measurements and full details of the proposals within this area.

Our formal response is likely to be delayed somewhat due to the volume of work we have at the moment but we will be objecting if the above details aren't submitted."

Officer's response:

(i) The application was received with a formal EA statement dated 12th October 2023 stating “Your selected location is in flood zone 1, an area with a low probability of flooding.”

(ii) The Council’s system shows that Flood Zones 2 and 3 are merely at the riverbank, which lies some 8 metres from the new buildings. The proposed development lies within Zone 1, where no FRA is required.

(iii) The details of the site layout are shown on the revised drawing BDBC/21/111-02E, which was received on 3 March 2022. This is annotated to state the closest part of Block D would be 8.035m. from the Poyle Channel. However, one car parking bay would lie partially within the 8m. strip of land and the public right of way must cross the ecological strip in order to connect Bath Road to Poyle New Cottages and the area south of Poyle Channel.

6.10 **Berkshire Archaeology**

It was noted under P/12934/009 and P/12934/013:

At the original site, as evidenced by the Archaeological Evaluation report you included in your consultation, and held by the Berkshire Archaeology Historic Environment Record, Berkshire Archaeology previously had concerns which were settled through a scheme of archaeological mitigation and resulted in a recommendation that no further works should be required in relation to that development.

The adjacent extension area is a piece of land formerly occupied by the Staines and West Drayton railway line. Therefore the ground in this area is likely to have previously been heavily disturbed by construction of the railway line and subsequent removal of the line. Therefore, in line with previous recommendations for this part of the site, Berkshire Archaeology has no concerns.

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

PART B: PLANNING APPRAISAL

7.0 **Policy Background**

7.1 **Slough Local Development Plan and the National Planning Policy Framework (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 current version of the National Planning Policy Framework (NPPF) was

published on 5 September 2023. Significant weight should be attached to the policies and guidance contained within the NPPF particularly where the policies and guidance within the Development Plan are out-of-date or silent on a particular matter. Relevant paragraphs of the NPPF are outlined below. However, before doing so officers first identify the relevant policies in the Development Plan which is the starting point of an assessment of the application consistent with the statutory test in section 38(6) as above. The weight to be attached to the key Development Plan policies, and an assessment of the proposal against them, is set out within this report.

7.2 National Planning Policy Framework 2023 and National Planning Policy Guidance:

- Section 2: Achieving sustainable development
- Section 4: Decision Making
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt land
- Section 14: Meeting the challenge of climate change, flooding and coastal change

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

- Core Policy 1 – Spatial Strategy
- 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, built and historic environment
- Core Policy 10 – Infrastructure
- Core Policy 11 - Social cohesiveness
- Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Polices)

- EN1 – Standard of Design
- EN3 – Landscaping Requirements
- EN5 – Design and Crime Prevention
- H13 – Backland/Infill Development
- H14 – Amenity Space
- T2 – Parking Restraint
- T8 – Cycle Network and Facilities
- T11 – Protection of the West Drayton to Staines Line
- CG1 – Colne Valley Park

Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4.

- Proposals Map 2010.
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017.

7.3 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 sets 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.

7.4 Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the 1990 Act imposes a general duty on the Council as respects listed buildings in the exercise of its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.5 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 Regulation 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 the site falls outside of the 5.6km catchment area from this site and therefore no impacts are apparent on this area.

7.6 Equality Act

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

8.0 **Planning Considerations**

8.1 The planning considerations for this proposal are:

- Principle of development inc. green belt, housing mix and archaeology
- Impact on the character and appearance of the area inc. landscaping & ecology
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development inc. noise and disturbance
- Flooding and drainage
- Land contamination
- Transport, highways and parking
- Infrastructure & Affordable Housing
- Section 106
- Equalities Considerations
- Heathrow safeguarding
- Neighbouring Representations
- Planning Balance

8.2 **Principle of development inc. green belt, housing mix and archaeology**

8.3 The National Planning Policy Framework 2023 encourages the effective and efficient use of land. The earlier approved schemes under ref: P/12934/009 and P/12934/013, as each approved the use of the adjacent part of the site for flatted accommodation, these consents are material considerations in the assessment of the proposal. These schemes have been implemented. The committee report for P/12934/009 stated that:

“The proposal property is situated in the urban/suburban area of Colnbrook for which Core Policy 4 of the LDF Core Strategy Development Plan Document states that, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area,

the accessibility of the location and the availability of existing and proposed local services facilities and infrastructure...

The scale of the proposals is above the threshold of 15 no. whereby the Council's requirements for the provision of affordable housing would apply.

Whilst located outside of the town centre area and notwithstanding adopting local planning policy, given the site's location and site specifics within a mixed residential/industrial area, aircraft and general background traffic noise and the generally poor quality of the local environment, it is considered that a scheme based upon flats rather than family houses would be acceptable in this instance."

It is noted that the overriding issues of the proposed development have been agreed in those planning permissions. Namely, those approvals confirmed, firstly, the case for flatted accommodation rather than family-oriented dwellings in this specific location, and additionally, the approval of a form of development in relation to a range of issues including impact on the Green Belt, the risk of flooding, the trigger for off-site affordable housing, aircraft noise and the likelihood of contamination upon the site.

Subject to the consideration of the specifics of this application, which seek a further two blocks, it is accepted that the current scheme accords with that material consideration in respect of the principle of the land use. As such, the proposals comply with the overall aims and objectives of the NPPF 2023.

