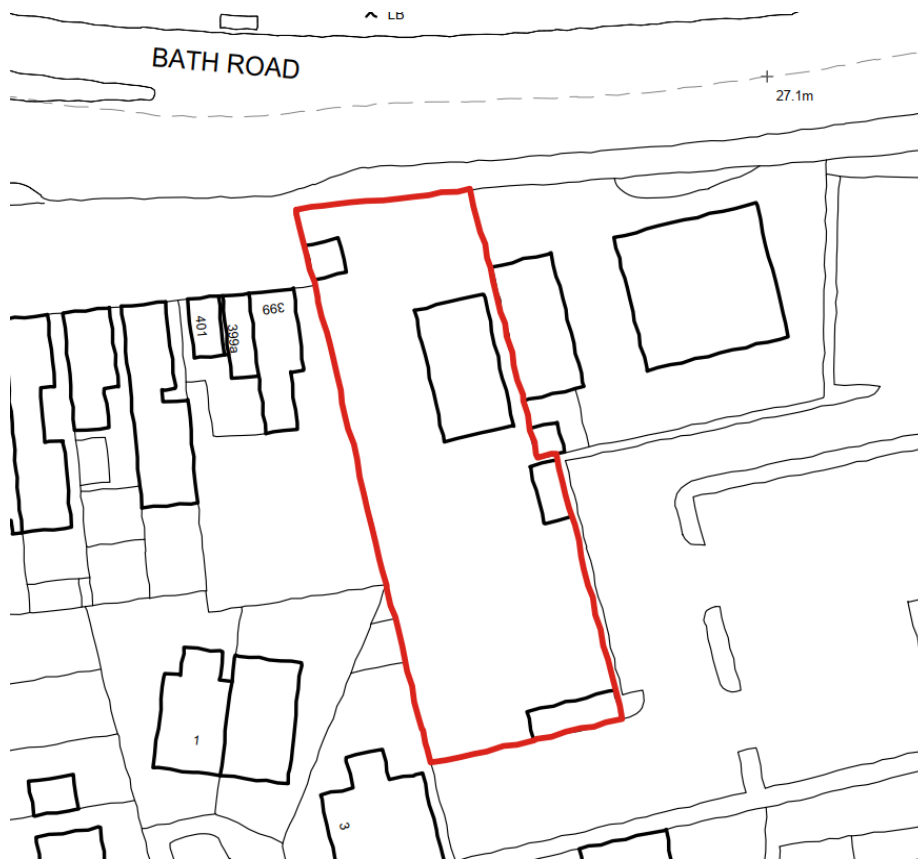


Registration Date:	21 June 2023	Application No:	P/01175/016
Officer:	Shivesh Seedhar	Ward:	Cippenham Green
Applicant:	Miss Eleanor Smith, Ibradavid House Ltd	Application Type:	Major
		13 Week Date:	20 September 2023
Agent:	Miss Eleanor Smith, Danks Badnell Architects Ltd. Kings Stables, 3-4 Osborne Mews, Windsor, SL4 3DE		
Location:	397 Bath Road, Slough, Berkshire, SL1 5QA		
Proposal:	Demolition of all temporary structures on the site, construction of a part four, part five storey apartment building to the northern frontage of the site, formation of a landscaped parking court and construction of five 2 storey cottages to the south with the first floor set within the roof.		

**Recommendation:** Delegate to Planning Manager for Refusal



## 1.0 **RECOMMENDATION**

1.1 Having considered the relevant policies set out below, the representations received from consultees and the community along with all relevant material considerations, it is recommended the application be delegated to the Planning Manager for refusal for the following reasons:

1. The proposed Bath Road frontage block, by virtue of its combined visual appearance, height, bulk and scale, and materiality would represent an overbearing form of development, harmful to the street scene, and not in keeping with the massing and appearance of the properties that sit within this section of Bath Road, which comprises of 2 storey, gable-roofed properties. In addition, the Mews houses to the rear of the site by virtue of their width would appear to be crammed into the site and are of a poor form and appearance. The area in between and around the proposed flats and Mews housing comprises a hard standing parking areas with no meaningful soft landscaping, and undersized and compromised usable private rear garden amenity space. Overall, the proposal would not create a high quality, beautiful and sustainable place or building(s), and would result in the provision of poor-quality housing. If approved, would also set a precedent for further uncharacteristic development across the wider selected key location. The proposal would conflict with the National Planning Policy Framework 2024, Core Policies 1 and 8 the Slough Development Framework and Policies EN1 and EN3, of the Local Plan, and would not meet the objectives for SKL1 as set out in the Site Allocations DPD (November 2010).
2. By virtue of the positioning of the proposed flatted block and Mews housing to the eastern boundary very close to the neighbouring selected key location, the applicant has not demonstrated that the proposal would be capable of being successfully integrated into a comprehensive redevelopment scheme for the neighbouring wider site allocation. The proposal therefore constitutes an unacceptable piecemeal over-development of the site which is not comprehensively planned or coordinated and would likely sterilise or significantly impact the efficient use of adjoining land. The proposal would fail to comply with Local Plan Policy H9, and the requirements National Planning Policy Framework 2024.
3. A number of the proposed kitchens and dining rooms in relation to the apartment block would fail to meet Daylight and Sunlight Standards as set out in the BRE Guidelines, failing to meet the minimum required Vertical Sky Component parameters (VSC). The proposed Mews houses from their front and rear elevations would also be compromised, given that they are looking out onto a car park, (northern elevation) and have limited interface to the southern site boundary. This is further compounded by the provision of undersized and compromised usable private rear garden amenity space, resulting in the provision of poor-quality housing. The proposed

landscaping scheme is considered to be of a poor amenity value and fails to provide suitable defensible space to the front of the Mews House dwellings and the rear facing ground floor flats. Further to this, no Noise Assessment has been provided as a part of the proposal meaning it cannot be sufficiently demonstrated if the future occupiers of the proposal would not be adversely affected by the noise generated from the A4 Bath Road. Cumulatively, the proposal would provide poor living conditions for the future occupiers of the development, failing to comply with Core Policy 8 of The Core Strategy, Policies EN1, EN3, and H14 of The Local Plan for Slough, would not meet the objectives for SKL1 as set out in the Site Allocations DPD (November 2010) and the requirements of the National Planning Policy Framework 2024.

4. Inaccurate and insufficient information has been provided when assessing the daylight and sunlight levels of No. 399 Bath Road and overshadowing to the garden of No. 3 Avon Close. The report also assesses a neighbouring approved scheme at No. 399 Bath Road which has not yet been implemented on site as opposed to the existing circumstances. Additionally, given the proximity of the Mews housing to No. 3 Avon Close, the neighbouring garden and rear windows / conservatory would experience a loss of privacy and an overbearing impact on the rear garden of No.3 Avon Close. The proposal would fail to comply with Core Policy 8 of The Core Strategy, Policy EN1 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024, and would not meet the objectives for SKL1 as set out in the Site Allocations DPD (November 2010).
5. No legal agreement has been entered into by the applicant, by way of a Section 106 agreement, for off-site infrastructure made necessary by the development including funding for education, affordable housing, the mitigation of impacts on Burnham Beeches Special Area of Conservation. As such, the application is contrary to policies 4, 7, 9 and 10 The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Slough Borough Council's Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106), advice in the National Planning Policy Framework 2024 and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
6. The development proposes an access which is substandard in width and would not allow two-way traffic flow. This would result in the vehicles accessing the site reversing onto the A4 Bath Road to give-way to vehicles egressing, resulting in conflicts between pedestrians and vehicles on the A4 Bath Road. This would result in an unacceptable impact on highway safety and fail to comply with Core Policy 7 of the Core Strategy 2006-2026 and the National Planning Policy Framework 2024.

- 1.2 In line with the current scheme of delegation, this application is to be determined at Planning Committee, as it is an application for a major development comprising more than 10 dwellings.

## **PART A: BACKGROUND**

### **2.0 Proposal**

- 2.1 The application proposal seeks full planning permission for the demolition of the existing structures on site to provide a part 4 storey, part 5 storey apartment block with mansard roofs fronting Bath Road to the north, containing 16 flats. At the rear of the site to the south, the construction of 5 x 2 storey Mews houses with the first floor set within the mansard roof. The dwellings will comprise of the following mix:

- 5 x 1 bed, 1 person flats
- 3 x 1 bed, 2 person flats
- 4 x 2 bed, 3 person flats
- 4 x 2 bed, 4 person flats
- 5 x 2 bed, 3 person Mews houses.

- 2.2 The proposal would also provide 11no. car parking spaces between the apartment block and Mews housing. Vehicular access will be provided via an undercroft to the front of the apartment block to the north of the site. Some soft landscaping is to be provided to the north of the site in front of the apartment block. Small private rear amenity spaces are provided for the proposed Mews housing and the roof of the apartment block will provide a roof terrace to provide communal amenity space.

- 2.3 In terms of the materials to be used, the apartment block is proposed to be constructed from brickwork, zinc cladding to the roof, with aluminum windows and doors, with areas of pink render or cast concrete used. With respect to the Mews housing, the materials to be used will be similar to the apartment block.

- 2.4 Amended plans and 3D views have been provided through the application process following comments from Planning Officers and the Council's Urban Design Advisor. The submitted plans and visuals received by the Local Planning Authority on 28<sup>th</sup> March 2024. However, after discussions with the agent, and advisement that all documents would have to match the information presented on the amended plans, Officers have conducted their assessment of the scheme on the basis of the originally submitted documentation.

- 2.5 In addition to these plans, the application is accompanied by the following documents:

- Design and Access Statement (as submitted alongside the original application)
- Daylight and Sunlight Assessment (as submitted alongside the original application)
- Energy Strategy Report (as submitted alongside the original application)

- Transport Assessment (as submitted alongside the original application)
- Drainage Strategy and SUDS Appraisal
- Preliminary Contamination Assessment
- Habitat Regulations Assessment (HRA) and Biodiversity Net Gain Assessment
- Topographical Survey.

### 3.0 **Application Site**

3.1 The application site currently comprises a car wash and car sales area with cars parked towards the rear of the site. These areas are currently housed under a gazebo-type structure and small wooden structure to the front of the site. There is also a single storey structure to the rear and a small single storey structure to the centre east of the site. The site lies within the southern section of Bath Road.

3.2 To the north of the site lies the A4 Bath Road, which is a main arterial route through Slough, connecting to Slough Town Centre. Further north is a number of two storey terraced properties with pitched roofs containing retail/commercial units at ground floor level and residential units at first floor level.

3.3 To the east of the site lies a petrol garage and immediately further east are two, two-storey warehouse structures which contain retail/commercial units. There is also a car park that forms a part of this site, which wraps around adjacent rear to the application site.

3.4 Immediately to the south of the site, there is part of a car park associated with the retail/commercial units to the east. Further to the south lies a youth club and Cippenham Baptist Church.

3.5 To the southwest of the site, there are three properties on Avon Close which face onto the rear of the application site from multiple aspects. It is noted that these are residential dwellings.

3.6 Immediately to the west of the site, there are a number of detached and semi-detached properties which, the majority of which (with the exception of two single storey properties) are two storeys with pitched and gabled roofs. At the ground floor level of these units, there are a mix of commercial, retail and restaurant/hot-food takeaway uses, with some residential uses at first floor level.

3.7 There are approximately five bus stops within 400m of the site which provide services to Slough, Heathrow and Maidenhead. Burnham Train Station is approximately 643m away, providing services to London Paddington, Abbey Wood and Reading.

3.8 The site lies within the eastern edge of Selected Key Location 01 allocated within the Site Allocations Development Plan Document (DPD). From the DPD, the reasons for the allocation include:

- Alternative uses may need to be found for the Trade Sales car showrooms and sites in this part of the Bath Road. This would

provide the opportunity for the comprehensive redevelopment and regeneration of the area.

Further to this, the site planning objectives for this area are identified below:

Any residential or mixed-use development should be comprehensively planned in a way which:

- Improves the appearance of this important main road frontage,
- Provides some family housing at the rear of the site,
- Includes suitable amenity areas or gardens,
- Minimises the number of access points onto the A4,
- Provides for cycleways where appropriate,
- Overcomes all flooding and drainage issues,
- Protects the amenities of adjoining residential areas.

3.9 As set out above, the site forms a part of Selected Key Location 1 allocated within the Site Allocations DPD. The site is not located within a Conservation Area and is located within Flood Zone 1. The site is also located within the Existing Business Area of Bath Road.

#### 4.0 **Relevant Site History**

4.1 P/01175/015 - Retrospective application for the change of use of car sales parking area to hand car wash with canopy and portable cabins for a limited period of 5 years

Approved with conditions 26-Aug-2022

P/01175/011 – Change of use of car sales parking area to hand car wash, with canopy and potable cabins.

Approved with conditions 11/01/2020

4.2 There are also some relevant planning applications in vicinity to the site:

426-430 Bath Road, Slough, SL1 6BB

P/00442/016 - Outline Planning Permission to include Matters of Access and Scale for the demolition of existing buildings and redevelopment to provide up to 75 dwellings, including access, parking, amenity space, landscaping, boundary treatments and associated infrastructure. Matters of Appearance, Landscaping, and Layout are Reserved.

Approved with conditions 25-Sep-2020

375 Bath Road, Slough, SL1 5QA

P/03444/003 - Demolition of existing commercial (Class E use) building and erection of a new 4-8 storey development accommodating 91 Class C3 self contained apartments with associated podium level amenity space, balconies and roof terraces, new vehicular access to ground level undercroft car park, plant rooms, bin and bicycle stores and Servicing/Loading Bay.

Resolved at Committee on 21/12/2022 to Delegate to Planning Manager for:

**Recommendation A:** Approval subject to:

- (i) the satisfactory completion of a Section 106 Agreement to secure affordable housing with review mechanisms, financial contributions towards education improvements sustainable transport and air quality improvements, Burnham Beeches SAC mitigation, Travel Plans, and provision of all necessary off-site s278 highways works to mitigate the impact of the development on the local highways network;
- (ii) Further to discussions already held with Natural England and as set out in this report, formal adoption by the Council (being the competent authority) of an appropriate assessment pursuant to the Habitats Regulations in order to conclude upon the likely impact of the development on the Burnham Beeches Special Area of Conservation (SAC) and the final form of any mitigation that is necessary to address that impact either: (i) by the Planning Manager acting in consultation with the Chair of the Planning Committee; or (ii) if considered necessary by the Planning Manager acting in consultation with the Chair of the Planning Committee, by being referred to a future meeting of the Planning Committee.
- (iii) Finalising conditions [and any other minor changes, including adding a condition for a car park management plan, and amendment to wording of condition 11 to require details of a management plan to ensure the building facades are adequately maintained to a good condition].

