

Registration Date:	23-Jul-2024	Application No:	P/00378/033
Officer:	James Guthrie	Ward:	Farnham
Applicant:	AA & Sons Ltd	Application Type:	Major
		13 Week Date:	22 October 2024
Agent:	Mr. B Stanley, Heritage & Architecture, Chartered Arch 74 Stanhope Road, Uxbridge, London, UB6 9EA		
Location:	235 Farnham Road, Slough, SL2 1DE		
Proposal:	Outline application with all matters reserved, for the erection of a 3 storey plus mansard side extension with semi-basement. Demolition of the existing rear building and erection of 3 storey, rear extension over semi-basement, to provide 3no. 2 bed and 15no. 1 bed flats. Ancillary works including reinstatement of pavement on Farnham Road.		

Summary of Recommendation: Delegate to Planning Manager for Refusal



PART A - RECOMMENDATION

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

1. The proposal is considered to be overdevelopment of the site. This predominantly residential-led development would require an enlargement of the existing building resulting in a bulky, overbearing form of development, and not in keeping with character of the local area. It has not been satisfactorily demonstrated that the development proposed would not have a harmful impact on the character and appearance of the area due to its height, mass, prominent location and construction materials. The proposed development would not comply with Policy EN1 of the Local Plan for Slough March 2004, Core Policies 1, 4 and 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the National Planning Policy Framework 2024.
2. It is considered that there would be a harmful impact on living conditions of neighbouring occupiers, increased sense of enclosure and poor visual outlook as a result of the scale of the proposals and this is demonstrated by the illustrative plans. The proposed development would result in an unacceptable loss of amenity to neighbouring residents including those within Beaumaris Court and Farnham Road due an overbearing development resulting from the scale and mass of the building. The proposed development would not comply with Policies EN1 and H14 of the Local Plan for Slough March 2004, Core Policies 4 and 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the National Planning Policy Framework 2024.
3. It has not been demonstrated that the proposed dwellings would achieve acceptable Daylight and Sunlight Standards as set out in the BRE Guidelines, exacerbated further by close proximity to boundary treatment and/or existing built form which will impact upon outlook enjoyed from habitable room windows, particularly at lower and upper ground floor levels. 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 traffic and commercial uses on Farnham 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. 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.

5. The development fails to provide cycle parking in accordance with adopted Slough Borough Council standards and does not encourage the uptake of sustainable travel modes in accordance with the Slough Local Plan and the NPPF. Therefore, the development does not comply with Slough Local Plan Policy T8, is contrary to Slough Core Strategy Core Policy 7 and is also contrary to Paragraphs 115, 116 and 117 of the NPPF.
 6. The applicant has not included adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway. The development if permitted would lead to the stationing of vehicles on the highway and to vehicles reversing onto or off of the highway to the detriment of public and highway safety. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to Paragraphs 115, 116 and 117 of the National Planning Policy Framework.
 7. The applicant has not included adequate provision within the site for the storage of bins clear of the highway. The development if permitted would lead to the stationing of bulk bins on the footway and highway to the detriment of highway users safety. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to Paragraph 115, 116 and 117 of the National Planning Policy Framework.
- 1.1 The application is being brought to Committee for decision as it comprises a major development, more than 10 dwellings.

PART B - PLANNING ASSESSMENT

Site Description

2.0. The Site and Surroundings

- 2.1. The site is located on the western side of Farnham Road, within a parade of shops adjacent to Furnival Avenue, and opposite Essex Avenue, and is approximately 0.78 hectares.
- 2.2. The area is within the Farnham Road District Shopping Centre, as designated by S1 of the Local Plan for Slough, 2004, as such the predominant characteristic of the area is shops and commercial units, including chemists, convenience stores/newsagents, butcher and hot food takeaway; these commercial units are arranged over 3 storeys, and have flats above ground floor, typical of a High Street/District Shopping Centre.
- 2.3. The rear walls above ground floor level of the adjoining commercial properties are set approximately 7m forward of the rear wall of the site; the row of terraced properties extend north towards Furnival Avenue. The site is directly opposite a large supermarket on Farnham Road (Lidl) and southwest of another large supermarket (Checkout) on the corner of Farnham Road and Essex Avenue. The site, and the row of terraced shops, is set back from the main highway Farnham Road by a one-way service road providing restricted time on-street parking and vehicular access to Furnival Avenue. The row of shops are predominantly red brick

above ground floor level which provides uniformity; the application site has recently been clad in a grey material, with changes to the fenestration which appears as a departure from the predominant design within the immediate area.