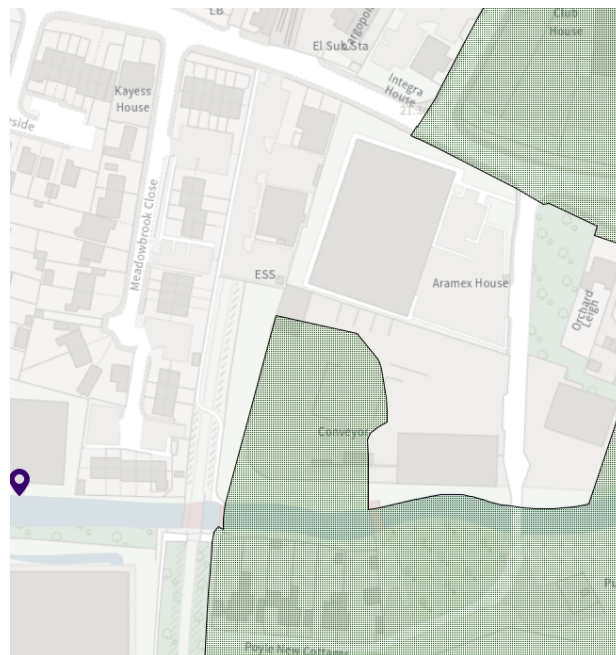
- 8.4 Whilst the principle of flatted residential development in this case is not unacceptable, there is a wider test to ensure that any fresh scheme conforms to the pattern of development locally.
- 8.5 Both the National Planning Policy Framework and the Local Development Plan seek a wide choice of high-quality homes which should be considered in the context of the presumption in favour of sustainable development. The site is considered to be located in a sustainable location as it benefits from access to public transport, education, retail, employment and community facilities.
- 8.6 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.
- 8.7 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.
- 8.8 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.
- 8.9 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.

8.10 Accordingly, in Core Policy 9 the Council states development will not be permitted where it does not respect the character and distinctiveness of existing townscapes. The impact of the current proposals is considered in section 9.0 below.

8.11 As a scheme that entails an infilling of the street scene, attention must be paid to each limb of Policy H13, of which criteria (a), (b), (c), (d) and (f) are relevant. In summary, the issues turn on the scale of any infilling development, which are dealt with in section 9.0.

8.12 Green Belt

The land to the immediate east of the site is within the designated area of Green Belt. The application site abuts this but is not designated as such as shown in the Figure 3 below:



Given the continued use of that site, its developed character and planning history, the openness of the Green Belt would not be harmed by the proposals in this application.

8.11 Housing mix

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.

8.12 The originally considered proposal provided a mix of one, two and three-bedroom flats, as follows:

- 1 bed/2persons = 12
- 2bed/3persons = 12

It was determined that given the location of the site and its particular site circumstances, it is considered that the mix would be appropriate and thus acceptable.

The amended proposal currently for consideration has the following mix:

- 1bed/2person – 9
- 2/bed/3person - 9
- 2bed/4person – 5
- 3bed/6person – 1

The amended scheme proposes a slight variation to the previous mix and this is considered to be an improvement due to the provision of a larger 3 bed unit. The housing mix is continued to be acceptable in planning terms.

8.13 Archaeology

As advised in the original report, the land at Theale does not have an interest to Berkshire Archaeology and it is therefore considered that the latest proposals, which include and lie alongside the former railway, are of no interest.

9.0 **Impact on the character and appearance of the area inc. landscaping and ecology**

9.1 The National Planning Policy Framework encourages new buildings to be of a high-quality design that should be compatible with their site and surroundings.

Core Policy 8 requires that all development shall be of a high quality design and improve the quality of the environment. The policy requires that development shall be of a high quality design that is practical, attractive, safe, accessible and adaptable. The design of development should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.

Policy EN1 states that development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of a number of issues including:

- materials
- access point points
- visual impact
- relationship to nearby properties

9.2 The plans have been amended since the original consideration by Members and these are discussed in further detail below. These current proposals remain similar to the existing blocks to the north in most respects and, in particular, to the as built design, character and appearance. The proposed materials reflect those used there and the external style of the elevations are of the same style.

9.3 The overall bulk and massing of each of these two proposed blocks would continue to reflect those already to the north. The proposals entail the undercroft parking with the 4 floors of accommodation above in the southern of

the two new blocks (Block D – 5 storey in total) and four floors above in the northern part of the site (Block C) which includes the undercroft parking.

- 9.4 As per the layout of the existing blocks, these two new blocks would lie to the east of the site to allow the existing access road and public right of way to run over the line of the services and underground pipelines and ensure the alignment of the former railway line remains undeveloped.
- 9.5 As such, the proposals are considered to be in keeping with the evolving visual amenity of the overall site and its place in the wider street scene.
- 9.6 The site lies alongside the Poyle Channel. There is a presumption of enhancement for ecological purposes within an eight-metre strip at the riverside. The need to ensure any ecological value is safeguarded and any potential harm mitigated by the close proximity of the proposals is set out in a condition at 21.0.
- 9.7 On the remainder of the site outside of the area referred to above, landscaping shall be provided to ensure a suitable amenity for the future residents of the site and to enhance the visual amenities of the area. This would continue the works to enable the public right of way to traverse the site. The proposals will be dealt with further to a condition in 21.0.
- 9.8 The site lies outside of the 5.6km catchment area of Burnham Beeches SAC and is therefore not liable for Habitat Regulations Assessment and any associated mitigation. The site lies within the Colne Valley Regional Park area and considerations are to be had on the impact on this through residential development at the site.
- 9.9 Based on the above, the proposals would have an acceptable impact on the character and visual amenity of the area and therefore would comply with Policies EN1 and H13 of the Local Plan for Slough March 2004 (Saved Policies), Core Policy 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, and the requirements of the National Planning Policy Framework 2023.
- 10.0 **Impact on amenity of neighbouring occupiers**
- 10.1 The National Planning Policy Framework 2023 encourages new developments to be of a high-quality design that should provide a high quality of amenity for all existing and future occupiers of land and buildings. This is reflected in Core Policy 8 of the Core Strategy and Local Plan Policies EN1 and EN2.
- 10.2 In respect of proposals at Block C, there would be in excess of some 20 metres between this block and the existing Block B to the north. Therefore, it is considered that there would be no adverse impact on either set of occupiers. The block plan below (Figure 4) shows Block B (hatched) to the right hand side of the layout.