OR

**Recommendation B:** Refuse the application if the Section 106 Agreement is not completed by 31<sup>st</sup> March 2023 unless a longer period is agreed by the Planning Manager, in consultation with the Chair of the Planning Committee;

NOTE – at the time of writing, no decision notice has been issued in relation to this application.

324-372 Bath Road

P/19639/001 - Demolition of existing buildings and structures and redevelopment of the site in two phases incorporating six buildings with maximum heights of five, seven, eight and nine-storeys (excluding parapets) connected by two and three-storey elements. Provision of undercroft parking, circulation space, cycle and refuse storage facilities and associated plant rooms at ground floor level, in addition to commercial floorspace (Use

Class E) and residential communal areas. Provision of 231 residential units, private and communal external amenity space on upper floors with associated plant and PV panels at roof level. External areas at ground floor to include vehicular and pedestrian access, car parking, plant, hard and soft landscaping and attenuation pond. Proposed alterations to and widening of existing public right of way and public realm along Bath Road, new pedestrian crossing, and associated works (AMENDED DESCRIPTION AND PLANS).

No decision notice issued at the time of writing.

## 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 outside the site on 24/03/2023. The application was advertised as a major application in the 14/07/2024 edition of The Slough Express through a press notice. While five letters of objection have been received, the total objections received amount to three objections. This is because objections have been received from three separate addresses. Two addresses provided two letters each. All letters received object to the proposal with comments relating to the following:

- Development will lead to the area being overcrowded and concerns over water stresses.
- You are turning our lovely village into an over developed urban jungle.
- School places are oversubscribed, GP surgeries are difficult to access.
- Absence of parking will not discourage car ownership and there are parking issues on nearby roads.
- Public transport not adequate.
- Cycling not suitable for all such as disabled, elderly and young families.
- The building at the front would be too high with resulting loss of privacy and amenity to neighbouring properties in Avon Close.
- The development would result in congestion of properties of limited living space and insufficient provision for parking for residents.
- Mass and scale in prominent location and outside of the town centre would lead to a harmful impact on the character and appearance of the area.
- Would lead to harmful impact on future occupiers and neighbouring occupiers; unacceptable loss of amenity and privacy to neighbouring residents due to the potential for overlooking and an overbearing development. Would lead to unacceptable loss of amenity.
- The proposed development appears that it would likely lead to displaced parking on the highway and an unacceptable risk of serious harm on the local highway network through the additional traffic movements generated, especially in such close proximity to several immediate commercial sites as well as a local primary school.
- Unlikely to help achieve a sustainable, inclusive and mixed community.



- Application has failed to demonstrate that the proposal would need car, cycle parking and servicing requirements, leading to congestion and would be harmful to the local highway network.
- The proposed development is likely to not comply with Policies EN1, H14, T2 and T8 of the Local Plan for Slough March 2004, Core Policies 1, 4, 7 and 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the NPPF 2018.
- The proposal does not appear to have satisfactorily demonstrated that it would not have an unacceptable impact on surface water drainage which could lead to flooding. Therefore, the proposal is likely to conflict with Core Policy 8 and NPPF.
- The proposal does not appear to have satisfactorily demonstrated that it can provide the appropriate level and type of affordable housing, financial contributions towards infrastructure, air quality and crime prevention. Therefore, the proposal is likely to conflict with Policies 4 and 10 of the Core Strategy and the Developer's Guide. - The proposed development outside of Slough Town Centre appears to result in unsatisfactory development not in keeping with the surrounding area. The proposed mix of residential accommodation is unlikely to help achieve a sustainable, inclusive and mixed community.

In response to this, Officers have assessed the impact of the development on neighbouring occupiers (paragraph 14.0 of this report), future occupiers (paragraph 13.0 of this report), character and appearance (paragraph 11.0 of this report), and highways impacts (paragraph 15.0 of this report). In relation to affordable housing and financial obligations, the applicant has agreed with Officers heads of terms for financial contributions in relation to these matters (paragraph 21.0 of this report). Thames Water have also been consulted on this application and have not raised concerns in relation to water supply stresses.

## 6.0 **Consultations**

### 6.1 **SBC Highways and Transport**

#### **Vehicle Access**

The Local Highways Authority (LHA) would recommend refusal of the application given the vehicle access is not wide enough to allow two vehicles to pass each other. The site design would result in vehicles ingressing the development being forced to reverse onto the public highway if confronted with a vehicle egressing the development and this would be contrary to NPPF Para 116 which requires that applications for development: *'Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles'*.

Measurements taken from the proposed site plan indicate that an amended site layout could provide a 4.8m wide vehicle access which would allow two vehicles to pass each other. The site plan (Drawing No. 22-20-47) displays a 4.0m wide access over a distance of 17m. A 4.0m wide access is not wide enough to allow two modern cars to pass each other (or pass a delivery van). A Ford Mondeo is 2.12m wide and a VW Golf is 2.02m wide. A Mercedes Sprinter delivery van is 2.35m wide.



The Transport Statement (TS) includes a drawing which demonstrates 2.4m x 120m of visibility can be provided in each direction of the proposed site access junction. This meets the requirements of Design Manual for Roads and Bridges for a 40mph speed limit.

The TS includes a review of collision data which shows no collisions have occurred outside the proposed site access during the most recent 5-year period.

The applicant has confirmed that the gate for the development would be setback 7.0m from the back edge of the kerb to ensure delivery vehicles can wait clear of the highway whilst the gates to the development are opened.

### **Trip Generation**

The LHA would not raise an objection due to the trip generation impact of the site on queues and congestion. A forecast of vehicle trip generation has been completed using the TRICS database which is the national database for trip surveys.

The proposed development (compared to the existing use) is forecast to generate a net increase of 3 two-way vehicle movements in the AM and PM Peak Hours. This is equivalent to 1 trip every 20 minutes over an hour.

The development is forecast to cause a decrease of 13 vehicle trips over a 12-hour day (07:00 – 19:00) with the existing use assessed to generate up to 82 vehicle trips and the proposed use forecast to generate 69 vehicle trips during a day.

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*'.

## Access by Sustainable Travel Modes

Burnham Railway Station is located 550m (8 minutes' walk) from the site. This is considered an acceptable talking distance by the Chartered Institute of Highways and Transportation which advises that people will walk up to 800 metres to access a railway station, reflecting it's greater perceived quality and the importance of rail services.

Direct rail services to key employment destinations including Reading, Maidenhead, Liverpool Street and Canary Wharf are available as summarised in the table below:

Destination from Burnham	Journey Time	Frequency (Peak Hour)
Reading	20 – 22 minutes	4 per hour
Maidenhead	5 – 6 minutes	4 per hour
Slough Town Centre	3 - 4 minutes	6 per hour
Hayes and Harlington	13 – 14 minutes	4 per hour
Southall	21 – 30 minutes	6 per hour
London Paddington	32 - 39 minutes	6 per hour
Bond Street	35 – 42 minutes	7 per hour
Farringdon	40 – 47 minutes	6 per hour
London Liverpool Street	43- 50 minutes	6 per hour
Canary Wharf	49 – 56 minutes	6 per hour

The Chartered Institute of Highways and Transportation also advises that: *'Walking neighbourhoods typically characterised as having a range of facilities within 10 minutes' walking distance (Around 800 metres)* and that people will walk up to 800 metres to access a railway station, reflecting it's greater perceived quality and the importance of rail services.

For Bus Stops, a walking distance of 400 metres (and 200m within town centres) is deemed a reasonable walking distance by the Chartered Institute of Highways and Transport (CIHT) within their document: *'Planning for Walking and Cycling, 2015'*.

The nearest bus stops are less than 100m from the site on the A4 Bath Road (Everitts Corner). The A4 Bus Service provides 4 buses per hour to Slough Town Centre, Heathrow Airport and Cippenham. The No. 6 bus service offer 1 per hour between Maidenhead Town Centre and Wexham Court.

## Section 106 Contributions

SBC Transport Officers require a contribution of **£2,500** towards a Traffic Regulation Order for car parking restrictions to provide a double yellow parking restriction along the site frontage. A contribution of **£6363.46 (£303 per dwelling)** is also required towards the operation of Slough's Car Club. Research has shown that car clubs reduce car ownership by 22 vehicles per car club vehicle (CoMoUK Annual Car Club Report 2022).

A contribution of **£5,931** is also sought towards the upgrade of the Burnham Station Cycle Route.

## Car Parking

SBC Transport Officers have no objection to the proposed number of car parking spaces at the development.

12 car parking spaces are proposed on site which provides a ratio of 0.57 parking spaces per dwelling. Therefore, residents at 48% of the dwellings will need to live without a car. 2021 car ownership data for the whole of Slough shows that 28% of flat residents lived car free in March 2021.

The close proximity of Burnham Rail Station, bus stops and contribution towards the operation of Slough Car Club would ensure that some residents can live car free at the proposed development site.

The Slough Car Parking Standards would typically require 38 car parking spaces for a development with this mix of dwellings as shown in the table below.

<b>Slough Car Parking Standards (Predominantly Residential Area)</b>		
<b>Dwelling Type</b>	<b>Spaces per Dwelling</b>	<b>Total Car Spaces</b>
1-Bedroom Dwelling (x8)	1.5	12
2-Bedroom Dwelling (x13)	2	26
<b>Total Car Parking Spaces</b>		<b>38</b>

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

HSS Toolhire Site (Planning Ref: P/03444/003), Planning Committee determined the application with low levels of car parking such as 0.62 spaces per dwelling (no decision issued to date).

### **Blue Badge/Disabled Car Parking**

One of the proposed spaces would be designed and marked for use by blue badge/disabled drivers with 1200mm additional width to facilitate access. This is 9% of the 11 car parking spaces provided and exceeds the DfT recommendation that 5% of car parking is designed for Blue Badge Users.

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

### **Site Layout**

The application includes swept path analysis which demonstrates a large car measuring 4.8m long can ingress/egress each of the proposed car parking spaces.

### **Electric Vehicle Parking**

SBC Transport Officers require the installation of 11 active electric vehicle charging points on site, providing 1 EV Charging Point per dwelling with a car parking space.

The Slough Low Emissions Strategy (2018 – 2025) requires the provision of EV Charging Points for new dwellings with allocated parking. 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**

SBC Transport Officers consider the proposed cycle parking acceptable and in accordance with the adopted SBC Car Parking Standards.

A total of 24 cycle parking spaces are proposed comprising a store for 19 cycles for the 16 flats. Cycle sheds are displayed in the rear gardens for the five Mews houses located to the rear of the proposed development, providing one storage 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.

SBC also require the provision of Sheffield stands at the entrance to the proposed development to provide short-stay visitor cycle parking. These short-stay cycle parking spaces cater for those visiting the development on bikes or Deliveroo riders.

The Slough Developer's Guide requires the provision of short-stay visitor cycle parking for flatted developments of 10 dwellings or more.

### **Deliveries, Servicing and Refuse Collection**

SBC Transport Officers are satisfied that the delivery and servicing needs of the site could be accommodated safely under the proposed arrangements for deliveries and existing refuse collection arrangements. The NPPF requires that applications for development should *'Allow for the efficient delivery of goods, and access by service and emergency vehicles'*

The applicant has provided swept path analysis which demonstrates that the site can be accessed by a Mercedes Sprinter L3 H2 which is 6.96m long. Therefore, the site will allow access by delivery vehicles and also furniture delivery/removals vans. In addition, the applicant has agreed to an undercroft height of 3.7m to ensure that high delivery vehicles can enter the site.

Refuse vehicles would be able to collect under the existing arrangement and stop outside the shopping parade to collect bins from the proposed flats as part of the collection arrangement for the shopping parade.

Bin stores have been shown 15m from the edge of the public highway, which exceeds the council's maximum drag distance of 10 metres for EuroBins.

### **Summary and Conclusions**

The LHA would recommend refusal of the proposed development for the reason provided below:

### **Recommended Reason for Refusal**

### **Proposed Access Width**

The development proposes an access which is substandard in width and would not allow two-way traffic flow. This would increase the number of cars and delivery vans reversing onto the A4 Bath Road to give-way to vehicles egressing. This would result in conflicts between vehicles associated with the proposed site and existing highway users on the A4 Bath Road.

The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and Paragraphs 114, 115 and 116 of the National Planning Policy Framework.

### 6.2 **Urban Design Advisor**

Objection based on design and appearance. A series of comments have been provided by the Urban Design Advisor throughout the scheme and are reflected in the planning assessment below.

### 6.3 **Contaminated Land**

The preliminary assessment identified a potential medium risk associated with the site as it is, thus an intrusive site investigation is warranted.

Based on the above, I recommend the following conditions to be placed on the Decision Notice:

#### 1. Phase 2 Intrusive Investigation Method Statement

Based on the findings of the *Preliminary Contamination Assessment* (Ref. BC654 RE001) dated 17th April 2023, and prepared by The Brownfield Consultancy, 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 C665 & C552 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.

#### 2. 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 Land Contamination: Risk Management (LCRM) 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.

3. Phase 4 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 final 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 Phase 3 condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation that all such measures have been implemented by a competent installer and then verified by a qualified independent third party/Building Control Regulator.

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.

6.4

**Natural England**

**NATURAL ENGLAND'S ADVICE OBJECTION – FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 5.6 KILOMETRES OF BURNHAM BEECHES SPECIAL AREA OF CONSERVATION (SAC) WITHIN 5.6 KILOMETRES**

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment (HRA) is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. Please re-consult Natural England once this information has been obtained.

This application is supported by a HRA 20 April 2023. Although Natural England are broadly supportive of the direction of the HRA, we are not in a position to agree with the conclusions as yet. The Strategic Access Management and Monitoring Scheme (SAMMS) is the adopted mitigation strategy for development coming forward within Buckinghamshire Council (formally Chiltern and South Bucks Councils).

However, Upton Court Park Suitable Alternative Natural Greenspace (SANG) could function as the mitigation for this development with contributions made towards its improvement, should the SANG have sufficient capacity remaining.