- 2.4. The section of Farnham Road immediately adjacent to the site is a single carriageway, although with 4 lanes of traffic (north and south directions), and 2 large supermarkets; further north of the site is a tyre/autocare centre and a fuel filling station, which are all uses which require significant (and frequent) deliveries, which coupled with the uses within the parade of shops are likely to result in frequent vehicle movements (deliveries and customers) at various parts of the day. Cumulatively the activity within the area, in terms of vehicular noise, deliveries and mechanical sounds from the autocare centre have the potential to cause noise, which should be assessed within a noise impact assessment.
- 2.5. The rear of the site is perpendicular to the rear gardens of residential properties on Furnival Avenue, and the southern elevation of the site is adjacent to residential buildings within Beaumaris Court, which are principally 2 storey dwellinghouses, however there are bungalows towards the east/front of the site.
- 2.6. The site is comprised of two buildings: a 4 storey building to the front, which according to submitted floor plans provides a retail use at ground floor with storage at lower ground and office space at first floor; an external service area leads to the second building, with a commercial unit at ground floor with ramped access to a car park above and a plant room resulting in a staggered 2 storey building to the rear.
- 2.7. The site is approximately 2.6km south of the Burnham Beeches Special Area of Conservation (SAC); any major development within 5.6km of the SAC requires a Habitats Regulations Assessment (HRA) and mitigation measures to avoid adverse effects on the integrity of the SAC from the cumulative impacts of development.
- 2.8. The site is located within Flood Zone 1 within the Environment Agency Flood Risk Map for Planning, meaning that the area has a low probability of flooding.
- 2.9. The site is not in, or proximate to any Conservation Area, Locally Listed or Statutory Listed Buildings, and there are no Tree Preservation Orders on site or nearby. The site does not sit within an Air Quality Management Area.

Planning History

3.0. Relevant Site History:

With reference to relevant planning applications, the following applications below are of significance:

P/00378/014	Alteration to existing building at rear of site to provide catering kitchen & ancillary staff room		
	Approved with Conditions; Informatives		28-Feb-2001
P/00378/015	Alterations to the shop front		
	Approved with Conditions; Informatives		28-Feb-2001

- P/00378/016 Erection of a 1st & 2nd floor extension to existing approved offices, internal alterations to install a lift to provide for the disabled (amended plans 09/03/01 & 12/03/01)
Approved with Conditions; Informatives 27-Mar-2001
- P/00378/017 Installation of new cladding & glazing to south & east elevations brick up back ground floor glazing to south & west, replacement of windows (amended plans 12/03/01)
Approved with Conditions 28-Mar-2001
- P/00378/018 Extension at the first & second floor to existing approved offices, internal alterations to install lift to stairs to comply with the current standards & to provide facilities for the disabled
Withdrawn by Applicant 21-Nov-2001
- P/00378/019 Installation of new cladding & glazing to east & south elevations brick up ground floor glazing to south & west elevations installation of replacement to windows in the west elevations
Withdrawn by Applicant 21-Nov-2001
- P/00378/020 Demolition of existing and rebuild three storey building to replace existing and as approved incorporating ground floor retail and upper floor offices
Approved with Conditions 13-Dec-2001
- P/00378/021 Erection of three storey building incorporating ground floor retail, upper floor offices, basement and roof top storage areas
Approved with Conditions 27-May-2002
- P/00378/022 Change of use of part of first floor to provide customer restaurant facility
Approved with Conditions; Informatives 31-Mar-2004
- P/00378/023 Removal of condition 3 of planning permission P/00378/022 DATED 31/03/2004
Approved with Conditions; Informatives 27-Apr-2009
- F/00378/024 Prior approval for change of use from class b1(a) offices to class C3 residential (6 FLATS)
Prior Approval Not Required 24-Jan-2014
- P/00378/025 Application for change of use of ground floor (a1 retail) and basement (B8 - STORAGE) to A3/A5 restaurant and takeaway.