- 10.3 The distance to the adjacent residential properties in Meadowbrook Close would remain significant and more than 20 metres. As such, the latest scheme would not have an adverse impact on those occupiers' amenities in terms of daylighting, sunlighting, overshadowing or overlooking. The recommended conditions regarding obscured glazed, restrictions on further window openings and screens on balconies, as set out below would ensure no adverse harm to those occupiers' amenities.
- 10.4 To the west of the site is Poyle New Cottages, an existing commercial site that has a resolution to be redeveloped to provide a new industrial building under application ref: P10697/015. The location of the proposed building would be immediately adjacent to Block C of this application. The relationship would be close but it is considered that approval of the application scheme would not compromise the delivery of the neighbouring site in planning terms. The next section considers any impacts on amenity of future occupiers from this forthcoming development and concludes that the application proposal and adjacent development can co-exist. There is no adverse impact relating to Block D due to its siting and relationship with the adjacent site and considerations have been made into potential noise impact from the future car park associated with this adjacent site.
- 10.5 There are no concerns to be raised in terms of the impacts on neighbouring properties and the proposal is considered to be consistent with Core Policy 8 of the Local Development Framework Core Strategy, Policies EN1 and EN2 of the Adopted Local Plan, and the requirements of the National Planning Policy Framework 2023.
- 11.0 **Living conditions for future occupiers of the development inc. Noise/Disturbance**
- 11.1 The National Planning Policy Framework 2023 states that planning should create places with a high standard of amenity for existing and future users.
- 11.2 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."

- 11.3 All of the units would meet the Council's internal space standards, as set out in the Technical Housing Standards – nationally described space standard 2015.
- 11.4 The proposed dwellings would be provided with windows that achieve a suitable degree of daylight, aspect, and outlook. Since the previous consideration, the design of Block C has been amended as units 05, 09, and 13 shows bedrooms that faced directly onto the site at the west and relied on neighbouring land to achieve outlook. The plans were amended to propose angled windows to these units that provide an outlook away from the site. This is considered to address the matter.
- 11.5 Block C has a very close relationship to the Waste Recycling site, Poyle New Cottages, an existing commercial site that has a resolution to be redeveloped to provide a new industrial building under application ref: P10697/015. The plans have been amended to show that the east facing windows will be fitted with obscure glazing to remove outlook onto the blank façade of the forthcoming neighbouring building at the adjacent site. The window arrangement does not result in adverse levels of residential amenity as each of the affected units are served by a more principal window that provides larger light levels and outlook. As a result it is considered that the consented scheme under ref: P/10697/015 will not result in adverse amenity impacts to occupiers of the application proposal.
- 11.6 Consideration is also given to the impacts of the adjacent forthcoming development on amenity in terms of noise impacts. Additional noise information was provided by the applicant and has been passed to the Environmental Quality Officer for review. No comments have been received and Members will be updated via the amendment sheet.
- 11.7 The amended plans have altered the proposed balconies and created what is referred to as winter balconies. These are shown to be fully enclosed with glazing in a style similar to a conservatory. There is no objection to these in principle but it is necessary to note that they are not regarded as amenity space and therefore replace any private amenity space that was originally proposed, resulting in none of the units having any such private amenity space. The lack of private amenity space is an adverse impact of the scheme and will be balanced accordingly against the benefits. In accordance with the Developer's Guide the removal of private amenity space, coupled with the lack of any communal amenity space triggers a requirement for a recreation contribution from the developer which is addressed at section 15.
- 11.8 Based on the above, the living conditions and amenity space for future occupiers is largely considered to be in accordance with the requirements of the NPPF, Core policy 4 of Council's Core Strategy, and Policy H11 of the Adopted Local Plan. A number of amendments have been made to ensure amenity levels are provided without compromising neighbouring land. The lack of private amenity space is an adverse impact that will be weighted as part of the planning balance.
- 12.0 **Flooding & Drainage**
- 12.1 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 the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.

12.2 According to the Environment Agency 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.

12.3 At the time of the previously approved scheme under P/12934/009, it was noted that:

“There are no records of the site having flooded. The EAs hydraulic model of the Poyle Channel provides the most relevant flood levels and shows that most of the site lies above the 100yr and 100yr +CC flood level. The 1000 year flood level is not provided. Old Bath Road is higher than these flood levels and will remain dry during an extreme flood event.

· NPPF emphasise the need to consider other potential sources of flooding when planning a development. As the ground floor of the properties will be raised above the local ground levels this risk from storm water, highways, sewers, tidal and groundwater flooding is considered to be low. There are two reservoirs in the area whose failure would have a drastic impact but the risk of flooding is considered to be low and the SFRA indicates that development should not necessarily be prevented.

· A raised ground floor slab will ensure that the risk to life and damage to property in the event of a flood is minimised. The EA recommend a finished floor level of 300mm above the 100 year +CC flood level of 21.608m OD and the floor level will be raised to this level.

· There will be a safe dry escape route from the site to the north onto Old Bath Road and over the M25 to the A3044. From here a dry route exists in all directions to areas outside of the flood plain where services and facilities exist. The site drainage scheme will be designed to ensure that excess surface water will not restrict access or escape.

· There will therefore be no loss of flood plain storage, no additional displaced water and no change in the flooding potential for adjacent sites. There is no requirement to consider flood resistance or resilience measures.

· There will therefore be no loss of flood plain storage, no additional displaced water and no change in the flooding potential for adjacent sites. There is no requirement to consider flood resistance or resilience measures.

· NPPF and the Environment Agency require that the rate of surface water runoff from a developed site does not exceed the existing rate. The 100 year 30 minute storm on the existing site will provide a peak flow of 34.3 l/s and storm volume of 62m³ which compares to the developed site without SUDS peak flow of 35.9 l/s and a volume of 65m³. This 5% increase in peak flows and volumes above the existing rate is due to the 30% increase in rainfall from climate change which is offset by the creation of permeable garden and landscaped areas on the existing impermeable site.

· A review of SUDS options suggests that infiltration methods will not offer a practical solution due to the high groundwater table and impermeable strata or made ground in the 2m below the site. A green roof will reduce runoff to below the existing rate but rainwater harvesting is not considered practical for runoff control. The alternative would be to provide storage and attenuation facilities based on either one storm cell or a permeable sub base to the car parking areas. Either system would include a connection and overflow to the local drainage network and to Poyle Channel with a flow control to restrict off site flows to the existing rate.