When there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.

Due to new evidence on the impacts of recreational and urban growth at Burnham Beeches SAC carried out by Footprint Ecology in 2019, Natural England recognises that new housing within 5.6km of the internationally designated Burnham Beeches Special Area of Conservation (SAC) can be expected to result in an increase in recreation pressure.

The 5.6km zone proposed within the evidence base carried out by Footprint Ecology represents the core area around the SAC where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.

Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. These impacts, which have the potential to adversely affect its interest features, include:

- Contamination (e.g. dog fouling, litter, spread of plant pathogens);
- Increased fire risk;
- Trampling/wear (e.g. loss of vegetation, soil compaction, erosion, damage to trees from climbing);
- Harvesting (e.g. fungi, wood);
- Difficulties in managing the site (e.g. maintaining the grazing regime);
- Disturbance (e.g. affecting the distribution of livestock and deer).

In light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, to housing development within 5.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.

In March 2020 Buckinghamshire Council (formally Chiltern and South Bucks Councils) produced the now adopted Avoidance and Mitigation Strategy



Supplementary Planning Document (SPD) for Burnham Beeches. The SPD requires net dwellings within 5.6km of Burnham Beeches to make financial contributions towards the Strategic Access Management and Monitoring strategy (SAMM). Development in accordance with the Adopted Avoidance and Mitigation Strategy SPD would not be likely to have a significant effect on the SAC because they will provide, or make an appropriate contribution to, acceptable avoidance and mitigation measures. The planning authority can grant planning permission to such developments in accordance with the Regulations.

As we have discussed above, contributions towards the mitigation strategy for Slough Borough Council will be required to avoid adverse impacts at the SAC. Following confirmation that sufficient SANG capacity remains and agreement with the LPA, we will be happy to **remove** this objection.

However, development proposals which are not in accordance with the above would be likely to have a significant effect on the SAC, either alone or in combination with other plans and projects.

In accordance with Regulation 61, before granting planning permission for such a proposal, the planning authority must undertake an appropriate assessment of the implications of the development on the SAC, in light of the site's conservation objectives. The conservation objectives are to maintain and, where not in favourable condition, to restore, the Atlantic acidophilous beech forest habitat.

Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 62.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

## 6.5 **Thames Water**

### **Waste Comments**

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with

Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.” Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide ‘working near our assets’ to ensure your workings will be in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

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

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>.

## **Water Comments**

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

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

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater)

## 6.6 **Lead Local Flood Authority**

We would advise that there is **sufficient information** available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development. We consider that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of flooding.

### **Condition**

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

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

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

**Condition**

No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls.

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

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

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

**Condition**

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy, Ref. P/01175/016(007) DRAINAGE STRATEGY AND SUDS APPRAISAL has been submitted in

writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:

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

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

### **Informative**

Please note that the comment on the acceptability covers only submissions for the proposed surface water drainage scheme for the development. We ask to be re-consulted on this requested surface water drainage information. We will provide you with bespoke on formal re-consultation.

6.7

## **Air Quality and Noise**

### **Air Quality Comments**

An air quality assessment has been prepared by Syntegra Consulting Ltd in support of this application. The assessment considers the development's potential to cause air quality impacts during both the construction and operational phase, and exposure of future occupants to existing poor air quality.

### **Legislation and policy**

A summary of legislation and policy considered in the preparation of the assessment is provided in Section 2, followed by baseline data presented in Section 3. Pre-Covid data has been considered (2017, 2018 and 2019), consistent with advice from Defra.

### **Methodology**

The methodology is presented in Section 4. The process for undertaking a construction phase dust assessment is thoroughly described, followed by detail of the operational phase road exhaust emission assessment which again has been clearly outlined. Detail on the inputs for ADMS-Roads dispersion modelling have also been presented. Typically, Heathrow meteorological data is used, however the assessment refers to the Cippenham meteorological station. The wind rose presented in Figure 3 however shows a very similar pattern to that of Heathrow, therefore this is

accepted. Details of model verification are provided in the Appendix (Section 8) are also accepted.

### **Assessment results**

The assessment is presented in Section 5, starting with the dust assessment. When considering the number of human receptors close by the development site, the sensitivity of the receptors to potential dust impacts is high. The sensitivity of receptors to trackout is high, whilst all other dust activities are considered medium. Human health sensitivity to dust is however considered low. The magnitude of dust impact resulting from demolition, earthworks, construction and trackout is large to medium, and is considered to be a high to medium risk site for dust soiling. The unmitigated dust risk to dust soiling is high overall. A thorough list of mitigation measures taken from IAQM guidance is presented in Table 24. It is expected that these measures are incorporated into a Construction Environmental Management Plan (CEMP), which will be required via condition. It is agreed that implementation of these measures is expected to reduce dust impacts to be not significant.

Operational road traffic impacts have been scoped out, as the traffic generation is below the thresholds outlined within the IAQM guidance. This aligns with the information presented in the Transport Statement, which indicates that existing daily vehicle movements are 82 two-way trips, reducing to 69 two-way trips once the proposed development is operational.

The assessment has considered future exposure of proposed receptors of the development to existing poor air quality originating from Bath Road, with NO<sub>2</sub> and PM<sub>10</sub> predicted at the building façade using dispersion modelling. The results shown in Table 25 and in Figures 4 and 5 show that concentrations are far below the air quality objective level, therefore exposure risk is not likely.

### **Additional considerations**

The development will have 12 car parking spaces. The Transport Statement indicates that four of these spaces would have access to EV charging, and the remainder of spaces will be equipped with connections to meet potential future demand. This is accepted. Full details will be required via condition.

The Design and Access Statement states that “the location of the site will likely require Mechanical Ventilation systems to filter the air. As a matter of course we would expect these to be installed to ensure sufficient ventilation is provided. An AQA accompanies the application”. The requirement for ventilation does not feature in the air quality assessment, nor have details of a ventilation system been included in the planning application. In addition, it is expected that mechanical ventilation will also be required to mitigate against noise impacts, however no noise assessment has been completed. Further detail of this system should be supplied to ensure that it address both noise and air quality considerations.

### **Mitigation Requirements**

- Electric vehicle re-charging infrastructure should be provided in line with table 7 of the LES Technical Report.
- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works and include details of noise and dust control, and the following emission controls:
  - Non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
  - All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report

### **Environmental Noise Comments**

No environmental noise assessment appears to have been submitted alongside this planning application. As such, it has not been demonstrated that the future receptors of the proposed development would not be adversely impacted by noise, particularly road traffic noise due to the proximity of the development to the A4.

The proposed development includes external amenity space in the form of balconies, which face out onto the A4. As such, it is not evident that these outdoor spaces would not be exposed to high noise levels and therefore their suitability is uncertain.

The noise assessment is typically used to ascertain the performance of glazing and ventilation required to ensure internal noise levels in line with BS8233 can be achieved. Without a noise assessment, it is not possible to determine this. As such, it is recommended that this application is refused until a noise assessment has been submitted.

## **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 12<sup>th</sup> December 2024. 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.

The National Planning Policy Framework 2024 states that decision-makers at every level should seek to approve applications for sustainable development where possible and planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Following the application of the updated Housing Delivery Test set out in the National Planning Policy Framework 2024, the Local Planning Authority cannot demonstrate a Five-Year Land Supply. Therefore, when applying Development Plan Policies in relation to the distribution of housing, regard will be given to the presumption in favour of sustainable development tilted in favour of the supply of housing as set out in Paragraph 11 of the National Planning Policy Framework 2024 and refined in case law.

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

- Limited
- Moderate
- Considerable
- Substantial

Planning Officers have considered the revised National Planning Policy Framework 2024 which has been used together with other material planning considerations to assess this planning application.

7.2

**National Planning Policy Framework (NPPF) 2024:**

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

**Slough Local Development Framework Core Strategy 2006-2026  
Development Plan Document policies, December 2008:**

- Core Policy 1 – Spatial Strategy
- Core Policy 3 – Housing Distribution
- Core Policy 4 – Type of Housing
- Core Policy 5 - Employment
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment



- Core Policy 9 – Natural and Built Environment
- Core Policy 10 – Infrastructure
- Core Policy 12 – Community Safety

#### **Adopted Saved Policies in the Local Plan (2004)**

- H14 – Amenity Space
- EN1 – Standard of Design
- EN3 – Landscaping
- EN5 – Design and Crime Prevention
- T2 – Parking
- T8 – Cycling Network and facilities

#### **Local Development Framework Site Allocations Development Plan Document**

- Selected Key Location 1 – Sites at Bath Road, Cippenham



Relevant strategic Objective(s)	A B C D
Zoning	Flood zone: (Part- eastern edge) 2 and 3 (Majority) Existing Business Area
Current use(s)	Employment and retail
Possible Policy Relaxation	Loss of existing business area in order to allow for residential or mixed use development.
Reason(s) for Allocation	Alternative uses may need to be found for the Trade Sales car showrooms and sites in this part of the Bath Road. This would provide the opportunity for the comprehensive redevelopment and regeneration of the area.
Site Planning Objectives	Any residential or mixed use development should be comprehensively planned in a way which <ul style="list-style-type: none"> <li>• Improves the appearance of this important main road frontage,</li> <li>• Provides some family housing at the rear of the site,</li> <li>• Includes suitable amenity areas or gardens</li> <li>• Minimises the number of access points onto the A4</li> <li>• Provides for cycleways where appropriate</li> <li>• Overcomes all flooding and drainage issues</li> <li>• Protects the amenities of adjoining residential areas</li> </ul>

Site Reference	SKL1	Ward	Chalvey
Address	Sites at Bath Road, Cippenham		
	It is not proposed that there should be any further retail development or any office development in this out of town centre location.		
Background	<p>The site is currently occupied by a range of retail or employment uses, half of which are occupied by the Trade Sales car showrooms and sales areas.</p> <p>It is identified as an Area of major Change in the Core Strategy. If the car sales operation ceases on the various sites there would be the opportunity to comprehensively regenerate this important main road frontage in a way which would improve its appearance and make better use of the land. The site could be redeveloped for residential use, even though it is currently zoned as an Existing Business Area.</p> <p>The design and layout of any development would have to take account of flooding and drainage issues, the juxtaposition of adjoining residential property and the need to create an attractive and distinctive development on this important main road frontage.</p>		

### **Supplementary Planning Documents and Guidance**

- National Planning Practice Guidance
- Slough Local Development Framework, Residential Extensions Guidelines, Supplementary Planning Document, Adopted January 2010
- Slough Borough Council Developer's Guide Parts 1-4
- Proposals Map 2010
- Nationally Described Space Standards
- Slough Borough Council's Draft Low Emission Strategy (LES 2017-25)
- ProPG: Planning & Noise: Professional Practice Guidance on Planning & Noise. New Residential Development. May 2017

#### 7.3 National Planning Practice Guidance (NPPG)

The NPPG was first published in 2014 and is iterative web-based guidance that is designed to complement the NPPF across a range of topics.

#### 7.4 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.

#### 7.5 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.

#### 7.6 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.

## **PART B: PLANNING APPRAISAL**

### **8.0 Planning Assessment**

8.1 The planning considerations for this proposal are as follows:

- Land Use
- Housing Mix
- Design and impact on the character and appearance of the area
- Comprehensive development
- Living conditions for future occupiers of the development
- Impact of the amenity of the adjoining occupiers
- Highways and car parking
- Crime Prevention
- Ecology and Biodiversity Net Gain
- Air quality and noise
- Contaminated land
- Flooding and surface water drainage
- Affordable housing and Infrastructure
- Making effective use of land
- Equalities considerations
- Planning balance

### **9.0 Land Use**

9.1 The proposed development would result in the loss of a car wash facility, car sales and valeting business (Sui Generis use) to provide a part 4 storey, part 5 storey block of 16 flats to the front of the site, and 5x 2-storey Mews houses to the rear of the site. The car wash facility continues to trade, however there are no permanent structures on the site and the current condition of the premises is of low value and does not contain any permanent usable employment generating floorspace. Therefore, as there remains a use on the site, the proposals would result in some loss of employment. The site is located within an Existing Business Area.

9.2 Paragraph 61 of the NPPF states that in order to support the government objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 125 (c) of the NPPF states that planning policies and decisions

should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

- 9.3 The Council's Spatial Vision is set out in the Slough Local Development Framework Core Strategy 2006-2026 to confirm that:

*“There will also be the selective regeneration of other key areas, in a sustainable way, in order to meet the diverse needs and improve the prosperity and quality of life of Slough residents. The existing business areas in Slough will have an important role in maintaining a thriving local economy and providing a range of jobs for an increasingly skilled local workforce.”*

It is also considered that the following key strategic objectives of the Spatial Strategy are relevant and warrant consideration in regards to the proposed development:

Strategic Objective A;

*“To focus development in the most accessible locations (emphasis added) such as the town centre, district and neighbourhood centres and public transport hubs and make the best use of existing buildings, previously developed land and existing and proposed infrastructure.”*

Strategic Objective C:

*“To provide housing in appropriate locations which meets the needs of the whole community; is of an appropriate mix, type, scale and density; is designed and built to high quality standards and is affordable”.*

- 9.4 Further to this, the Spatial Strategy recognises that not all development could or should take place in the town centre and that some other areas within the Borough need to change. An important part of the “spreading the benefits” part of the strategy is that selected areas outside of the town centre should also be regenerated. This includes the Cippenham/Bath Road Selected Key Location (SKL01) which is where the application site is located.

- 9.5 Paragraph 7.13 of the Core Strategy (Spatial Strategy) acknowledges that:

*“Some relaxation of the policies and standards in the Core Strategy may be permitted in order to maximise the potential social, environmental and economic benefits that planned regeneration may bring.”*

- 9.6 Paragraph 7.14 of the Core Strategy allows for the redevelopment of individual sites in the more accessible “urban” areas of the town. This will generally be confined to Existing Business Areas, District and Neighbourhood Shopping Centres, some main road frontages and other mixed-use medium or high-density areas that are well served by public transport. It is noted that there are relatively few areas within Slough with the potential for comprehensive regeneration outside of the town centre and Selected Key Locations. The site comprises previously development land, falls within a Key Location and constitutes a good opportunity to contribute

towards housing supply as well as regenerating a highly accessible and well served area with good commercial and community facilities which has a low-quality environment at present.