Approved with Conditions; Informatives 17-Nov-2014

P/00378/026 Outline application with all matters reserved, for the erection of a 3 storey plus mansard side extension over basement to existing front building, which, when combined with the conversion of the existing upper floors to the front building, will provide 9 flats in the front building, plus retail extension on upper ground floor, and extended storage in extended basement. Demolition of the existing rear building, (consisting of existing rooftop carpark over existing kitchens and existing commercial buildings), and erection of 3 storey plus mansard, rear extension over semi-basement, to provide 21 flats. Ancillary works including reinstatement of pavement on Farnham Road.

Withdrawn by Applicant 21-Feb-2020

F/00378/027 Prior Approval for change of use from Class B1(A) offices to Class C3 residential (6 Flats)

Deemed Consent 14-Jun-2020

P/00378/029 Change of use of existing top floor storage into 2no flats, including side and rear extension, new windows and doors at mansard floor level.

Approved with Conditions; Informatives 13-Oct-2020

P/00378/030 Alterations to front elevation to provide additional door at ground floor level and relocation of retail door

Approved with Conditions; Informatives 07-Oct-2020

P/00378/031 Outline application with all matters reserved (pursuant to approvals nos: F/00378/027, P/00378/029 and P/00378/030), for the erection of 2 storey plus recessed mansard, side extension to existing front building, over archway, in order to provide a total of one additional flat, (in addition to the 8 approved flats in approvals nos: F/00378/027, P/00378/029 and P/00378/030).

Approved with Conditions; Informatives 05-May-2021

P/00378/032 Reserved Matters application pursuant to outline planning permission P/00378/031 dated 05/05/2021 to consider layout of development and appearance of development in the respect of the approved side extension

Approved with Conditions; Informatives 25-Jun-2024

Consultation

4.0. Neighbour Notification

4.1. In accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), a number of site

notices were displayed around the site on 6 August 2024. The application was advertised in the 9 August 2024 and 18 October 2024 edition of The Slough Express, as the proposal constitutes a Major Development.

4.2. Two representations have been received (from the same individual) and are summarised below:

- Concerns regarding noise and disturbance to residents, who are elderly, as this is accommodation for the over 55.

Officer response: An assessment with regards to impacts on neighbouring occupiers has been undertaken within the relevant section of this report.

- Building would overshadow neighbouring properties and affect privacy.

Officer response: An assessment with regards to impacts on neighbouring occupiers has been undertaken within the relevant section of this report.

- Increased traffic and parking issues in the area.

Officers' response: A detailed response has been received from the Local Highway Authority; this can be found in the relevant section of this report. The Local Highway Authority recommend reasons for refusal based upon inadequate or insufficient cycle parking provision, delivery unloading and bin storage arrangement.

- The existing mobile phone masts on the roof causes interference with the TV signal

Officers' response: The impact of an existing mobile phone mast is not a material consideration for the current planning application.

5.0. Consultations:

5.1. **Natural England**

Comments received on 6 November 2024:

"Thank you for consulting Natural England on the Habitats Regulations Assessment (sHRA) (SDD October 2024) for the above application.

Whilst we are not in agreement with the rationale behind the conclusions of the impacts of this proposed development 'alone', I can confirm that Natural England agree with the conclusions of the impacts in combination with other plans and projects. Please find our formal response below.

5.2. **Burnham Beeches Special Area of Conservation (SAC): No objection subject to appropriate mitigation being secured**

I can confirm to you that as long as the applicant is complying with the requirements of Slough's policy requirements for the Burnham Beeches SAC (through a legal agreement securing contributions to Suitable Alternative Natural Greenspace (SANG)) at Upton Court Park for all net increases in residential accommodation, Natural England has no objection to this

application. It is Slough Borough Council's responsibility as the competent authority to ensure there is sufficient capacity for mitigation at this SANG.

Officer Note: Following discussions with SBC officers and the Applicant, it has been agreed with Natural England that a financial contribution will be made towards Upton Court Park and Burnham Beeches mitigation measures as part of the S106 Obligations. SBC is required to determine the additional carrying capacity of Upton Court Park referred to in the Phase 2 of the Upton Court Park Enhancement Scheme and this must be agreed with Natural England. SBC is currently undertaking this work to determine the additional carrying capacity of Upton Court Park in order to provide further measures to be secured through this outline development if in excess of 1195 dwellings are delivered under the outline permission. It is understood that the rate and amount of s106 contributions are broadly acceptable to NE as evidenced by SBC."