· The existing site does not have a formal drainage system and it is assumed that rainfall currently runs off the impermeable site to adjacent land,

eventually draining to the Poyle Channel. As part of the development proposals a formal drainage system will be installed and this will lead to better runoff control. The outline drainage strategy considers that one method for the buildings and a separate drainage strategy for ground level impermeable surfaces such as roads and pavements. This will involve a 300m² green roof on the buildings, and the car parking areas and access roads will drain to a permeable sub base or storm cells prior to off site disposal at no more than the existing rate. Garden and landscaped areas will drain naturally.

- The flow routes under normal conditions and in the event of a system failure or the storage facility being full, would be considered as part of these detailed designs. However as the ground floor slab, and all access and services entrances will be raised above the local ground level then flooding of the properties will not occur in the event of local drainage system failure, whether by extreme rainfall or a lack of maintenance.

- Under NPPF the proposed residential accommodation is classed as a “more vulnerable” use which is appropriate in Zone 1 and the Exception Test is not required. As this site is in Flood Zone 1 there will be no REASON:ably available alternative site in the LPA area at a lesser flood risk and hence compliance with the Sequential Test can be demonstrated.

12.4 The proposed drainage scheme would be required to satisfy the Local Lead Flood Authority’s advice under the terms of the condition set out below at 21.0. The EA have been consulted on these points above and this is reflected in the recommendation.

13.0 **Land Contaminated**

13.1 The site has been used during the construction of the blocks to the north as a works compound. The Council’s Scientific Officer has recommended standard conditions for the investigation and mitigation of any contamination identified by the surveys.

14.0 **Transport, Highways and Parking**

14.1 The National Planning Policy Framework states that planning should seek to development 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. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8. Paragraph 115 of the National Planning Policy Framework states that *‘Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe’*

14.2 The current proposals would continue to be accessed by a continuation of the road built to serve the two existing blocks to the north; so, access and egress would be from/to Old Bath Road. The parking and access layout has not changed from the previous consideration of this application, which was found to be acceptable by Members.

14.3 The Highway Authority has indicated that the entire access road be built to an adoptable standard.

- 14.4 The application proposes 41no. parking spaces at surface level, of which six would be designated wider bays for wheelchair access. The parking is located throughout the site to provide convenient ease of access for the future occupiers. In accordance with the Council's requirements, seven spaces would have to be installed with EV charging facilities.
- 14.5 Cycle parking is to be provided in accordance with the Council's standards. Secure storage facilities would be located in banks of "cages" in close proximity to the entrances of the two residential buildings to which they relate, in order to serve accommodation on the upper floors and for visitors.
- 14.6 A bin/recycling storage facility would be provided to serve each block at a point where use and collection can be optimised.
- 14.7 Given the location and accessibility of the site, the Highway Authority are satisfied with the proposals in terms of the quantum of car parking and cycle storage facilities, the circulation and manoeuvrability within the site, and the likely traffic generation.
- 14.8 Based on the above, and the conditions set out below, the proposal is considered to be in accordance with the requirements of Policies T2 and T8 of the adopted Local Plan, as well as the provisions of the NPPF.

15.0 **Infrastructure and Affordable Housing**

- 15.1 Core Policy 1 of the Slough Local Development Framework Core Strategy states that for all sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.
- 15.2 Core Policy 10 states that 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.
- 15.3 The application is liable to affordable housing provision and financial contributions, it was not accompanied with a viability assessment.
- 15.4 *Affordable Housing:*
- The proposed scheme comprises 24 units and fall within the range of "between 15 and 24" units; whereby an off-site financial contribution was sought in accordance with the schedule of rates set out in the updated Developer Guide Part 2, (September 2017).
- 15.5 Given the mix of units proposed, i.e. 38% one-bed, 58% two-bed and 4% three-bed, the contribution would amount to £361,600.28. This is an increase on the previously considered requirement which amounted to £346,265. The increase in contribution reflects the change in housing mix and will be secured via the section 106 agreement.
- 15.6 *Education:*

As the proposal is between 15 and 100 units, in accordance with Core Policy 10 and Part 2 of the Developer's Guide, the Education Authority would seek education contributions. In accordance the tariffs set out in the Developer's Guide, each one bed flat attracts £903 and each two and three bed flat attracts £4,828.

Based on the proposed mix, the proposal would attract a financial contribution of £80,547. This is larger than the previously required amount of £68,772 which is a result of the change in housing mix and will be secured via the section 106 agreement.

15.7 Recreation

Local Plan policy CG1 seeks to control development in the Colne Valley Park and where development is permitted to ensure that appropriate mitigation measures are undertaken to realise the aims and objectives of the Colne Valley Park.

The site is not part of the open area of the Colne Valley Park and there are no existing leisure uses associated with it. Its redevelopment of a site does not therefore result in any loss of this principal activity in the Colne Valley Park. The original consideration did not include a requirement for a Colne Valley contribution and the changes in this respect are such that it would be unreasonable in planning terms to request one.

However, as the proposal provides under 70 units, a contribution is also required as the proposal provides unsuitable amenity space for residents in accordance with the Developer's Guide, the development is liable for a recreation contribution of £750 per unit. This results in a total requirement of £9,000 and will be secured via the section 106 agreement and used to improve and enhance local parks.

16.0 Section 106

16.1 The applicant is required to enter into a Section 106 Agreement, the Heads of Terms for which are as follows:

- a. Payment of a financial contribution to fund off-site affordable housing provision. Timing of payment to be on completion of the Agreement given the circumstances outlined above.
- b. Payment of a financial contribution to fund education.
- c. Payment of financial contribution for recreation in lieu of on site amenity space provision.
- d. A contribution of £50,000 to the provision of a zebra crossing facility on Old Bath Road and traffic regulation order of £3000.
- e. The dedication of a public right of way for pedestrians and cyclists, as a continuation of the provision of such rights under P/12934/013, in order to link with the route over the Poyle Channel.