- 9.7 The Site Allocations Document and Emerging Spatial Strategy both identify the area which the application sits in as a “Selected Key Location” suitable for large scale regeneration or development. The area was identified (originally) in the Site Allocations Plan (2010) as a “Selected Key Location for Comprehensive Regeneration” where major residential or mixed-use development could take place. The aim of the Spatial Strategy with respect to this Key Location is to regenerate this area of Cippenham, provide new housing and provide space for some employment uses. This would be achieved through redevelopment of either all or most of the existing buildings/vacant sites to provide primarily new residential accommodation. This, combined with public realm improvements would improve the environment for this part of the A4 corridor. Some mixed use or incorporation of appropriate small scale commercial or community uses is possible.
- 9.8 The Council’s emerging strategy is considered to expand upon the 2010 Site Allocations Document which promotes comprehensively planned or comprehensively coordinated redevelopment to deliver regeneration and to optimise the capacity of the site for new homes. The Strategy acknowledges there is a need to optimise capacity to assist with development viability and to provide an incentive for landowners to redevelop bearing in mind some plots have existing commercial uses and to ensure the quality of development is sufficient to provide a step change to the image of the area. The Spatial Strategy identifies that *‘as part of that optimisation a balance needs to be struck between the scale of development and the impact on nearby existing homes and the effect on the character of Cippenham’*.
- 9.9 Officers consider that the overall principle of development of the site to provide residential accommodation by way of 21 x new homes would accord with the Council’s adopted Spatial Vision and Strategic Objectives as set out in the Core Strategy which permits regeneration in other key selected locations outside of the town centre in order to increase the supply of housing in the borough and assist regenerating areas that are in need of investment and environmental improvements.
- 9.10 However, whilst a higher density form in this location is justified in policy terms, the site does present a number of constraints from adjoining land uses south and west of the site, which could have an impact to the southern parts of the site as a result of the proximity of the proposed Mews housing and presence of residential dwellings which could be negatively affected by any over-development of the site. These matters are considered further in the *Design and Impact on adjoining occupiers* sections of this report.
- 9.11 Notwithstanding the matters above, it is considered that a standalone development of this site would facilitate and support the comprehensive development of the wider Selected Key Location SKL01. The site lies on brownfield land within a built-up area and is within an accessible position in relation to the provision of social and commercial services and public modes of transport consistent with Strategic Objectives A and C of the Core Strategy.

9.12 The proposed demolition of the existing structures along the redevelopment of the site for residential development is capable of being compliant with the Spatial Vision and Key Strategic objectives A and C as set out in the Core Strategy, and the Site Allocations Document and Core Policy 1 of the Core Strategy Development Plan Document which encourages proposals for the comprehensive regeneration of selected key locations within the Borough at an appropriate scale. The proposals are also compatible with the policies and guidance within the NPPF in terms of making effective use of land, achieving well-designed places and creating a strong economy. Accordingly moderate positive weight is afforded in the planning balance. The following sections in the report will address whether the development achieves an appropriate balance between regenerating the area and providing an acceptable mix of housing at an appropriate scale and protecting existing residential amenity.

## 10.0 **Housing Mix**

10.1 At a local level, the development proposals for new housing on this site at this location would be broadly supported by Core Policy 1 (Spatial Strategy) of the Core Strategy. The policy requires that development should take place within the built-up area on previously developed land and that the proposals for the comprehensive regeneration of selected key locations within the Borough will also be encouraged at an appropriate scale.

10.2 Core Policy 3 (Housing Distribution) sets out the housing requirement for Slough as it was in 2008. This states that: 'A minimum of 6,250 new dwellings will be provided in Slough between 2006 and 2026.

10.3 This minimum number has been exceeded already. But the 6,250 requirement has been superseded by the subsequently introduced requirement to use Objectively Assessed Housing Need for housing figures. This results in approximately 11,400 as a housing need figure for the Core Strategy plan period. By April 2026 it is currently estimated that there will be a 1,300 home shortfall. And current estimates based on preparation for the proposed new Local Plan indicate a 6,000 to 7,000 shortfall over a new plan period.

10.4 As a result 11,400 is the housing target that the application should be considered against rather than the published Core Strategy target of 6,250.

10.5 The Local Planning Authority cannot demonstrate a Five Year Housing Land Supply. As of April 2024, the Council had a 2.2 year supply inclusive of a 20% buffer applied as a result of the latest Housing Delivery Test. As such, the policies in the Adopted Development Plan which relate to housing supply are treated as out of date. In accordance with Paragraph 11 of the National Planning Policy Framework (inc. footnote 8), the most important policies for determining the application are out-of-date. While an assessment based on the relevant development plan policies and development plan as a whole will be carried out, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (tilted in favour of housing), when assessed against the policies in the Framework taken as a whole.

10.6 The proposal for 21 residential units within a Selected Key Location would make a modest contribution to the supply of housing within this part of Slough. Given that that the tilted balance is engaged, this contribution would in principle attract positive weight in the planning balance. No affordable housing is proposed onsite as a part of the scheme, with commuted sums being proposed.

10.7 With regard to the mix, one of the aims of National Planning Policy is to deliver a wide choice of high-quality homes and to create sustainable, inclusive and mixed communities. This is reflected in Core Strategy Policy 4. The Local Housing Needs Assessment for RBWM, Slough & South Bucks (October 2019) suggests in table 39 the following percentage mixes are needed within Slough:

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>
<b>Market</b>	5	19	57	20

10.8 The proposed scheme would provide 21 residential units with a range of mixes as set out in the table below:

<b>Type</b>	<b>No of units</b>	<b>Percentage</b>
<b>1 bed 1 person</b>	<b>5</b>	<b>24%</b>
<b>1 bed 2 person</b>	<b>3</b>	<b>14%</b>
<b>2 bed 3 person</b>	<b>9</b>	<b>43%</b>
<b>2 bed 4 person</b>	<b>4</b>	<b>19%</b>
<b>Total</b>	<b>21</b>	<b>100%</b>

10.9 This equates to 38% one-bedroom units, and 62% two bed dwellings. This housing mix is considered to reflect the typologies of dwellings suitable for a higher density location akin to a town centre. However, as the location comprises some characteristics typical of town centres such as good access to local shops and facilities (Elmshott Lane & Bath Road), Open spaces (Cippenham Recreation Ground), Employment Areas (the Slough Trading Estate) and public transport (Buses and Rail) and is easily accessible to travel into the centre of Slough or Maidenhead, a predominantly flatted development would be acceptable. Officers are aware of a nearby development at Atria House (consented under a Prior Approval) which comprises predominantly smaller units which has been well occupied. 426-430 Bath Road also comprises a recently approved development with a similar dwelling mix. In addition, good access to the recently opened Elizabeth Line at Burnham Station is also considered to add to the desirability of the location which make it more attractive to occupiers residing in flats.

10.10 Officers consider that the principle of providing one-bedroom and two-bedroom dwellings in this location would be acceptable. This would be supported by the adopted Local Development Plan, noting that Paragraph 7.56 of the Core Strategy sets out that whilst the council will seek a mix of accommodation, it recognizes that the ability to deliver a mix will be limited within high density sites and that the main supply of new family housing will have to come from elsewhere in the borough. Therefore, although the mix of dwellings would not provide any large dwellings, it is considered that the predominantly flatted form of smaller 1-bedroom and 2-bedroom units would be appropriate as a result on the constraints on site.



10.11 Whilst the SKL01 site planning guidelines recommends that some family housing could be provided at the rear of the Bath Road frontage blocks which could have potentially been feasible in a comprehensive redevelopment scenario. However, it is noted that there would be a level of car parking required which would take up a sizeable proportion of the site. Given this, and its proximity to Bath Road, it is considered by Officers that the site and surrounding urban environment would not suitably lend itself to provide family sized housing. However, while it is accepted that providing family housing on the site is a constrained, the absence of 3 bed flats does temper the benefits somewhat.

10.13 Although the proposals are not fully consistent with all elements of the Council's Core Housing policies in terms of mix, type and location, limited weight given to Core Policies 3 and 4 due to the broadly out-of-date nature of the policies and due to the substantially higher housing needs for Slough as calculated by the Housing Needs Test. The lack of a 5-year housing supply triggers the need to apply the tilted balance in the NPPF (as set out in paragraph 11). Given the above, moderate positive weight would be afforded to the proposed unit mix.

#### 11.0 **Design and impact on the character of the area**

11.1 In relation to achieving well-designed and beautiful places, Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

11.2 Further to this, Core Policy 8 of the Core Strategy sets out that in terms of design, all development should:

- a) *Be of high quality design that is practical, attractive, safe, accessible and adaptable;*
- b) *Respect its location and surroundings;*
- c) *Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
- d) *Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.*

Policy EN1 of the Adopted Local Plan states that all development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses.

It is noted that objections have been received, citing concerns with the massing and scale of the proposal, and the impact of these to the character and appearance on the area. This is discussed in detail in the sections below.

- 11.3 This current proposed scheme would comprise of a part 4, part 5 storey apartment block with a mansard roof (forming the 4<sup>th</sup> and 5<sup>th</sup> storey), facing onto Bath Road. The front of the site providing access to the rear of the site off Bath Road for car parking and the proposed Mews housing to the rear. The apartment block would contain 16 flats.
- 11.4 The Mews housing to the rear would comprise of 4 Mews houses, which are two storeys in height (single storey with accommodation contained within the mansard roof). These houses would sit rear to the site. The principles of the design and appearance as outlined above are discussed in turn below.
- 11.5 The proposed apartment block would provide 16 flats and would be part 4 storey, part 5 storeys in height, with the top floor being a mansard roof and containing communal amenity space. The proposed Mews housing would provide 5 Mews houses, two storeys in height, with the top floor being a mansard roof.
- 11.6 With respect to the apartment block, the block would be approximately 16.6m in width, and 19m in depth. The proposed 5 storey element would be 15m in height including the mansard roof, and the 4-storey element would be 12.3m in height.

From reviewing the plans and elevations, Officers are of the view that the proposed mansard roof, due to a lack of a sufficient set in from the flank elevations to both mansard roof elements, and inadequate setbacks to the front and rear of the mansard roof designs would result in a bulky, over-dominant and overbearing feature which would be harmful to the street scene and the prevailing character of the area, in particular the properties to the west which are predominantly two storey properties, resulting in an overbearing form of development. Furthermore, the proposal would provide a poor visual transition to the wider SKL to the east, due to the substantial scale and bulky massing the upper floor elements of the apartment block, which would be an uncharacteristic development in the wider site allocation.

No windows or detailing are provided to the flank elevations. It is considered by Officers that this would provide a shear blank and sterile visual appearance, which would be visible to the street scene and surrounding area.

The proposed external framing providing balcony areas at ground first floor and second floor level would provide two different colours/material palettes, which would appear quite irregular and poorly composed for this framing feature along the front elevation.



Above: Proposed Front Elevation

The proposed Mews housing to the rear of the site comprises of 5 dwellings. The proposed height of the dwellings would be 6m in total, two storeys in height and 9m in depth for three of the Mews houses. Three of the Mews houses (Mews Houses 1, 2 and 3) would be 3.75m in width internally. It is considered by Officers that the Mews houses, as a result of their width would provide a cramped form of development. The Mews housing would stretch across to lie along both side boundaries and would appear squeezed into the site, resulting in a poor appearance and form. This is exacerbated by the vast hard standing area between the Mews housing and apartment block with minimal soft landscaping and further exacerbated small rear garden gardens for the Mews houses 2.8m (min). it is considered by Officers that the proposed layout would result in a poorly design scheme as a result of its tight and unsatisfactory relationship between the two blocks, with the central courtyard being significantly constrained and overly dominated by parking and space for vehicular movement.

#### 11.8 *Landscaping*

The National Design Guide sets out that public open space should provide opportunities for comfort, relaxation, stimulation and social interaction in a safe environment. To encourage interaction in an open space, its location and structure need careful consideration along with its activities, versatility, and how it can be used and accessed by all groups of people.

Policy EN3 of the Local Plan sets out that:

Comprehensive landscaping schemes will be required for all new development proposals. Where there are existing mature trees, or other features such as watercourses, which make a significant contribution to the landscape, these should be retained and incorporated into the new scheme. Landscaping should be carried out in the first planting season following the completion of the proposed development and a scheme for the subsequent

maintenance and retention of the existing and proposed planting should be established. Off-site planting may be required for development proposals where there is a substantial loss of landscaping on site or where there is the opportunity to enhance existing landscaping in the vicinity of the development.

In addition, landscaping schemes must have regard to all of the following:

- a) impact upon the street scene;
- b) screening effect of the proposed landscaping;
- c) use of both hard and soft landscaping to soften the built form;
- d) variety of plant and tree species and their appropriateness for the location;
- e) the extent to which landscaping can act as a means of enclosure;
- f) improvements to visual amenity; and
- g) opportunities for creating new wildlife habitats.

In some cases, it will be more appropriate for landscaping schemes to be initiated prior to construction.

The Site Allocations DPD sets out for SKL01 a number of site planning objectives, states inter alia that any residential or mixed use development should be comprehensively planned in a way which:

- Improves the appearance of this important main road frontage.

Landscaping is provided to the front of the apartment block to Bath Road, with some trees indicated to the front of this. The provision of this vegetation and landscaping would be in close proximity to the Road Widening Line.

The apartment block to the Bath Road frontage would be set forward of the established building line of both the small-scale commercial block of development to the west of the site and the other developments to the east of the site. This limits the ability of the site to deliver any meaningful improvements to the public realm along Bath Road, for example tree planting. This would be further exacerbated when a program for road widening were to be brought forward in future. The current landscaping arrangement would abut the road widening line, with the front elevation of the apartment block being 2m away from the road widening line at its nearest point. Whilst provisions of this would not impact the deliverability of the development or any future road widening scheme or cycle route, it would bring the proposal closer to what is a busy highway and thoroughfare and reduce the effectiveness of the defensible space of the landscaping which separates the ground floor flat from the highway and public pavement. This arrangement in combination with the narrow width of the site as discussed above would lead to a lack of sufficient defensible space between the Mews housing entrances and car parking area provided, and constrained rear amenity areas to these houses.