Officer comments: In the event that the proposal was acceptable, the applicant has agreed to make s106 contributions on the basis of a rate of £570 per additional dwelling towards mitigation projects for Upton Court Park; the Burnham Beeches Special Area of Conservation is discussed in greater detail in the relevant section of this report.

5.3. **SBC Environmental Air Quality and Noise**

Comments received on 6 September 2024:

"Air quality – as there is no parking provision, the development will not contribute to a worsening of air quality. As the development is nearby the main road, it is recommended that an exposure assessment is completed to ensure that new occupants will not be exposed to poor air quality. We are now undertaking our own monitoring on Farnham Road so we may be able to take a view ourselves if the applicant doesn't do this.

Noise – I can't see that a noise assessment has been produced for this development (apologies if I have missed it). If one has not been completed, the applicant must undertake a noise assessment to determine the noise impact from road traffic or any other significant sources (not sure if there is plant nearby?) on future occupants of the development"

Officer response: In the event that the proposal was acceptable, a condition requiring details of a noise assessment would be included.

5.4. **Lead Local Flood Authority Consultant**

Comments will be provided on the Amendments Sheet.

5.5. **SBC Contaminated Land**

Comments received on 12 February 2025:

"I have reviewed the information submitted in support to the application at the above site, together with our databases of Potentially Contaminated Land sites.

Please see my comments below:

- Whilst the site itself is not located on one of our PCLs, it is adjacent to several such sites, one of which was a former garage and filling station.
- Give the proposal to develop the site and introduce a more sensitive human health receptor, additional investigation and assessment is required to ensure there are no unacceptable residual risk to the end users, and the environment.

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

1. *Phase 1 Desk Study and Preliminary Risk Assessment (APAS code: NEN16)*

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

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

2. *Phase 2 Intrusive Investigation Method Statement (APAS code: NEN17)*

Should the findings of the Phase 1 Desk Study approved pursuant to the Phase 1 Desk Study condition identify the potential for contamination, development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA 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.

3. *Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy (APAS code: NEN18)*

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.

4. *Phase 4 Remediation Validation (APAS code: NEN19)*

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.”

Officer response: In the event that the proposal was acceptable, the recommended conditions would be included.

5.6. **SBC Local Highway Authority**

Comments received on 6 September 2024:

“In order to support the application, the LHA would require amendments and S106 contributions to mitigate the possible impacts and encourage sustainable travel in accordance with the aims of Local and National Planning Policies. As detailed below we would require short-stay cycle parking, prevention of pavement car parking and S106 contributions to support sustainable travel.

Prevention of Pavement Car Parking

The LHA require the amendment of the proposed site plan to display physical measures to prevent pavement parking outside 235 Farnham Lane (i.e. bollards, planting, cycle racks or benches). There is an existing problem with vehicles parking on the footway outside the site and the LHA is concerned that a 'car free' development could result in more vehicles parking on the footway outside the proposed site. The existing pavement parking problem is shown in a site visit photo below:



Cycle Parking

The LHA would require the provision of 3 Sheffield stands in the public realm outside the site as short-stay cycle parking to encourage visitors to the dwellings and the shop to use a bike. The Slough Developers Guide – Part 3: Highways and Transport requires the provision of short-stay visitor cycle stands at residential developments with 10 flats or more. This would be required in addition to the secure and covered cycle parking proposed for the dwellings.

Section 106 Contributions

Whilst the parking standards along 'Nil' car parking for developments in existing shopping areas, SBC require developments without car parking to support the provision of Slough's car club to encourage residents to travel sustainably and minimise the likelihood that they will try to keep a car on the site. The LHA require a contribution of **£5454** (£303 per dwelling) towards the operation of Slough's council run car club and the provision of car club vehicles on the A355 Farnham Road. This is consistent with the amount per dwelling agreed at other 'car free' residential developments within the borough. The council's car club scheme is intended for rollout by Slough's Environmental Quality Team. I have spoken to the EQ Team who are interested in using this contribution alongside pooled contributions from other developments to provide a car club space on the Farnham Road.

The LHA also require a contribution of **£3,000** towards a Traffic Regulation Order for the provision of the car club bay."