17.0 Equalities Considerations

- 17.1 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 (eg: 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).
- 17.2 The proposal would provide new residential accommodation at a mix of dwelling sizes that would all be compliant with the Nationally Described Space Standards. Three of the 41 parking spaces would be sized for wheelchair accessibility. The communal doorways, internal corridors, lift; front doors into each flat all provide appropriate widths for wheelchair accessibility. Given the proposal is for 24 flats, these provisions are considered appropriate and would comply with local and national planning policies.
- 17.3 It is considered that there will be temporary (but limited) adverse impacts upon all individuals, with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development e.g.: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects. This is secured by condition.
- 17.4 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.
- 17.5 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 Equality Act 2010.
- 18.0 **Heathrow Safeguarding**
- As set out above at 6.4 and 6.6, there are no safeguarding objections to the proposed development, subject to the imposition of measures to minimise conflicts with aviation. Accordingly, conditions/informatives are set out below at

21.0 to ensure that appropriate measures are in place prior to and during future works and in perpetuity.

19.0 **Neighbouring Representations**

19.1 As stated in the report, two letters were received from an adjacent landowner that raised a number of issues for consideration. The relevant points raised are addressed as follows:

- *The application is missing the following documents that are considered to be necessary under the Council's Validation Checklist:*
 - Existing and proposed sections
 - Design and Access Statement
 - Tree Survey and Landscape Plan
 - Travel Plan
 - Planning Statement
 - Affordable Housing Statement
 - Sustainability Appraisal.

Since the deferral of the application from the September Committee, the applicant has submitted a Design and Access Statement, Sustainability Appraisal and letter addressing affordable housing. Members should note the only statutorily required document is a Design and Access Statement. Each document can be addressed below:

Existing and Proposed Sections

Sections through the building are provided. The sections are not required statutorily. The applicant states that as this is an outline application details can be a reserved matter however this argument is not accepted as only landscaping is reserved. It is however possible to condition finished floor levels, including sections, via condition and deemed appropriate. It is considered Members have enough information to make an informed determination on the proposal.

Design and Access Statement

This document has been received and has been considered as part of the assessment.

Tree Survey and Landscape Scheme

Landscaping is a reserved matter and required for approval in a future application. There is no tree survey with the application, and it is likely that, given the layout proposed, all existing vegetation will be removed from the site. This is the same scenario that Members considered originally at the meeting

of 13 April 2022. It is accepted that existing landscaping will be removed to facilitate the development, and this is reflected in the planning balance.

Travel Plan

No such document is required and not requested from Highways Officers having considered the merits of the application.

Planning Statement

While a useful and informative document, it is not a statutory requirement for an application.

Affordable Housing Statement

Again, this is not a statutory requirement. The applicant has submitted a letter advising that they are aware of the affordable housing requirements for this project, stating:

The proposed development is for 24 residential units (use class C3), in accordance with section 7 of the Developers Contributions and Affordable Housing (Section 106) – Developer’s Guide Part 2 (updated September 2017). The proposal will provide a financial contribution as it falls between 15 & 24 units, the amount of the financial contribution will be agreed upon and secured via a s106 agreement.

This is considered to address the matter as it confirms compliant contributions will be secured.

Sustainability Statement

The applicant has submitted such a statement which does little more than provide confirmation that the scheme will be constructed to accord with Part L of Building Regulations. The proposal is noted however it does not demonstrate how the scheme will meet the requirements of Core Policy 8, particularly relating to minimising the consumption and unnecessary use of energy and reducing water consumption. Therefore Condition 15 is proposed that will require an energy/sustainability assessment for the scheme, including details of measures to be incorporated into the development.

- 19.2
- *Doubts from the adjacent land owner as to whether the scheme can be constructed due to its proximity to the eastern boundary of the site.*

This would not be the first proposal that shown built form up to a boundary and there are construction methods that can presumably ensure construction takes place. However, in any case the applicant has submitted amended plans which show both blocks set in from the boundary, creating a clear gap and the comments raised are therefore no longer considered to be an issue. Furthermore, any issues with regards to boundary would be a civil issue and fall outside the remit of the Local Planning Authority.

- 19.3
- *Concerns over the noise assessment and its lack of consideration in respect of noise impact from the adjacent, forthcoming employment use to the east, including the staff carpark.*

The Environmental Quality Officer's comments have raised no objection noting that noise from the adjacent use would be screened largely by the employment building itself. The car park sits adjacent to Block D and would be in 24 hour use although the neighbouring occupier has not provided any information in respect of levels of activity and shift patterns etc. The applicant has submitted an Addendum to the Noise Assessment which considered the adjacent impact and concludes an acoustic fence will be erected on the eastern boundary to mitigate any noise impact that may be apparent. This is considered to be acceptable in principle and secured through proposed Condition 25.

- 19.4
- *There are discrepancies between the proposed plans making it unclear what plans were used to determine the application previously.*

The plans submitted are clear and have been presented to Members as part of this consideration. There are not considered to be discrepancies.

20.0 **Planning Balance**

- 20.1 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.
- 20.2 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development." The report identifies that the proposal complies with some of the relevant saved policies in the Local Plan and Core Strategy, but identifies where there are any conflicts with the Development Plan.
- 20.3 In coming to a conclusion, officers have given due consideration to the benefits of the proposal in providing 24 new flats towards the defined housing need at a time where there is not a Five Year Land Supply within the Borough. The Local Planning Authority considers therefore that any adverse impact of the development, including the removal of existing vegetation from the site, would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2023 taken as a whole.
- 20.4 On balance, the application is recommended for approval, as it is considered that there are benefits from the formation of twenty-four residential units in a sustainable location; so, it is suggested that planning permission should be

granted in this case. The benefits of supplying twenty-four extra units in a tilted assessment has been shown to significantly and demonstrably outweigh any adverse impacts and conflicts with specific policies in the NPPF.

21.0 **PART D: DRAFT LIST CONDITIONS AND INFORMATIVES**

21.1 CONDITIONS:

1. Reserved Matters

Details of the landscaping of the site, road and footpath design, vehicular parking and turning provision, (hereinafter collectively referred to as 'the reserved matters') shall be approved in writing by the Local Planning Authority prior to the commencement of the development.

The detailed scheme shall cover both hard and soft landscaping, as well as, tree and shrub planting, including the trees and shrubs to be retained and/or removed and the type, density, position and planting heights, along with staking/guying, mulching, feeding, watering and soil quality, of new trees and bee-friendly shrubs, and details of hardsurfaces which shall include compliance with the surface water drainage mitigation as approved under condition 6 of this planning permission.