As noted above, within the site between the proposed flats and Mews housing there would be a vast area of hard standing and limited

landscaping, resulting in a poor residential character of the site particularly when viewed by the future occupiers. With respect to the Mews housing, a small strip of landscaping is indicated on the plans, around 1.2m in depth. It is not considered by Officers that this would provide sufficient defensible space, particularly when considering that the Mews court environment would be dominated by parking and vehicular movements. The front elevation of Mews House 1 and 2 would be only 1.2m away from one of the parking bays. The overall landscape strategy provides landscaping of a poor ecological and amenity value, which is further sterilized by the location and design of the car parking between the Mews housing and apartment block.

Overall, the proposed landscaping scheme would not be compatible with the residential scheme proposed through this application. It is not considered by Officers that the landscaping and amenity areas would provide sufficient visual amenity for a residential scheme or opportunities for comfort, relaxation, stimulation and social interaction in a safe environment. The landscaping proposed would fail to improve or enhance the visual amenity of the area (with respect to the space between the apartment block and Mews housing), nor has it provided sufficient screening or defensible space. As such, the proposal would fail to meet the aims of policy EN3 of the Local Plan and would be in conflict and fail to achieve the planning objectives for SKL01, as it would not improve the appearance of this important main road frontage.

#### 11.9 Summary:

The proposed Bath Road frontage block, by virtue of its combined visual appearance, height, bulk and scale, and materiality would represent an overbearing form of development, harmful to the street scene, and not in keeping with the massing and appearance of the properties that sit within this section of Bath Road, which comprises of 2 storey, gable-roofed properties. In addition, the Mews houses to the rear of the site by virtue of their width would appear to be crammed into the site, and are of a poor form and appearance. The area in between and around the proposed flats and Mews housing comprises a hard standing parking area with no meaningful soft landscaping, and undersized and compromised usable private rear garden amenity space. Overall, the proposal would not create a high quality, beautiful and sustainable place or building(s), and would result in the provision of poor-quality housing. If approved, would also set a precedent for further uncharacteristic development across the wider site allocation. The proposal would conflict with the National Planning Policy Framework (2024), Core Policies 1 and 8 the Slough Development Framework and Policies EN1, and EN3 of the Local Plan, and would not meet the objectives for SKL1 as set out in the Site Allocations DPD (November 2010). Considerable adverse weight is applied in the planning balance.

## 12.0 Comprehensive Development

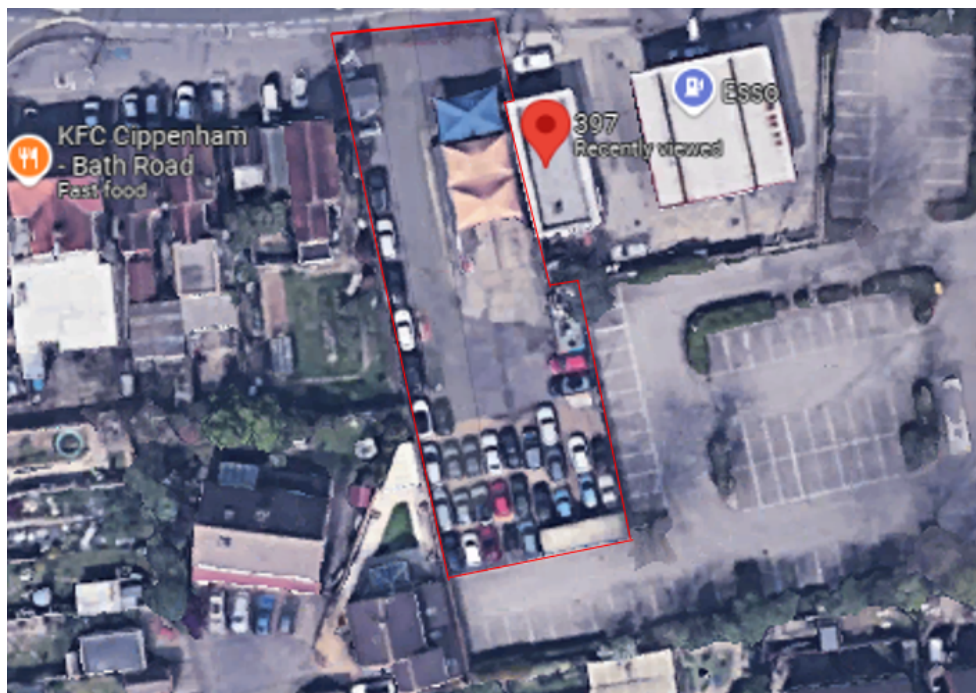
12.1 Policy H9 of the Local Plan states that:

*A comprehensive approach should be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised. Commercial schemes which sterilise residential land or prejudice the ability of potential residential units being provided or brought into use will not be permitted.*

12.2 Paragraph 129 of the National Planning Policy Framework requires planning decisions to support development that makes efficient use of land by taking into account the desirability of promoting regeneration and change and the importance of securing well-designed, attractive and healthy places.

12.2 The proposed site is on the western edge of a larger site allocation as a Selected Key Location for Comprehensive Regeneration, SKL1 within the Slough Site Allocations DPD.

12.3 The area highlighted in purple illustrates the current proposal site, relative to the SKL1 site allocation. As can be viewed, the site forms part of the south-western boundary of allocated site. It is noted that the area due west of this location is not identified for redevelopment and features a mix of 2 storey residential dwellings and more domestic scale 2 storey commercial developments set-back from the Bath Road frontage.



12.4 To the eastern side and southern rear of the site currently lies a petrol station (east) and rear car park (south). There is rear Mews housing that would overlook onto this car parking area. As noted earlier in the report, this site forms a part of a larger Selected Key Location (SKL01). This means that the proposed car parking area to the east and south of the site could potentially

come forward for development in the future. The application proposal has not effectively demonstrated how the proposal has considered potential future re-development of these adjacent sites as a part of the wider SKL01 allocation.

- 12.5 As set out in the above text, the site would form a narrow part of a wider key location (SKL01) which has been identified as an area for comprehensive redevelopment. Through the pre-application and application stage discussions, Officers have attempted to work with the applicant and their design team to bring forward a scheme which maximizes the opportunity of the site, without fettering the more strategic ambitions for this cluster of sites, whilst also addressing considerations of retaining the amenities of adjacent developments. It is not clear how proposed positioning of flats and Mews houses given their siting by the boundary could be successfully integrated into a redevelopment scheme for the neighbouring site allocation. For these reasons it is considered the proposal is not comprehensively planned and would likely sterilise or significantly impact the efficient use of adjoining land which is allocated for comprehensive redevelopment and conflicts with the objectives set out in SKL01.

Based on the above, the proposal would fail to comply with Local Plan Policy H9, Core Policy 1 of the Core Strategy, and the requirements National Planning Policy Framework 2024. Some negative weight should be applied to the planning balance.

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

- 13.1 The NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 13.2 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", as set out in the supporting text.
- 13.3 The dwellings and flats all meet and exceed the national space standards for the size of units proposed, which is acceptable in planning terms.
- 13.4 The sunlight and daylight report has also provided analysis results for the proposed development which is discussed below. Officers note that objections have been received in relation to the development, citing concerns with the living conditions for future occupiers of the development. These matters are discussed and assessed below.

#### *Daylight*

- 13.5 The British Research Establishment (BRE) provides written guidance in relation to daylight and sunlight. With respect to the Vertical Sky Component (VSC) which assesses the level of illuminance, the BRE advise that a VSC of 27% should provide reasonable daylight falling on the plane of the



window. If the levels fall below that, it should not fall more than 80% (or 0.8 times) its former value. It is noted that within urban inner-city environments, VSC values in excess of 20% could be acceptable. For the proposed development, a self-test has been undertaken to determine whether the habitable rooms in the new residential property would receive sufficient levels of daylight and sunlight for the future inhabitants.

### *Analysis*

- 13.6 With respect to the analysis results provided, 25 windows would fail to meet the BRE Guidelines of 27% in respect to VSC. Of these windows, 5 would open to bedrooms. The VSC levels of these windows range between 19.89-25.74. With regards to the bedrooms, it is considered by Officers that these areas are less reliant on daylight to these areas than living areas, and therefore a lower level in these locations may be acceptable. With regards to the remaining 20 windows, these spaces open to kitchen/living rooms. Of these, 3 of these would open to a room which has an additional window, which have a VSC over 27%. In addition to this, 5 of the windows that fail to meet BRE standards are within the Mews Housing, each of which contain additional openings to these rooms which exceed BRE guidelines being over 27%. It is noted that these would be to the rear elevation and these windows would all open to an open plan ground floor which contains kitchen/dining and living room spaces. Notwithstanding this, these windows would only be 2.96m (for Mews houses 1-3), 5.9m (Mews House 4), and 8.9m (Mews House 5) away from the rear boundary treatment. It is noted that the existing boundary treatment is palisade fencing (approximately 2m in height) as showing in the below image, with some low-level vegetation further south.





It is not considered by Officers, nor has it been sufficiently demonstrated to Officers that the daylight results take into account the higher level close boarded fencing that would be required on site for any future residential development, and therefore the results would not accurately reflect or be a true reflect of the proposed scenario. It is considered that with the inclusion of this higher-level fencing, these daylight results would be further worsened.

Of the remaining 12 windows (out of the 25 windows which fail to meet BRE Guidelines), these would open up to 4 kitchen and dining rooms (identified within Flats 1, 2, 3, 4, 7 and 8) at ground and first floor level fail to meet BRE guidelines, to provide sufficient daylight and sunlight levels in respect to some kitchen/living spaces, despite being served by 2 windows. Whilst it is noted that these are north facing, Officers consider that this is considered to provide poor living conditions for future occupiers, given that the rooms open to multiple windows and still fail to exceed over 27% VSC, which is not considered to be acceptable in the view of Officers. This would result in a reason for refusal, failing to comply with Core Policy 8 of the Local Plan and Policy EN1 of the Local Plan.

#### *Sunlight*

- 13.7 With respect to sunlight, 2022 BRE guidance reflects the BS EN 17037 recommendation that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1 February and 21 March with cloudless conditions. It is suggested that 21 March (equinox) be used for the assessment. The medium level of recommendation is three hours and the high level of recommendation four hours. For dwellings, at least one habitable room, preferably a main living room, should meet at least the minimum criterion. Whilst it is noted that the BS EN 17037 criteria applies to rooms of all orientations, this target is not unlikely to be met where a room faces significantly north of due east or west.

#### *Analysis results*

- 13.8 All units within 90 degrees of south would meet the guidelines for Annual Probable Sunlight Hours for summer and winter. It is noted that none of the north facing windows have been assessed as a part of the proposal as they do not face within 90 degrees of due south. Officers accept that given the site constraints, it would not be possible for all units to be south facing. Therefore, on this occasion, the proposed levels of compliance would be acceptable.

- 13.9 *Outlook and privacy*

All habitable rooms would be served by windows. However, with respect to the Mews housing and the rear of Flat 2 which contains windows which open to habitable rooms, it is considered that these windows would provide poor outlook given that they would look into a car park and have limited interface to the southern site boundary. This issue is further exacerbated through the

lack of soft landscaping or meaningful defensible areas, where the Mews houses and flat 2 would only be separated by a depth of 1.4-1.8m from the windows and car parking spaces, and in the case of Mews House 5, this unit would contain a habitable window that abuts directly into a car parking space. As a result, this would constitute as an additional reason for refusal on the grounds of poor outlook and a loss of privacy as a result of people using the car park (as a result of the proximity of these spaces to the windows of these flats/Mews houses) for the Mews houses and Flat 2 of the apartment block.

13.10 *Amenity Space*

The proposed apartment block would be served by a roof terrace at fourth floor level to provide communal amenity for residents of the apartment building. Furthermore, 14 of the 16 units have been provided with private terrace space. All of the Mews houses are provided with private rear small gardens. These garden spaces for 3 of the rear gardens are only 2.9m in depth and are further compromised in their provision of a double cycle store in the rear garden area, resulting in an amenity provision of only 10sqm. In the case of Mews House 4, when excluding the cycle store, the rear garden would only be 21sqm for a 2 bed, 3 person dwelling. Mews House 5 would only be 35sqm of usable rear amenity when excluding the area of the cycle store, for a 2 bed, 3 person dwelling. It is considered that this rear garden space would provide undersized, enclosed, and compromised amenity space which would result in poor quality housing overall, and would not meet the objectives for SKL1 as set out in the Site Allocations DPD (November 2010) which states to include suitable amenity areas or gardens, which is a symptom of overdevelopment of the site.

13.11 With respect to the end Mews house (Mews House 5 which is a 2-bed, 3-person dwelling), it is considered by Officers that the property would not be sufficiently set away from the shared boundary with No.1 Avon Close, which would lead to a harmful degree of overlooking and loss of privacy to the ends Mews house rear garden. This view is given, when considering that No.1 Avon Close has a flank window at ground floor window which would open to a living room.

13.12 Given this, it is considered that the proposal within this location would have a harmful impact on the residential amenity of the future occupiers of the end Mews house proposed occupiers of the terrace of the neighbouring properties, with respect to loss of privacy and overlooking.

13.13 *Noise*

The proposed apartment dwelling would face onto Bath Road which is a busy thoroughfare through Slough. No noise assessment has been submitted by the applicant. The SBC Environmental Noise Team have been consulted on this application. From comments received by the consultee, it is considered that it has not been sufficiently demonstrated that the future receptors of the proposed site would not be adversely impacted by noise, particularly road traffic noise due to the proximity of the development to the A4. Given that the proposal would include balconies which would face onto

Bath Road, it is not evident that these outdoor spaces would not be exposed to high noise levels and therefore their suitability is uncertain. In addition, without a noise assessment it is not possible to ascertain whether the development would provide good internal living conditions with respect to noise levels. While mitigation by way of fabric enhancement may be effective in reducing noise levels, this may mean the windows will need to be permanently closed to achieve acceptable noise levels as this has been required on other new developments along the Bath Road due to heavy traffic levels. Clearly, these issues need to be understood as part of the application in order to make an assessment on the living conditions for the future occupiers. Given the lack of information provided, it is considered that an additional reason for refusal would be appropriate.