A subsequent response was received on 7 February 2025:

Cycle Parking

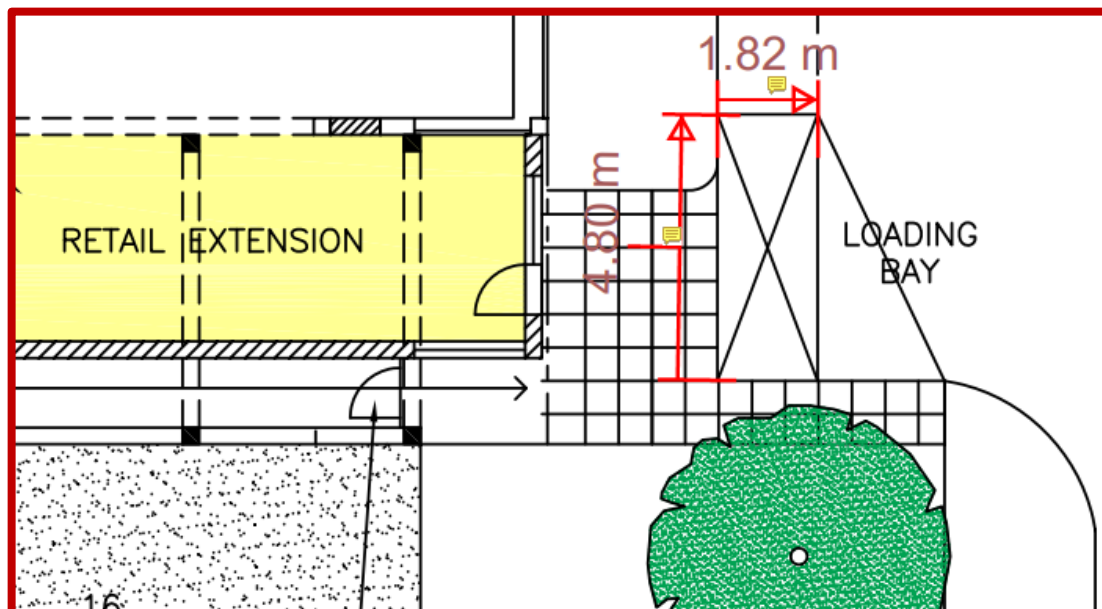
The LHA would recommend refusal due to insufficient cycle parking provision. The cycle parking proposed is not compliant with the requirements of the Slough Local Plan and the Slough Developers Guide – Part 3: Highways and Transport (2008). The following aspects are non-compliant:

- There are no Sheffield stands for visitor cycle parking. The Slough Developers Guide – Part 3: Highways and Transport requires the provision of short-stay visitor cycle stands at residential developments with 10 flats or more. This would be required in addition to the secure and covered cycle parking proposed for the dwellings.
- The residents cycle store appears to be restricted by steps on approach.

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

Deliveries, Servicing and Refuse Collection

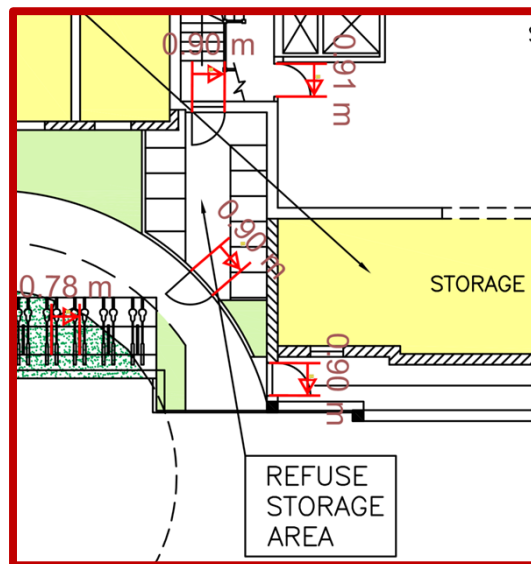
The LHA would recommend refusal of the application due to unsuitable provision for the loading/unloading of vehicles and unsuitable bin storage provision. The loading bay proposed only measures 4.8m x 1.8m which is not large enough to accommodate vehicles associated with retail deliveries or the removals and deliveries generated by residential dwellings. Dedicated loading provision would be required for a 16.5m articulated lorry, a 12m rigid lorry, a Luton Box Van and a long wheelbase van (6.96m long). The application would result in additional vehicles stationed on the A335 Farnham Road blocking the freeflow of traffic to the detriment of highway safety.