The details must comply with Advice Note 3, 'Wildlife Hazards' as set out under Informative 14 below and identify:

- the species, number and spacing of trees and shrubs
- details of any water features

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

On substantial completion of the development, the approved scheme of hard landscaping shall have been constructed. The approved scheme of soft landscaping shall be carried out no later than the first planting season following completion of the development. Within a five year period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON: In the interests of the visual amenity of the area and accordance with Policy EN3 of The Adopted Local Plan for Slough 2004; to ensure that surface water discharge from the site is satisfactory and shall not prejudice the approved sewerage systems in accordance with Policy 8 of the adopted

Core Strategy 2006 – 2026; to avoid endangering the safe movement of aircraft and the operation of Heathrow Airport through the attraction of birds and an increase in the bird hazard risk of the application site; and, to comply with the provisions of Article 4 of The Town and Country Planning (Development Management Procedure) (England) Order 2010.

2. Time Limit

Application for approval of all reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority no later than the expiration of three years from the date of this permission.

The development hereby permitted must be begun not later than whichever is the later of the following dates and must be carried out in accordance with the reserved matters approved:

- i) the expiration of 5 years from the date of this permission: or
- ii) the expiration of two years from the final approval of the reserved matters referred to in condition 1 above, or in the case of approval of different dates, the final approval of the last such matter to be approved.

REASON: To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of

altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

3. Approved Plans

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

- a) Drawing Number 23014-GAA-A1-00-DR-T-2005 Rev C03, dated 30/10/2024, received 29/11/2024
- b) Drawing Number 23014-GAA-A1-01-DR-T-2006 Rev C03, dated 30/10/2024, received 29/11/2024
- c) Drawing Number 23014-GAA-A1-02-DR-T-2007 Rev C03, dated 30/10/2024, received 29/11/2024
- d) Drawing Number 23014-GAA-A1-03-DR-T-2008 Rev C03, dated 30/10/2024, received 29/11/2024
- e) Drawing Number 23014-GAA-A1-RF-DR-T-2009 Rev C03, dated 30/10/2024, received 29/11/2024
- f) Drawing Number 23014-GAA-A1-XX-DR-T-2105 Rev C03, dated 15/07/2024, received 29/11/2024
- g) Drawing Number 23014-GAA-A1-XX-DR-T-2106 Rev C03, dated 15/07/2024, received 29/11/2024
- h) Drawing Number 23014-GAA-A1-XX-DR-T-2107 Rev C03, dated 15/07/2024, received 29/11/2024
- i) Drawing Number 23014-GAA-A1-XX-DR-T-2108 Rev C03, dated 15/07/2024, received 29/11/2024
- j) Drawing Number 23014-GAA-A2-00-DR-T-2017 Rev C03, dated 31/10/2024, received 29/11/2024
- k) Drawing Number 23014-GAA-A2-01-DR-T-2018 Rev C03, dated 31/10/2024, received 29/11/2024
- l) Drawing Number 23014-GAA-A2-02-DR-T-2019 Rev C03, dated 31/10/2024, received 29/11/2024
- m) Drawing Number 23014-GAA-A2-03-DR-T-2020 Rev C03, dated 31/10/2024, received 29/11/2024
- n) Drawing Number 23014-GAA-A2-04-DR-T-2023 Rev C03, dated 31/10/2024, received 29/11/2024
- o) Drawing Number 23014-GAA-A2-RF-DR-T-2022 Rev C02, dated 31/10/2024, received 29/11/2024
- p) Drawing Number 23014-GAA-A2-XX-DR-T-2115 Rev C03, dated 31/10/2024, received 29/11/2024
- q) Drawing Number 23014-GAA-A2-XX-DR-T-2116 Rev C03, dated 31/10/2024, received 29/11/2024
- r) Drawing Number 23014-GAA-A2-XX-DR-T-2117 Rev C03, dated 31/10/2024, received 29/11/2024
- s) Drawing Number 23014-GAA-A2-XX-DR-T-2118 Rev C03, dated 31/10/2024, received 29/11/2024

t) Drawing Number 23014-GAA-ZZ-00-DR-T-0101 Rev C02, dated 31/10/2024, received 29/11/2024

u) Technical Note regarding Traffic Generation by Sanderson Associates Project Number 300694, Dated 01.02.2022, Recd On 01/02/2022

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

4. Details of elevations

No development shall commence above ground floor level until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of windows and doors (including frames and reveals); down pipes; edging details to flat roofs; any lift over-runs; balustrades and balconies; external guttering; canopies; any rooftop structures including flues, satellite dishes, plant, lift overruns, cleaning cradles; have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

REASON: To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2023).

5. Height Limitation on Buildings and Structures

No building or structure of the development hereby permitted shall exceed 39.5m AOD.

REASON: Development exceeding this height would penetrate the Safeguarding Surfaces surrounding Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome.

6. Drainage

Prior to the commencement on site of the development hereby approved, full details of a 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, shall be submitted to and approved in writing by the local planning authority. Surface water run-off should be

controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS).

The surface water drainage strategy shall follow the drainage hierarchy for the outfall as per Building Regulations Part H requirement. The drainage scheme shall also provide the followings;

- a. Evidence that a suitable number of infiltration tests have been completed. These need to be across the whole site; within different geologies and to a similar depth to the proposed infiltration devices. Tests must be completed according to the BRE 365 method or another recognised method including British Standard BS 5930: 2015.
- b. Maintenance regimes of the entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element. Evidence that those responsible/adopting bodies are in discussion with the developer. For larger/phased sites, we need to see evidence of measures taken to protect and ensure continued operation of drainage features during construction.
- c. Evidence that enough storage/attenuation has been provided without increasing the runoff rate or volume. This must be shown for a 1 in 100 year plus 40% climate change event.'

The approved scheme shall be implemented in accordance with the approved details which shall be fully installed before the development is occupied and be retained, managed, and maintained in accordance with the approved details at all times in the future.

REASON: - To ensure that surface water discharge from the site is satisfactory and shall not prejudice the existing sewerage systems in accordance with Core Policy 8 of the adopted Core Strategy 2006 – 2026, and the requirements of the National Planning Policy Framework.