#### 13.14 *Conclusion*

As set out above, a number of the proposed kitchens and dining rooms in relation to the apartment block would fail to meet Daylight and Sunlight Standards as set out in the BRE Guidelines, failing to meet the minimum required Vertical Sky Component parameters (VSC). The proposed Mews houses from both active elevations would also be compromised, given that they are looking out onto a car park, (northern elevation) and have limited interface to the southern site boundary. This is further compounded by the provision of undersized and compromised usable private rear garden amenity space, resulting in the provision of poor-quality housing. The proposed landscaping scheme is considered to be of a poor ecological and amenity value, which is sterilized by the location and design of the car parking layout between the Mews housing and apartment block, failing to provide suitable defensible space to the front of the Mews House dwellings to the rear of the site which faces directly onto the site car parking proposed, with only 1.75m from the front building line of the Mews housing and one of the bays and no set back from one car parking space from the end Mews dwelling. Further to this, no Noise Assessment has been provided as a part of the proposal. Given the above, it cannot be sufficiently demonstrated that the future occupiers of the proposal would not be adversely affected by the noise generated from the A4 Bath Road. As such, it is considered by Officers that the proposal would provide poor living conditions for the future occupiers of the development, failing to comply with Core Policy 8 of The Core Strategy, Policy EN1, EN3, H13 and H14 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework. Considerable adverse weight is applied in the planning balance.

#### 14.0 **Impact on amenity of neighbouring occupiers**

14.1 The National Planning Policy Framework requires planning decisions to ensure developments create places with a high standard of amenity for existing and future users.

14.2 Core Policy 8 requires new development proposals to reflect a high standard of design and to be compatible with and / or improve the surroundings in terms of the relationship to nearby properties.

14.3 There are residential dwellings located within close proximity to the application site. These are identified as Officers as No's. 1-3 Avon Close along the southwest boundary of the site, No. 399 Bath Road to the northwest boundary, and Patricia Close Nursery to the south of the site. It is noted that objections have been raised in relation to this application, citing concerns with regards to the impact of the development to the neighbouring occupiers. The neighbouring properties have been assessed below in respect to this.

14.4 A daylight and sunlight report has been submitted as a part of this application, which assesses any potential loss of daylight and sunlight to the relevant neighbouring properties.

*Vertical Sky Component*

14.5 The British Research Establishment (BRE) provides written guidance in relation to daylight and sunlight. With respect to the Vertical Sky Component (VSC) which assesses the level of illuminance, the BRE advise that a VSC of 27% should provide reasonable daylight falling on the plane of the window. If the levels fall below that, it should not be less than 0.8 times its former value.

14.6 The submitted sunlight and daylight report indicates that one window (window 76) would fail to have a proposed VSC value and would also be less than 0.8 times its former value (0.74). This window would appear to be a ground floor rear window to 399 Bath Road. The report ascertains that it is unknown what this room is used for and is treated as a habitable room. From reviewing the plans submitted for planning application P/03026/005 it appears this window would open to the existing ground floor shop and would therefore not be a habitable room. Notwithstanding this, from assessing aerial images, it would appear that at the time of writing, the approved development has not yet been implemented. The daylight and sunlight assessment does not review the existing building on site with respect to No. 399 Bath Road. From reviewing existing plans available from the above approved scheme, there are no ground floor windows which open to habitable rooms, however there is one rear window at first floor level that would open to a bedroom, and one rear window which would open to a kitchen.



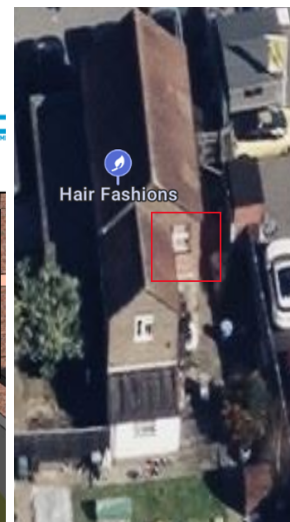
It is noted that the bedroom window would be within the same position from as existing, and within the approved scheme at No. 399 Bath Road, but in both instances, the daylight and sunlight report has not highlighted the existence of the windows, nor has it been assessed.

Below images: Side-by-side comparison with No. 399 Bath Road, existing (right), and the proposed assessed scenario (left) (taken from Daylight and sunlight assessment).

Danks Badnell Architects Ltd  
397 Bath Road, Slough  
Daylight and Sunlight Assessment  
Status: Final



**Appendix 2: Receptor 1 – South Façade Window Locations**



Given the above and considering that the ground floor window within the same location (albeit a level higher), may not experience sufficient daylight levels and may be considered unacceptable in view of the overall very high adherence set out in BRE Guide target criteria. As such, due to the inaccurate and insufficient information provided, the proposed development would have a harmful impact on the residential amenity of occupiers of No. 399 Bath Road.

*Annual Probably Sunlight Hours (APSH):*

14.7 With respect to Annual Probable Sunlight Hours (APSH), BRE guidelines state that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period. In assessing existing buildings around a new development, only those windows orientated within 90 degrees of due south and which overlook the site require assessment.

14.8 The windows at each receptor which do not face within 90° of due south have not been considered. All windows would be over 0.8 times their former values in each period, barring one window (window 76, ground floor window at 399 Bath Road) which would be 0.61 times the former value annually. However, this affected window would open to a non-habitable room and would therefore not be significant in this regard. However, as per above, the daylight and sunlight assessment does not review the existing building on site with respect to No. 399 Bath Road. From reviewing existing plans available from the above approved scheme, there are no ground floor windows which open to habitable rooms, however there is one rear window at first floor level that would open to a bedroom, and one rear window which would open to a kitchen. It is noted that the bedroom window would be within the same position from as existing, and within the approved scheme at No. 399 Bath Road, but in both instances, the daylight and sunlight report has not highlighted the existence of the windows, nor has it been assessed.

Given this, Officers cannot accurately determine if the bedroom window as existing at first floor level of No. 399 Bath Road may not experience sufficient sunlight levels and may be considered unacceptable in view of the overall very high adherence set out in BRE Guide target criteria. As such, due to the inaccurate and insufficient information provided, the proposed development would have a harmful impact on the residential amenity of occupiers of No. 399 Bath Road.

*Overshadowing to gardens:*

14.9 The 2022 BRE Guidance requires at least 50% of the garden must receive at least two hours of direct sunlight on the 21st of March. If this cannot be achieved, providing that the area overshadowed was not less than 0.8 times its former value, no significant impact would have occurred.

14.10 With regards to the neighbouring rear gardens, the rear gardens of 399 Bath Road, 2 Avon Close and 3 Avon Close, the results demonstrate that the amenity areas would not experience a loss greater than 0.9 times the former value between the hours of 9am-12pm. With the exception of 8am at 399 Bath Road and 2 Avon Close, all other times would not experience a loss greater than 0.9 times the former value. Notwithstanding this, the results for 3 Avon Close do not appear to demonstrate that the site would experience more than two hours of sunlight, given that the results do not show results past 12 noon. The results also demonstrate that with respect to this property, of the hours assessed, none of the times would have more than 50% of the amenity area proposed, to be adequately covered in sunlight. No images from the studies undertaken have been provided to demonstrate the extents

or concertation of sunlight in any of the amenity areas. It is considered that this lack of information would result in a reason for refusal.

#### *Overbearing, Visual Dominance and Privacy*

- 14.11 Patricia Close Nursery would sit 20m away from the rear gardens of the Mews housing and 21-27.6m away from the rear wall of the proposed Mews housing.
- 14.12 With respect to overbearing, visual dominance, and privacy, the flank wall of No. 399 Bath Road would be 2.75m away from the flank wall of the apartment block part of the development, No.1 and 2 Avon Close would be approximately 11m away from the flank wall and rear garden of the end terrace proposed Mews house and No.3 Avon Close would be approximately 10-11m away from the rear wall of the proposed Mews housing (houses 4 and 5), and less than 1m away from the boundary of these Mews house gardens. Given the proximity of the rear elevation to No.3 Avon Close, it is considered by Officers that the proposed Mews housing would have an overbearing impact on the neighbouring rear garden of this property and would unacceptably overlook onto the rear garden of this property leading to a loss of privacy.
- 14.13 Given this, it is not considered that the proposal within this location would have a harmful impact on the residential amenity of the neighbouring occupiers of the terrace of the neighbouring properties, with respect to loss of light, outlook, and overlooking. Notwithstanding this, given its proximity to No.3 Avon Close, the neighbouring garden and rear windows / conservatory would experience a loss of privacy and overlooking and would result in an overbearing impact on the rear garden of No.3 Avon Close.

#### *Noise and disturbance*

- 14.14 The front of the site would sit adjacent to the A4 Bath Road, which is a busy thoroughfare and arterial route through Slough. The rear of the site would provide residential accommodation; however, it is noted that a car park would be separating the front and rear residential blocks. A noise assessment has not been provided to assess whether the provision of this car park would lead to unacceptable increases in noise levels to the occupiers of No. 399 Bath Road and No's. 1-3 Avon Close, however with respect to the properties on Avon Close, it is considered there would be sufficient distance away from the car parking area to mitigate any increase of noise. The rear garden of No. 399 Bath Road may experience some increase in noise levels, however given its proximity already to Bath Road, it is not considered by Officers that this level would harmfully increase.

#### *Conclusion*

- 14.15 Inaccurate and insufficient information has been provided when assessing the daylight and sunlight levels of No. 399 Bath Road and overshadowing to the garden of 3 Avon Close. The report also assesses a neighbouring approved scheme at 399 Bath Road which has not yet been implemented on site as opposed to the existing circumstances. Additionally, given the proximity of the Mews housing to No. 3 Avon Close, the neighbouring

garden and rear windows / conservatory would experience a loss of privacy and an overbearing impact on the rear garden of No. 3 Avon Close. The Site Allocations DPD sets out for SKL1 a number of site planning objectives, states *inter alia* that any residential or mixed use development should be comprehensively planned in a way which:

- Protects the amenities of adjoining residential areas.

As demonstrated and assessed above, the proposed development would conflict and fail to achieve the planning objectives for SKL01, as it would not protect the amenity of the neighbouring residential areas.

Based on the above, the proposal would not comply with the relevant requirements of Core Policy 8 of The Core Strategy, Policy EN1 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework, and would not meet the objectives for SKL1 as set out in the Site Allocations DPD (November 2010). Moderate adverse weight is applied in the planning balance.

## 15.0 Highways and Car Parking

15.1 Paragraph 114 of the NPPF states that in assessing specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 115 of the NPPF 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.

Paragraph 116 of the NPPF states that development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists



and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

15.2 Policy T2 of The Adopted Local Plan for Slough 2004 seeks to restrain levels of parking in order to reduce the reliance on the private car through the imposition of parking standards. The Parking Standards have been updated within Part 3 of the Slough Developer's Guide.

15.3 As part of the application, layout plans and a Transport statement has been provided as a part of the scheme. SBC Highways have been consulted as a part of this application, with their comments discussed below. It is noted objections have been raised with respect to the impacts of the development in terms of car and cycle parking and on the highways network. The proposal has been assessed in respect to these matters below.

#### *Vehicle Access*

15.4 The site would be accessible via a gated undercroft entrance via Bath Road, set back 7m from the back edge of the kerb. From the consultee comments provided by SBC Highways, it is considered that the proposed site access would not be wide enough to allow two vehicles to pass each other, being only 4m in width. This would result in vehicles ingressing the development being forced to reverse onto the public highway if confronted with a vehicle egressing the development. Given the busy arterial nature of Bath Road, this would result in an unsafe manoeuvre in relation to both traffic and pedestrians. As such, the proposal would fail to meet the aspirations of the NPPF, to 'Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles'. The proposal would result in an unacceptable impact on highway safety and would have a residual cumulative impact on the road network taking into account all reasonable future scenarios, failing to meet the thresholds as set out in Paragraph 116 of the NPPF.

#### *Trip Generation*

15.5 With respect to trip generation, the transport statement outlines that with respect to daily traffic, SBC Highways have confirmed from completing a forecast of vehicle trip generation through the TRICS database, that no objections are raised with regards to the impacts of trip generation from the development.

#### *Access by Sustainable Travel Modes*

15.6 With respect to sustainable travel modes, Burnham Railway Station is located 550m (8 minutes' walk) from the site. The nearest bus stops are less than 100m from the site. As such, it is considered that access to sustainable transport modes is acceptable within this location.

### *Car Parking and cycle parking*

15.7 A total of 11 car parking spaces have been provided on site, which provides a ratio of 0.52 parking spaces per dwelling. SBC Highways have noted that 38 car parking spaces would usually be required for the number of units proposed, however, it is noted that SBC have recommended developments within the area with low levels of car parking such as 0.62 spaces per dwelling at the nearby HSS Toolhire Site (Planning Ref: P/03444/003). Given this, no objections have been raised with respect to the level of car parking and would be acceptable on this occasion. The level of disabled/blue badge bays provided would be 1 space, which equates to 9% of the total spaces which exceeds the recommended 5% of car parking spaces as set out by the Department for Transport. In terms of Electrical Vehicle (EV) charger spaces, 1 space per unit where the space area allocated, will be provided in line with Future Homes Standards. A condition detailing the EV Charger scheme would be required to secure installations. A total of 24 cycle parking spaces are proposed comprising a store for 19 cycles for the 16 flats. Cycle sheds are displayed in the rear gardens for the five Mews houses located to the rear of the proposed development, providing one storage space per dwelling. This would accord with SBC car parking standards. It should be noted that the above car parking ratios were supported with the aid of financial contributions to mitigate the low parking ratios. Accordingly, if approved this development would be required to provide similar mitigation on a pro rata basis which is set out below.

15.8 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) provide the three tests for planning obligations, which are repeated by the National Planning Policy Framework. It provides that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

15.8 With respect to Section 106 contributions, should the application be approved, SBC Transport Officers would require the following contributions:

- £2,500 towards a TRO for car parking restrictions to provide a double yellow parking restriction along the site frontage.
- £6,363.46 towards the operation of Slough's Car Club.
- £5,931 towards the upgrade of the Burnham Station Cycle Route.

These provisions are required as a result of the low car parking provision within the development and are considered to be necessary to ensure the safe operation of the highway for all users. These provisions have been calculated on the basis of the adopted SBC Guidance – Transport and Highway Guidance Developers Guide Part 3.

It is considered by Officers that the proposed S106 contributions would comply with Regulation 122 of the CIL regulations, particularly points A) and C) with the amounts catered to the size of the development and required in

the LPA's view to make the development acceptable in planning terms (should the reason for refusal in terms of access be resolved).