The bin store doors are not wide enough to manoeuvre bins through. This would result in bulk bins being stored on the public highway obstructing the footway or blocking the carriageway.

The doors of the proposed bin store are 0.90m which is not wide enough for bulk bins to pass through. Slough's Standard Bulk Bins measure 1.28m wide x 1.16m depth.

Slough's Guidance for refuse and recycling provision states that at developments of more than 12 flats, waste should be stored in 1100 Litre Bins. Slough's Guidance for Refuse and Recycling can be viewed at the following location: (<https://www.slough.gov.uk/downloads/file/182/part-4-update-to-refuse-and-recycling-storage-for-new-dwellings-november-2018->)



6.0. **Description of Development**

6.1. This is an outline application with all matters reserved for:

- Erection of a 3 storey plus mansard side extension with semi-basement.
- Demolition of the existing rear building and erection of 3 storey, rear extension over semi-basement.
- Ancillary works including reinstatement of pavement on Farnham Road.

6.2. The proposed development would provide 3no. 2 bed and 15no. 1 bed flats (18 flats in total).

6.3. The new roof would incorporate green roof with solar panels, although there are no further details have been provided regarding type of planting for the green roof, or number/generating capacity of the panels.

6.4. Illustrative floor plans indicate all residential units would rely on south facing windows, and with the exception of lower ground flats (which would have a private garden area) all other flats would have balconies. Submitted plans indicate the provision of 30 cycle storage spaces, however do not provide further details of design or enclosure.

- 6.5. The side extension would be 5.6m wide and 15.3m deep; the rear extension will be up to 11.4m wide, and 35.5m deep at lower and upper ground floor level, stepping in by approximately 1.3m at first floor, and the same distance again at second floor level.
- 6.6. The existing retail use at ground floor would be retained, with a side extension to increase floor area, and a loading bay to the front within the service road (adjacent to the main highway of Farnham Road); a gated access would provide entry to the rear of the building for residents, and the cycle and bin storage.
- 6.7. Details relating to appearance, means of access, landscaping, and layout have been reserved for subsequent approval.

7.0. **Planning Policy**

7.1. **Introduction**

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 in 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.

7.2. **The Development Plan**

The Development Plan consists of:

- The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, (December 2008)
- Site Allocations Development Plan Document (2010)
- The Local Plan for Slough, Adopted March 2004
- Proposals Map (2010)

7.3. **Supplementary Planning Documents and Guidance**

- National Planning Practice Guidance
- Slough Borough Council Developer's Guide Parts 1-4
- 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

7.4. **Slough Local Development Framework, Core Strategy 2006 – 2026 (December 2008)**

The following key policies in the Core Strategy are relevant to the determination of the planning application.

- Core Policy 1 - Spatial Strategy
- Core Policy 2 - Green Belt and Open Spaces
- Core Policy 3 - Housing Distribution
- Core Policy 4 - Type of Housing
- Core Policy 5 – Employment
- Core Policy 6 – Retail, Leisure and Community
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment
- Core Policy 9 – Natural and Built Environment
- Core Policy 10 - Infrastructure
- Core Policy 11 – Social Cohesiveness
- Core Policy 12 – Community Safety

7.5. **Slough Local Plan (Saved Policies 2010)**

Some of the policies in the Local Plan for Slough (2004) have been “saved” for development management purposes. The following policies have to be taken into consideration.

- EN1- Standard of Design
- EN3 – Landscaping
- EN5 – Design and Crime
- H14 - Amenity Space
- EN17 - Locally Listed Buildings
- T2 - Parking
- T8 - Cycling Network and Facilities
- T9 - Bus Network and Facilities

7.6. **Other Material Considerations**

7.6.1. **National Planning Policy Framework (NPPF) 2024**

Chapter 2. Achieving sustainable development
 Chapter 3. Plan-making
 Chapter 4. Decision-making
 Chapter 5. Delivering a sufficient supply of homes
 Chapter 6: Building a strong, competitive economy
 Chapter 7. Ensuring the vitality of town centres
 Chapter 8. Promoting healthy and safe communities
 Chapter 9. Promoting sustainable transport
 Chapter 10. Supporting high quality communications
 Chapter 11. Making effective use of land