7. Phase 1 Desk Study and Preliminary Risk Assessment

Development works shall not commence until a Phase 1 Desk Study (DS) has been submitted to and approved in writing by the Local Planning Authority. The Phase 1 Desk Study shall be carried out by a competent person in accordance with Government, Environment Agency and Department for Environment, Food and Rural Affairs (DEFRA) guidance and approved Codes of practices, including but not limited to, the Environment Agency model procedure for the Management of Land Contamination CLR11 and Contaminated Land Exposure Assessment (CLEA) framework, and CIRIA Contaminated Land Risk Assessment Guide to Good Practice C552. The Phase 1 Desk Study shall incorporate a desk study (including a site walkover) to identify all potential sources of contamination at the site, potential receptors and potential pollutant linkages (PPLs) to inform the site

preliminary Conceptual Site Model (CSM) and Preliminary Risk Assessment (PRA).

REASON: To ensure that the site is adequately risk assessed for the proposed development and in accordance with Policy 8 of the Core Strategy 2008.

8. Phase 2 Intrusive Investigation Method Statement

Should the findings of the Phase 1 Desk Study approved pursuant to the Phase 1 Desk Study condition identify the potential for contamination, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 665 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal and in accordance with Policy 8 of the Core Strategy 2008.

9. Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy

Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Contaminated Land report Model Procedure (CLR11) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring

proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Policy 8 of the Core Strategy 2008.

10. Remediation Validation

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

include written confirmation from a Building Control Regulator that all such measures have been implemented.

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

11. Glazing and Ventilation

No construction work in connection with the buildings hereby approved shall commence until details of the development meeting the following have been submitted to and approved in writing by the Local Planning Authority:

- a) glazed windows with a sound reduction performance of 32dB Rw+Ctr for the most impacted facades
- b) manufacturer details which demonstrate that the above sound reduction performance can be achieved
- c) schematic drawings indicating locations of specific glazing types
- d) details of the chosen ventilation scheme and acoustic performance
- e) manufacturer details which demonstrate that adequate acoustic performance can be achieved with the chosen product
- f) schematic drawings indicating the locations of ventilation units, ducts, extract and exhaust locations
- g) an overheating assessment which demonstrates that the chosen ventilation scheme is suitable in regards to thermal comfort

Works shall be carried out in accordance with the approved details and thereafter be retained. ne

REASON: To ensure residents of the development have suitable levels of noise amenity in the interests of Core Policy 8 of the Core Strategy 2006-2026

12. Construction Management Strategy

Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:

- details of cranes and other tall construction equipment (including the details of obstacle lighting)
- 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.

- 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.
- Delivery hours and working hours. Deliveries shall be made outside peak hours of 0800 – 0900 and 1700 – 1800, and outside of 1445 – 1545 due to the proximity of Pippins Primary School (which closes at 3:10pm).
- 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.
- Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
- Details of dust control measures and wheel washing facilities to be provided on site.
- 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>.
- non-road mobile machinery (NRMM) to comply with the emission standards in Table 10 in the Low Emission Strategy guidance.

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

13. Construction Management Plan (CMP – Highways)

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 vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles,

unloading area for deliveries and wheel cleaning facilities during the construction period.

2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.

3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 0800 – 0900 and 1700 – 1800.

4. Extent of construction hoardings / fencing and details of security arrangements on site.

5. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.

6. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.

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 2023.

14. Bird Hazard Management Plan (BHMP)

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to

the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

15. Renewable Energy Scheme (RES)

Notwithstanding the details in the approved plans, no development shall take place until full details of renewable energy schemes have been submitted to and approved in writing by the Local Planning Authority.

No subsequent alterations to the approved renewable energy scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

16. Ecological management

Ecological management of 8 metre strip at Poyle Channel riverside

Prior to the commencement of the development hereby approved a scheme for the provision and management of a 8 metre wide ecological buffer zone alongside Poyle Channel shall be submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include: (i) plans showing the extent and layout of the buffer zone;(ii) details of any proposed planting scheme (for example, native species);(iii) details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan; and, (iv) details of any proposed footpaths, fencing, lighting, etc.

REASON: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected in accordance with paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) and the Natural

Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive.

17. Limited Hours of Construction Activities

During the construction phase of the development hereby permitted, there shall be no deliveries to the site outside the hours of 08.00 hours to 18.00 hours Mondays - Fridays, 08.00 hours - 13.00 hours on Saturdays and at no time on Sundays and Bank/Public Holidays.

REASON: To protect the amenity of residents within the vicinity of the site in accordance with Core Policy 8 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008.

18. External Lighting

Prior to the commencement of the development hereby approved, which is close to an aerodrome and/or aircraft taking off from or landing at the aerodrome, full details of the lighting schemes required during construction and for the completed development shall be submitted to and approved in writing by the LPA. The scheme shall be implemented strictly in accordance with that approval and shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal.

REASON: In the interests of safeguarding the amenities of neighbouring properties and to ensure safer access and use of the shared cycle/pedestrian/motor vehicular areas throughout the site and to avoid endangering the safe operation of aircraft in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EN5 of The Adopted Local Plan for Slough 2004 (saved polices), and the requirements of the National Planning Policy Framework 2023.

19. Cycling Facilities

No part of the development shall commence until details showing the provision of a secure cycle store and an unobstructed footway link to accord with the Local Planning Authority's "Cycle Parking Standards" has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall then be occupied until the cycle store and footway

link have been laid out and constructed in accordance with the approved details and that area shall not thereafter be used for any other purpose.

REASON: To ensure that there is adequate 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.

20. Car Parking Provision

Prior to first occupation the scheme for 41 car parking spaces and manoeuvring shall be laid out in accordance with the submitted plans as hereby approved and shall be retained for the parking of cars at all times to the full satisfaction of the local planning authority and that area shall not thereafter be used for any other purpose.

REASON: To ensure adequate car parking to serve the development in accordance with Policy T2 of the adopted local Plan for Slough 2004.