*Conclusion*

15.9 In having regard to the above and the comments received from the Local Highway Authority, it is considered that the proposed access to the site would be substandard in width and would not enable two-way vehicular flow, resulting in conflicts between vehicles associated with the proposed site and existing highway users and pedestrian on the A4 Bath Road and footway. This would result in an unacceptable impact on highway safety. Therefore, the development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and Paragraphs 114, 115 and 116 of the National Planning Policy Framework. Considerable adverse weight is applied in the planning balance.

16.0 **Crime Prevention and Design**

16.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour.

16.2 Comments provided by the Crime Prevention and Design Advisor (CPDA) from Thames Valley Police have been provided. The comments have highlighted the following concerns:

- The nature of the surrounding development means that the application site has a number of exposed, accessible boundaries that need to be appropriately addressed to ensure that development is secure. The layout of the scheme means that the rear of the "Mews" houses would be accessible via the open parking area on the neighbouring site, making them vulnerable as the rear elevations of dwellings is where the majority of burglary is perpetrated, it is noted that the boundary treatment to the rear here would be palisade fencing currently. It is not clear from the proposal what boundary treatment is proposed.
- Boundary treatment for the car park is not clear, however it is important this is robust, of a height which cannot be easily climbed, and sufficient space should be allowed to provide a 1m planting strip to provide a more defensive boundary.
- Consideration of the roller shutter door access must be given in relation to pedestrian movement, access for postage and deliveries.

The CPDA has recommended that details in relation to the following should be provided:

- Proposed access control features for the residents of the flats, to prevent unrestricted access.
- Access controls for car parking barrier.
- Postal services should not have unrestricted access and should be provided with a secure lobby at the entrance of the building or via "Through the wall" letterboxes for the flats.
- Compartmentation for the apartment building needs to be considered, so that residents only have access to parts of the building they need to.

- 16.3 Given the recommendations made by Officers within this report, amendments in relation to the above have not been sought at this time. With respect to the details on how the gates are used and accessed, it is considered by Officers that this element could be dealt with via condition, should the application be recommended for approval. Further to this, the provision of an Access and Strategy document could be requested by Officers, via condition. Details of postal and delivery access, and operation of the gates, and fob access, and internal compartmentation of the apartment building would be required to be covered within these documents.
- 16.4 Given the above, while the application does not address the above concerns, a stand-alone reason for refusal at this time would not be required.

## 17.0 **Ecology and Biodiversity Net Gain**

### Ecology

- 17.1 In accordance with the Natural Environment and Rural Communities Act 2006 Local Planning Authorities have a statutory duty to show regard for conserving biodiversity in the exercise of all public functions.
- 17.2 Paragraph 180 of the National Planning Policy Framework states that planning decisions should contribute to and enhance the natural and local environment and requires development to minimise impacts on biodiversity and provide net gains in biodiversity.
- 17.3 Core Policy 9 relates to the natural environment and also requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.
- 17.4 With respect to considerations of development on the Burnham Beeches Special Area of Conservation (SAC), it is noted that the site falls within of the 5.6km catchment area from this site and therefore some impacts are apparent on this area. This is further discussed below.
- 17.5 The application was accompanied with a Habitat Regulations Assessment (HRA) & Biodiversity Net Gain Assessment. With respect to Ecology, the report concluded that the proposed development is likely to have a significant adverse impact on Burnham Beeches SAC. As a result, mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development. Under Regulation 61 (1) of the Habitats Regulations, an Appropriate Assessment is required in respect of any plan or project which:
- is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and
  - is not directly connected with or necessary to the management of that site

- 17.6 Natural England have been consulted on this application and had concluded that they would object to the application and further information would be required to determine the impacts on the SAC. In their response, it is noted that they set out that However, Upton Court Park Suitable Alternative Natural Greenspace (SANG) could function as the mitigation for this development with contributions made towards its improvement, should the SANG have sufficient capacity remaining. Furthermore, contributions (£570 per dwelling) towards the mitigation strategy for Slough Borough Council would be required to avoid any adverse impacts to the SAC.
- 17.7 The Local Authority has made an appropriate assessment on this application and have concluded that the proposed mitigation measures of £11,970 towards works and associated long term maintenance of the natural habitat and access enhancements at Upton Court Park would be in line with Natural England's comments and would be in accordance with the Slough's Mitigation Strategy. This mitigation is appropriate and would counteract any potential adverse impacts of the development on Burnham Beeches SAC.
- 17.8 As the site would fall within the Burnham Beeches SAC radius of 5.6km. a Habitats Regulations Assessment (HRA) is required to determine whether there would Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. Natural England have been consulted on the application and have stated that they raise an objection. The objection from Natural England has been noted by Officers. However, Officers can confirm that there is sufficient SANG capacity at Upton Court Park, and the applicant has also agreed to the financial mitigation contributions as set out above. As such it is considered by Officers that the HRA would be acceptable. Officers have contacted Natural England to confirm that there is sufficient SANG capacity. An update will be provided at Planning Committee in relation to a response to this.

#### Biodiversity Net Gain

- 17.9 In England, Biodiversity Net Gain (BNG) is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.
- 17.10 It is noted that the application was submitted before the above Act was a mandatory requirement for assessment. Furthermore, there is no existing habitats or hedgerows on the site, the applicant has provided a BNG assessment, which concludes that the proposal would result in a net gain of +0.03 habitat units. This is considered to provide a small enhancement in biodiversity.
- 17.11 Based on the above assessment, the proposal would comply with Core Policy 9 of the Core Strategy and the requirements of the National Planning Policy Framework. Limited positive weight is applied to the planning balance.

## 18.0 **Air Quality and Noise**

18.1 Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. Proposals should not result in unacceptable levels of air pollution. The National Planning Policy Framework requires planning decisions to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified.

18.2 An Air Quality Assessment has been submitted as a part of the application. The application site is not located within an Air Quality Management Area (AQMA). In line with the Low Emission Strategy Technical Guidance, SBC Environmental Air Quality have been consulted as a part of this application and have set out that the assessment submitted by the applicant has considered future exposure of proposed receptors of the development to existing poor air quality originating from Bath Road, with NO<sub>2</sub> and PM<sub>10</sub> predicted at the building façade using dispersion modelling. The results shown in Table 25 and in Figures 4 and 5 show that concentrations are far below the air quality objective level, therefore exposure risk is not likely. There are no objections on air quality grounds.

18.3 The development is classified as having a medium air quality impact. As such, it is recommended that Mitigation measures, contained in the LES Planning Guidance are secured. These mitigation requirements require:

- Electric vehicle re-charging infrastructure in line with table 7 of the LES Technical Report.
- A Construction Environmental Management Plan (CEMP) to be produced and submitted to SBC for approval prior to commencement of works. It must include details of non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report and construction vehicles shall meet a minimum Euro 6/VI Emission Standard.
- All heating systems shall meet the emission standards laid out in Table 7 of the LES Technical Report.
- Travel Plans shall be monitored and include details of the promotion of electric vehicle use and usage of the EV charging infrastructure.

Officers would seek to secure the above by condition, should the application be recommended for approval.

18.4 With respect to noise, given that the site is located on the busy A4 Bath Road route, it is anticipated that there would be some noise impacts to the future residents of the site. It is noted that no noise assessment has been submitted as a part of the scheme. Without a noise assessment it is not possible to ascertain whether the development would provide good internal living conditions with respect to noise levels. While mitigation in the way of fabric enhancement may be effective in reducing noise levels, this may mean the windows will need to be permanently closed to achieve acceptable noise levels. In addition, the scheme includes balconies which front Bath

Road and without a noise assessment it is not possible to consider if these balconies would provide any usable or meaningful private amenity space. Clearly, these issues need to be understood as part of the application in order to make an assessment on the living conditions for the future occupiers.

18.5 As such, due to the insufficient information provided, it cannot be sufficiently demonstrated that the future occupiers of the proposal would not be adversely affected by the noise generated from the A4 Bath Road. The proposal would fail to comply with Core Policy 8 of The Core Strategy, Policy EN1 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework. Some adverse impact is applied in the planning balance.

## 19.0 **Contaminated Land**

19.1 With respect to Contaminated Land, a Preliminary Contamination Assessment has been submitted as a part of the application. The documentation sets out that there is a medium risk of contamination on the site, from on-site and off-site activities, and has recommended the provision of intrusive investigation to include:

- Machine excavated pits or boreholes to record the ground profile and obtain soil samples for subsequent laboratory analysis.
- The installation of two boreholes using light cable tool methods. The response zone in the boreholes should be constructed in the Shepperton Gravel. Groundwater samples will be retrieved adopting Environment Agency sampling protocols (e.g. purged of 3x the well volume) and submitted to laboratory analysis for VOCs and TPHCWG. The boreholes should be driven to a depth of 25m to determine ground strength for deep foundations.
- Infiltration testing in trial pits.
- Monitoring of groundwater levels and ground gas in accordance with CIRIA C665. We recommend an initial monitoring period of 3No. visits over 1 month.

19.2 SBC's Contaminated Land officer has been consulted as a part of the application. The consultee comments noted that the preliminary assessment identified a potential medium risk associated with the site as it is, thus an intrusive site investigation is warranted. As such, whilst no objections have been raised, conditions in relation to the provision of a Phase 2 Intrusive Investigation Method Statement, Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy, and Phase 4 Remediation Validation would be inserted, should the application be recommended for approval.

## 20.0 **Flooding and Surface Water Drainage**

20.1 The site is located within Flood Zone 1 and is therefore considered to be of a minimal flood risk. A Flood Risk and Drainage report has been submitted as a part of the proposal. Since April 2015, major developments have been required to provide measures that will form a Sustainable Drainage System.

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

- 20.2 The National Planning Policy Framework (2024) states within that the surface run-off from site cannot lead to an increase from that existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. In the scenario where infiltration techniques are not possible, attenuation will be required in order to reduce surface water run-off. Paragraph 169 of the NPPF 2024 requires major developments to incorporate SuDS unless there is clear evidence that this would be inappropriate.
- 20.3 Core Policy 8 of The Slough Local Development Framework, Core Strategy, 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.
- 20.4 Following review of the flood risk assessment and drainage strategy submitted, the Lead Local Flood Authority and Thames Water have raised no objections subject to conditions, and as a result, there are no objections in planning terms subject to appropriate conditions to secure the SuDS drainage scheme.

## 21.0 **Affordable Housing and Infrastructure**

- 21.1 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.
- 21.2 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) provide the three tests for planning obligations, which are repeated by the National Planning Policy Framework. It provides that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

The tables below outline how each of the obligations would meet the three tests listed above and relevant legislation and policies.

The proposals entail the introduction of 21 new residential units (resulting in a net increase of 21 residential units). As such, the scheme would trigger off-site affordable housing, Burnham Beeches and educational contributions under the Council's policies, as set out in the Developer's Guide.



- 21.3 The following Section 106 financial contributions were being required, should the development be approved, and subject to agreement of a S106 agreement:

Financial Contributions	
Burnham Beeches Special Area of Conservation	£11,970
Education	£89,613
Affordable Housing	£275,258.56
Highways	£14,794.46

It is noted that the agent has agreed to the above contributions and heads of terms in writing with the Local Planning Authority.

#### 21.4 **Burnham Beeches Special Area of Conservation**

The above contribution of £11,970 (£570 per dwelling) would be required as part of an appropriate mitigation package to overcome Natural England objections to the scheme, and are necessary to rule out any adverse effects on the integrity of the SAC from the impacts of the development, given the site is within a 5.6km radius of Burnham Beeches. Officers consider this request to be fair and reasonable and in keeping with the Conservation of Habitats and Species Regulations 2017 and Mitigation Strategy re new residential development and protection of Burnham Beeches adopted October 2022.

#### 21.5 **Education**

On the basis of the below mix, the following contributions would be required, in line with the table from Section 4 of the Developer Contributions and Affordable Housing (Section 106) Developers Guide Part 2:

Number. of Bedrooms	Early Years	Primary	Secondary	Post 16	SEN	Total
Houses						
1 bedroom house	£106	0	0	0	£36	<b>£142</b>
2 bedroom house	£376	£5,345	£2,022	£506	£504	<b>£8,753</b>
3 bedroom house	£376	£6,316	£4,298	£1,517	£675	<b>£13,182</b>
4 or more bedroom house	£517	£10,365	£9,859	£2,275	£1,170	<b>£24,187</b>
Flats						
1 bedroom flat	£165	£648	0	0	£90	<b>£903</b>
2 or more bedroom flat	£270	£2,753	£758	£758	£288	<b>£4,828</b>

- 5 x 1 bed, 1 person flats, (£903 x 5 = £4,515)
- 3 x 1 bed, 2 person flats, (£903 x 3 = £2,709)
- 4 x 2 bed, 3 person flats, (£4,828 x 4 = £19,312)
- 4 x 2 bed, 4 person flats, (£4,828 x 4 = £19,312)
- 5 x 2 bed, 3 person Mews house dwellings, (£8,753 x 5 = £43,765)
- Total = £89,613

The provisions are required towards education as the proposal would be for more than 15 dwellings and would be necessary to mitigate against the impact of the development on local school places which are in a shortfall in

the borough. It is considered that the requested provision would be in line with the Developers Guide Part 2.

#### 21.6 **Highways Works**

The proposed £14,794.46 would be necessary for the following provisions:

- £2,500 towards a TRO for car parking restrictions to provide a double yellow parking restriction along the site frontage.
- £6,363.46 towards the operation of Slough's Car Club.
- £5,931 towards the upgrade of the Burnham Station Cycle Route.

These provisions are required as a result of the low car parking provision within the development and are considered to be necessary to ensure the safe operation of the highway for all users. These provisions have been calculated on the basis of the adopted SBC Guidance – Transport and Highway Guidance Developers Guide Part 3.

#### 21.7 **Affordable Housing**

Core Policy 4 of the Slough Core Strategy sets out that for all sites of 15 dwellings (gross) or more will be required to provide 30% and 40% of the dwellings as social rented along with other forms of affordable housing.

21.8 The application is liable to affordable housing provision and financial contributions, it was not accompanied with Viability Assessment.