- Chapter 12. Achieving well-designed places
- Chapter 13. Protecting Green Belt land
- Chapter 14. Meeting the challenge of climate change, flooding and coastal change
- Chapter 15. Conserving and enhancing the natural environment
- Chapter 16. Conserving and enhancing the historic environment
- Chapter 17. Facilitating the sustainable use of minerals

Paragraph 11 of the NPPF states that decisions should apply the presumption in favour of sustainable development:

“For decision making this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹”

(for the footnotes highlighted, please refer to the document itself: <https://assets.publishing.service.gov.uk/media/675abd214cbda57cacd3476e/NPPF-December-2024.pdf>)

7.6.2. **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.

7.6.3. **The Proposed Spatial Strategy (Nov 2020)**

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

7.6.4. **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 in Section 21 of this report.

7.6.5. Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive.

Since 31st December 2020, the UK requirements for Habitat Regulations Assessments is set out in the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019). Together, the National Site Network of the UK comprises over 25,500 sites and safeguards the most valuable and threatened habitats and species across Europe and the UK; it represents the largest, coordinated network of protected areas in the world.

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

The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that LSE cannot be ruled out at this stage. An Appropriate Assessment is therefore required to determine whether mitigation measures are required to ensure the project will not adversely affect the integrity of the European Site (Burnham Beeches SAC).

7.7. PLANNING CONSIDERATIONS

7.7.1. The planning considerations for this proposal are:

- Principle for Development and Land Use
- Housing Mix and Type
- Affordable Housing
- Design and Character of the Area
- Impact on amenity of neighbouring occupiers
- Living conditions for future occupiers of the development
- Landscaping and Trees
- Ecology & Impact on Local Protected Habitats
- Transport and Highways
- Air Quality and Noise
- Land Contamination
- Flood Risk and Drainage
- Making effective use of land
- Equality Considerations
- Planning Obligations

- Planning Balance

7.7.2. Principle for Development and Land Use

The existing site is a retail building with associated office and storage to the front, and a separate building to the rear, ramped car park and plant housing to the rear. The site is located outside of the town centre but within a recognised neighbourhood shopping centre (Farnham Road District Shopping Centre), in close proximity to established residential areas, Furnival Avenue, Briar Way and Beaumaris Court.

Core Policy 1 of the Slough Core Strategy 2008 relates to the spatial strategy for Slough, stating that development should take place within the built up area and predominantly on previously developed land. Proposals for high density housing should be located in Slough town centre, as confirmed by Policy 4 of the Core Strategy 2008, which also states that there should be no net loss of family accommodation. In the urban areas outside the town centre, new residential development will predominantly consist of family housing and be at a density related to the character of the surrounding area, the accessibility of the location, and the availability of existing and proposed local services, facilities and infrastructure.

Core Policy 4 also states that there should be no net loss of family accommodation, defined as “*A fully self-contained dwelling with a minimum gross internal floor area of 79 square metres, that has direct access to a private garden. Comprises a minimum of two bedrooms and may include detached, semi-detached, terraced and town house dwellings but not flats and maisonettes.*” The proposal does not result in the loss of any family housing as defined by the Core Strategy.

The site has been subject to a numerous prior approval decisions and planning permission to create residential units within the site. The Strategy section within the introduction to the Local Plan for Slough March 2004 states “new high-density mixed-use developments will be encouraged in the town centre and other appropriate locations such as the Stoke Road/Mill Street and Farnham Road centres”. The principle of development for residential use is acceptable, however the fundamental conflicts with planning policies would result in an unacceptable development.

7.7.3. Housing Mix and Type

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.

7.7.4 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..

7.7.5 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. 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.

- 7.7.6 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:

	1 bed	2 bed	3 bed	4 bed
Market	5%	19%	57%	20%

- 7.7.7 The proposed scheme would provide 18 residential units with a range of mixes as set out in the table below (the floor plans are indicative, and do not specify bedrooms however based upon the floor area, the 2 of the 2 bedroom units would be capable of 4 persons, and 10 of the 1 bedroom units capable of 3 persons as detailed below):

Type	No of units	Percentage
1 bed 1 person	5	27.8
1 bed 2 person	10	55.5
2 bed 3 person	1	0.6
2 bed 4 person	2	11
Total	18	100%

- 7.7.8 Given the tilted balance is engaged, the contribution towards housing would in principle attract positive weight in the planning balance, however of the 18 units proposed, these would predominantly be 1 bedroom units (83% in total, and over one quarter single occupancy). In having regard to the proposed mix in relation to where the need is most, the development would make a limited contribution to the housing supply within Slough. Accordingly moderate positive weight is afforded in the planning balance.