21. Electric Vehicle Parking

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

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

22. Car Park Management Plan

No part of the development hereby permitted shall be occupied until a car park management scheme has been submitted to and been approved in writing by the Local Planning Authority. The Scheme shall include measures:

- a) To ensure that spaces cannot be owned/let/allocated to anyone who is not a resident or does not have a car/need a parking space.
- b) To ensure spaces are not permanently linked to dwellings.
- c) Stating how four electric vehicle charging point spaces will be made available to residents with plug-in vehicles.
- d) How use of charging point spaces by non plug-in vehicles will be restricted.
- e) To set out the allocation of any visitor spaces.

No dwelling shall be occupied until the car park management scheme has been implemented as approved. Thereafter, the allocation and use of car parking spaces shall be in accordance with the approved scheme.

REASON: to ensure the parking spaces are in optimum use in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008 and the requirements of the National Planning Policy Framework 2023.

23. Balcony Screening

Prior to first occupation details of privacy screens to the eastern side of balconies and terraces shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the details approved.

REASON: To protect privacy and amenity and to prevent the potential sterilisation of neighbouring land in accordance with the National Planning Policy Framework.

24. Obscured Glazing

Windows within the eastern elevations of the development shall be obscurely glazed in accordance with a sample which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of

the development hereby approved and such windows shall be only opening at a minimum height of 1.7 metres above the finished internal floor level.

REASON: To prevent the overlooking of adjacent land and prevent its comprehensive redevelopment and maintain the privacy of amenity of any future residential occupiers.

25. Prior to first occupation details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. The submitted plans shall include full technical details and plans for an acoustic fence to be erected on the eastern boundary in accordance with the recommendations of the letter from Cass Allen ref TN02-23425-R1, dated 01/11/2024, received 04/12/2024.

Before the development hereby permitted is occupied, the approved scheme for boundary treatment shall be implemented and retained at all time on the future.

REASON: In the interests of the visual amenity of the area and accordance with Policy EN3 of The Local Plan for Slough 2004.

26. No further windows

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

REASON: To minimise any loss of privacy to occupiers of adjoining residential properties in accordance with Policy H15 of The Adopted Local Plan for Slough 2004.

27. Level Access

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

REASON: In order to ensure the development provides ease of access for all users, in accordance with Policy EN1 of The Adopted Local Plan for Slough 2004, Core Policy 8 of the Slough Local Development Framework Core

Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework 2023.

28. No Impediment to Access

No barriers, gates, etc shall be erected at the vehicular access without first having obtained the written approval of the local planning authority.

REASON: In the interests of amenity and general highway safety in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy Development Plan Document December 2008.

29. 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 and piling has the potential to impact on local underground water utility infrastructure.

30. Finished Floor Levels

No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the proposed finished floor levels across the site of the development hereby approved. Details shall include existing and proposed sections through the site to demonstrate its relationship with adjoining land. The works shall be carried out in accordance with the approved details.

REASON: To ensure development is constructed as an appropriate level in the interests of integration with surrounding built form in the interests of Core Policy 8 of the Core Strategy 2006-2026 and the National Planning Policy Framework 2023.

31. Revised accessible parking

Notwithstanding the details in the approved plans, the development hereby approved shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority of an alternative accessible parking allocation that proposes a revised bay in place of Space 9 that provides improved access to the entrance to Block C. The works shall be carried out in accordance with the approved details and thereafter be retained.

REASON: To ensure safe and accessible parking for residents with disabilities in accordance with Core Policy 7 of the Core Strategy 2006-2026.

INFORMATIVE(S):

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the REASON:s given in this notice and it is in accordance with the National Planning Policy Framework.

2. An Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) has been entered into with regards to the application hereby approved.

3. During demolition and construction on site:-

(a) The best practical means available in accordance with British Standard Code of Practice B.S. 5228:1984 shall be employed at all times to minimise the emission of noise from the site.

(b) The operation of site equipment generating noise and other nuisance causing activities audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 to 1700 on Mondays to Fridays, 0800 to 1300 on Saturdays and at no time on Sundays or Public Holidays.

(c) At all times vehicular access to properties adjoining and opposite the application site shall not be impeded.

(d) All vehicles, plant and machinery associated with the works shall at all times be stood and operated within the curtilage of the application site only

and no parking of vehicles, plant or machinery shall take place on the adjoining highway.

(e) No waste or other material shall be burnt on the application site.

(f) A suitable and sufficient means of suppressing dust and fumes must be provided and maintained on the site and used so as to limit the detrimental effect of construction works on adjoining residential properties.

(g) No mud or other dirt shall be allowed to get onto the public highway where it could cause a danger to pedestrian and other road users.

4. The applicant will need to apply to the Council's Local Land Charges on 01753 477316 or email to 0350SN&N@slough.gov.uk for street naming and/or numbering of the unit/s.

5. 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. In order to comply with this condition, the developer is required to submit a longitudinal detailed drawing indicating the location of the highway boundary.

6. 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.

7. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues'.

8. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes

to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

9. 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.

10. The applicant is advised that there is a water supply pipe within the site and which serves Poyle New Cottages to the south of the site and which needs to be protected both during and after construction with ease of access for future maintenance.

11. The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airside Operations staff. In some instances it may be necessary to contact Heathrow Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

12. Regarding condition 5 above – the developer is advised to see Advice Note 1 'An Overview' for further information

13. Regarding condition 18 above – the developer should refer to Advice Note 2 'Lighting' - For further information Your attention is drawn to the Air Navigation Order 2005, Article 135, which states that, "A person shall not exhibit in the United Kingdom any light which: (a) by REASON: of its glare is liable to endanger aircraft taking off or landing at an aerodrome; or (b) by REASON: of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft." The Order also grants the Civil Aviation Authority

power to serve notice to extinguish or screen any such light which may endanger aircraft. Further information can be found Advice Note 2 'Lighting'.

14. Regarding condition 1 above – the developer must comply with Advice Note 3, 'Wildlife Hazards'

15. Regarding condition 12 above – the developer shall comply with Advice Note 4 'Cranes'

16. 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.

17. 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.

18. The access road will be subject to Section 219/220 of the Highways Act 1980. It is recommended that the road is designed and built under a section 38 agreement of the said act for its ultimate adoption.

19. The access road will be declared as "Prospectively Maintainable Highway" under section 87 of the New Roads and Street Works Act 1991.