21.9 As set out in the Slough Developer's Guide Part 2 (2017), other than for developments of 15 to 25 homes referred to above financial payments in lieu of building new affordable homes will not normally be accepted. Payments (also known as commuted sums) will only be accepted in exceptional circumstances i.e. when the Council considers it will be a benefit compared to new homes being built by a developer. The amount of any financial contribution will be negotiated and based upon a figure considered equivalent to affordable housing on site.

21.10 The application proposes 21 units, being of the following mix:

- 5 x 1 bed, 1 person flats,
- 3 x 1 bed, 2 person flats,
- 4 x 2 bed, 3 person flats,
- 4 x 2 bed, 4 person flats,
- 5 x 2 bed, 3 person Mews house dwellings.

It is noted that none of the units are proposed as on-site affordable housing units.

21.11 Paragraph 3.05 of the submitted Design and Access Statement sets out that a commuted sum will be required for affordable housing. Officers calculate this sum to be as follows:

- 8 x 1 bed units equates to 38% of 21 units (£89,287.08),

- 13 x 2 bed units equates to 62% of 21 units (£185,971.48),

21.12 This would provide a total sum of £275,258.56 which would be required, should the development be approved, and subject to agreement of a S106 agreement.

### 21.13 **Health Facilities**

There are no tariff-based contributions required for health facilities set out in the Local Development Plan or Supplementary Planning Guidance. There is no objective evidence to suggest the scheme at the proposed number of units which is relatively modest would have an unacceptable impact on the health services in the locality. It is noted the local planning authority are currently working with the NHS to establish a mitigation package for residential developments where required across the Borough.

### 22.0 **Making Effective Use of Land**

22.1 Section 11 of the NPPF discusses making effective use of land. Paragraph 124 of the NPPF sets out that:

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

Paragraph 125 of the NPPF sets out that planning policies and decisions should promote and support the development of underutilized land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).

22.2 The proposal would 21 additional units on underutilized land within a selected Key location. Whilst this would meet some of the aims set out in Paragraph 125 of the NPPF, the proposal would be of poor design, provide a poor and inadequate landscaping scheme, have a harmful impact on neighbouring and future occupiers, would not maintain safe access and egress for occupiers. and fail to demonstrate the successful regeneration and change of the wider site allocation.

Based on the above the proposal would cause substantial harm and would result in the effective use of land, failing to comply with Section 11 of the NPPF.

## 23.0 **Equalities Considerations**

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

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

23.2 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access. The layout plans shows that one ground floor unit would be constructed to meet Part M of Building Regulations requirements. In relation to the car parking provisions, the plans show the provision of one disabled space that is closely located to access points to the building, Internal corridors are designed to accommodate the needs of residents and visitors with disabilities. The proposal is not solely reliant on cycling as a means of transport.

23.3 It is considered that there would 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 would have 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 which will be secured by condition.

## 24.0 **Planning Balance**

24.1 The application has been evaluated against the Local Development Plan and the National Planning Policy Framework 2024 (NPPF) and the Local Planning Authority (LPA) 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 would not comply with Core Policies 4, 7, 8, 9 and 10 of the Core Strategy and Local Plan Policy EN1, EN3, H9,

H14 which are all the relevant policies in determining this application. On this basis the proposal would not comply with the local development plan.

24.2 The LPA cannot demonstrate a Five-Year Land Supply and therefore the presumption in favour of sustainable development tilted in favour of the supply of housing, as set out in Paragraph 11 of the NPPF and refined in case law, should be applied.

24.3 In the application of the appropriate balance, it is considered that there are some benefits from the scheme, these include the following:

- The provision of 21 residential units at the mix provided should be afforded moderate positive weight,
- Biodiversity enhancement afforded limited positive weight.

The following adverse impacts were identified:

- The proposed Bath Road frontage block, by virtue of its combined visual appearance, height, bulk and scale, and materiality would represent an overbearing form of development, harmful to the street scene, and not in keeping with the massing and appearance of the properties that sit within this section of Bath Road, which comprises of 2 storey, gable-roofed properties. In addition, the Mews houses to the rear of the site by virtue of their width would appear to be crammed into the site, and are of a poor form and appearance. The area in between and around the proposed flats and Mews housing comprises a hard standing parking area with no meaningful soft landscaping, and undersized and compromised usable private rear garden amenity space. Overall, the proposal would not create a high quality, beautiful and sustainable place or building(s), and would result in the provision of poor quality housing. If approved, would also set a precedent for further uncharacteristic development across the wider site allocation. This should be afforded **considerable adverse weight**.
- The positioning of the proposed flatted block and Mews housing to the eastern boundary very close to the neighbouring selected key location, the applicant has not demonstrated that the proposal would be capable of being successfully integrated into a comprehensive redevelopment scheme for the neighbouring wider site allocation. The proposal therefore constitutes an unacceptable piecemeal over-development of the site which is not comprehensively planned, and would likely sterilise or significantly impact the efficient use of adjoining land. This should be afforded **some negative weight**.
- A number of the proposed kitchens and dining rooms in relation to the apartment block would fail to meet Daylight and Sunlight Standards as set out in the BRE Guidelines, failing to meet the minimum required Vertical Sky Component parameters (VSC). The proposed Mews houses from both active elevations would also be compromised, given that they are looking out onto a car park, (northern elevation) and have limited interface to the southern site boundary. This is further compounded by the provision of undersized

and compromised usable private rear garden amenity space, resulting in the provision of poor-quality housing. The proposed landscaping scheme is considered to be of a poor ecological and amenity value, which is sterilized by the location and design of the car parking layout between the Mews housing and apartment block, failing to provide suitable defensible space to the front of the Mews House dwellings to the rear of the site which faces directly onto the site car parking proposed, with only 1.75m from the front building line of the Mews housing and one of the bays and no set back from one car parking space from the end Mews dwelling. Further to this, no Noise Assessment has been provided as a part of the proposal. Given the above, it cannot be sufficiently demonstrated that the future occupiers of the proposal would not be adversely affected by the noise generated from the A4 Bath Road. Therefore, the proposal would provide poor living conditions for the future occupiers of the development. This should be afforded **considerable adverse weight**.

- Inaccurate and insufficient information has been provided when assessing the daylight and sunlight levels of No. 399 Bath Road and overshadowing to the garden of No. 3 Avon Close. The report also assesses a neighbouring approved scheme at No. 399 Bath Road which has not yet been implemented on site as opposed to the existing circumstances. Additionally, given the proximity of the Mews housing to No. 3 Avon Close, the neighbouring garden and rear windows / conservatory would experience a loss of privacy and an overbearing impact on the rear garden of No. 3 Avon Close. This should be afforded **moderate adverse weight**.
- The development proposes an access which is substandard in width and would not allow two-way traffic flow. This would increase the number of cars and delivery vans reversing onto the A4 Bath Road to give-way to vehicles egressing. This would result in conflicts between vehicles associated with the proposed site and existing highway users on the A4 Bath Road. This should be afforded **considerable adverse weight**.

24.4 Therefore, in coming to a conclusion, Officers have given due consideration to the benefits of the proposal in providing a net gain of 21 no. dwellings towards the defined housing need at a time where the Council is unable to meet housing needs within the Borough, as well as some biodiversity benefits. These factors create a range of limited to moderate benefits which weigh in favour of the development in the planning balance. However, given the limited to considerable adverse impacts raised with regards to design and impact on the character of the area, impact on future and neighbouring occupiers, highways access, and landscaping, it is considered that the proposal has demonstrably adverse impacts that would greatly outweigh the benefits of the scheme in the planning balance.

24.5 On the basis of the arguments above, it is considered that the identified adverse impacts would significantly and demonstrably outweigh the identified benefits of the current scheme when assessed against the policies in the Local Development Plan and the National Planning Policy Framework

taken as a whole. Therefore, the proposal would not constitute sustainable development with regard to paragraph 11 d ii) of the Framework.

24.6 It is noted the planning balance does not include the reason for refusal in relation to the section 106. This is because the applicant has agreed heads of terms, however given the proposal is recommended for refusal, the section 106 was not completed. Should the application be appealed, then the section 106 package would be secured as part of that process.

24.7 Having considered the relevant policies and planning considerations set out above, it is recommended the application be refused for the reasons set out below.

## 25.0 **PART D: RECOMMENDED REASONS FOR REFUSAL**

1. The proposed Bath Road frontage block, by virtue of its combined visual appearance, height, bulk and scale, and materiality would represent an overbearing form of development, harmful to the street scene, and not in keeping with the massing and appearance of the properties that sit within this section of Bath Road, which comprises of 2 storey, gable-roofed properties. In addition, the Mews houses to the rear of the site by virtue of their width would appear to be crammed into the site and are of a poor form and appearance. The area in between and around the proposed flats and Mews housing comprises a hard standing parking areas with no meaningful soft landscaping, and undersized and compromised usable private rear garden amenity space. Overall, the proposal would not create a high quality, beautiful and sustainable place or building(s), and would result in the provision of poor-quality housing. If approved, would also set a precedent for further uncharacteristic development across the wider selected key location. The proposal would conflict with the National Planning Policy Framework 2024, Core Policies 1 and 8 the Slough Development Framework and Policies EN1 and EN3, of the Local Plan, and would not meet the objectives for SKL1 as set out in the Site Allocations DPD (November 2010).
2. By virtue of the positioning of the proposed flatted block and Mews housing to the eastern boundary very close to the neighbouring selected key location, the applicant has not demonstrated that the proposal would be capable of being successfully integrated into a comprehensive redevelopment scheme for the neighbouring wider site allocation. The proposal therefore constitutes an unacceptable piecemeal over-development of the site which is not comprehensively planned or coordinated and would likely sterilise or significantly impact the efficient use of adjoining land. The proposal would fail to comply with Local Plan Policy H9, and the requirements National Planning Policy Framework 2024.

3. A number of the proposed kitchens and dining rooms in relation to the apartment block would fail to meet Daylight and Sunlight Standards as set out in the BRE Guidelines, failing to meet the minimum required Vertical Sky Component parameters (VSC). The proposed Mews houses from their front and rear elevations would also be compromised, given that they are looking out onto a car park, (northern elevation) and have limited interface to the southern site boundary. This is further compounded by the provision of undersized and compromised usable private rear garden amenity space, resulting in the provision of poor-quality housing. The proposed landscaping scheme is considered to be of a poor amenity value and fails to provide suitable defensible space to the front of the Mews House dwellings and the rear facing ground floor flats. Further to this, no Noise Assessment has been provided as a part of the proposal meaning it cannot be sufficiently demonstrated if the future occupiers of the proposal would not be adversely affected by the noise generated from the A4 Bath Road. Cumulatively, the proposal would provide poor living conditions for the future occupiers of the development, failing to comply with Core Policy 8 of The Core Strategy, Policy EN1, EN3, and H14 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024.
4. Inaccurate and insufficient information has been provided when assessing the daylight and sunlight levels of No. 399 Bath Road and overshadowing to the garden of No. 3 Avon Close. The report also assesses a neighbouring approved scheme at No. 399 Bath Road which has not yet been implemented on site as opposed to the existing circumstances. Additionally, given the proximity of the Mews housing to No. 3 Avon Close, the neighbouring garden and rear windows / conservatory would experience a loss of privacy and an overbearing impact on the rear garden of No.3 Avon Close. The proposal would fail to comply with Core Policy 8 of The Core Strategy, Policy EN1 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024, and would not meet the objectives for SKL1 as set out in the Site Allocations DPD (November 2010).
5. No legal agreement has been entered into by the applicant, by way of a Section 106 agreement, for off-site infrastructure made necessary by the development including funding for education, affordable housing, the mitigation of impacts on Burnham Beeches Special Area of Conservation. As such, the application is contrary to policies 4, 7, 9 and 10 The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Slough Borough Council's Developers Guide Part 2 Developer Contributions and Affordable Housing (Section 106), advice in the National Planning Policy Framework 2024 and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.



6. The development proposes an access which is substandard in width and would not allow two-way traffic flow. This would result in the vehicles accessing the site reversing onto the A4 Bath Road to give-way to vehicles egressing, resulting in conflicts between pedestrians and vehicles on the A4 Bath Road. This would result in an unacceptable impact on highway safety and fail to comply with Core Policy 7 of the Core Strategy 2006-2026 and the National Planning Policy Framework 2024.

**Informatives:**

1. It is the view of the Local Planning Authority that the proposed development does not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.
2. The application has been refused in line with the following drawings:
  - a) Drawing No. 22-20-01, dated 08/2022, recd on 21/06/2023,
  - b) Drawing No. 22-20-30, dated 04/2023, recd on 21/06/2023,
  - c) Drawing No. 22-20-34, dated 04/2023, recd on 21/06/2023,
  - d) Drawing No. 22-20-35, dated 04/2023, recd on 21/06/2023,
  - e) Drawing No. 22-20-36, dated 04/2023, recd on 21/06/2023,
  - f) Drawing No. 22-20-37, dated 04/2023, recd on 21/06/2023,
  - g) Drawing No. 22-20-38, dated 04/2023, recd on 21/06/2023,
  - h) Drawing No. 22-20-39. Dated 06/2023, recd on 21/06/2023,
  - i) Drawing No. Daylight and Sunlight Assessment, dated 18/04/2023, recd on 21/06/2023,
  - j) Drawing No. Energy Strategy Report, dated 05/2023, recd on 21/06/2023,
  - k) Drawing No. Transport Statement, dated 06/2023, recd on 21/06/2023,
  - l) Drawing No. Drainage Strategy & Suds Appraisal, dated 27/04/2023, recd on 21/06/2023,
  - m) Drawing No. Preliminary Contamination Assessment, dated 17/04/2023, 21/06/2023,
  - n) Drawing No. Habitat Regulations Assessment & Biodiversity Net Gain Assessment, dated 20/04/2023, recd on 21/06/2023,
  - o) Drawing No. 221222/Topo, dated 22/12/2022, recd on 21/06/2023,
  - p) Drawing No. Proposed Landscape Maintenance and Management Plan, dated 04/2023, recd on 21/06/2023,
  - q) Drawing No. 424/01, dated 20/04/2023, recd on 21/06/2023,
  - r) Drawing No. 424/02, dated 20/04/2023, recd on 21/06/2023,
  - s) Drawing No. Air Quality Assessment, dated 18/07/2023, recd on 21/06/2023,
  - t) Drawing No. Design and Access Statement (revised), dated 01/2025, recd on 10/01/2025.