7.8 **Affordable Housing**

Core Policy 4 (Type of Housing) also sets out the affordable housing policy in the Core Strategy. This states that:

“All sites of 15 or more dwellings (gross) will be required to provide between 30% and 40% of the dwellings as social rented along with other forms of affordable housing.”

- 7.9 Paragraph 7.62 of the Core Strategy recognises that the proportion of affordable housing that will be sought may vary depending upon the size and nature of the site. It does not, however, contain a specific viability test within the policy.

NPPF para 66 states:

“Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.”

- 7.10 The Council's affordable housing guidance on how Core Strategy policy is to be implemented is contained in the 'Developer Contributions & Affordable Housing (Section 106)' document, dated September 2017. This requires between 30 % and 40% affordable housing as a 'normal requirement' for major development sites of 15 or more homes.
- 7.11 The Developer Guide notes that *“if a development, supported with a viability assessment, is agreed without being policy compliant re affordable housing policy it should be noted that the Section 106 planning obligation will include a review mechanism i.e. viability would be re-assessed at a later date”*. The Developer Guide notes *“For very large multi phased developments over many years. The review would establish if development values rise above development costs after permission is granted such that more affordable housing or an equivalent payment could be provided. Any additional affordable housing or payment justified by the review would take account of developers return for the site and be capped at the normal policy compliant level”*.
- 7.12 The applicant has stated that their intention to provide a “policy compliant” level of affordable housing, although offers no further details such as the type or tenure, whether provided on or off-site or rent based products; in the event that the proposal was acceptable in all other regards, the affordable housing provision would have been clarified.
- 7.13 In conclusion, Officers consider the affordable housing proposals represent a fair affordable housing offer and this is capable of being afforded some moderate weight in the planning balance, and therefore their inclusion adds to the sustainable mix of accommodation within the town centre/area.

7.14 **Design and Character of the Area**

Saved Policy EN1 requires development proposals to reflect a high standard of design and must be compatible with, and/or improve the surroundings in terms of layout, scale, height, architectural style and materials. Policy Core Policy 1 of the Core Strategy states that the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of use will not be allowed in locations that lack the necessary supporting infrastructure, facilities or services or where access by sustainable means of travel by public transport, cycling and walking are limited.

- 7.15 Core Policy 8 of the Core Strategy states that all development in the Borough shall be sustainable, of a high-quality design, improve the quality of the environment and address the impact of climate change.

Policy Core Policy 8 defines High Quality Design as to:

- a) Be of a 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.

7.15 The policy also requires that the design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.

7.16 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. Para 135 states that decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) 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.

7.17 The proposed development comprises a 3 storey side extension to the existing building, and demolition of an existing building to the rear to be replaced by a 3 storey rear extension to the existing building. Due to the scale and height, the building as extended will be readily visible from public vantage points, particularly Farnham Road to the east, and Briar Way to the south (incorporating Beaumaris Court). The existing building is marginally taller than the row of terraced properties to which it forms, as there is an additional storey; the side extension would create a wide front elevation, although would be no higher than the existing building. The front elevation has been clad in a grey material, with alterations to the fenestration, and the proposal seeks to retain this; the predominant design of the row of shops is exposed red brickwork, and therefore the alterations to the front elevation at the site appears as an incongruous addition, detracting from the uniformity of the row of shops and flats above.

- 7.18 The proposed rear extension would project the full depth of the site, stepping in only marginally at first and second floor; the resultant building would dominate views from public vantage points due to bulk, height and depth, and would be a visually oppressive structure. There are no exceptional circumstances to justify such a harmful development which is capable of being repeated elsewhere.
- 7.19 The development of the site is harmful to the visual amenities of the residential street scene, representing an incongruous form of development, harmful to the residential character of the area and would make it difficult for the Council to resist similar harmful proposals.

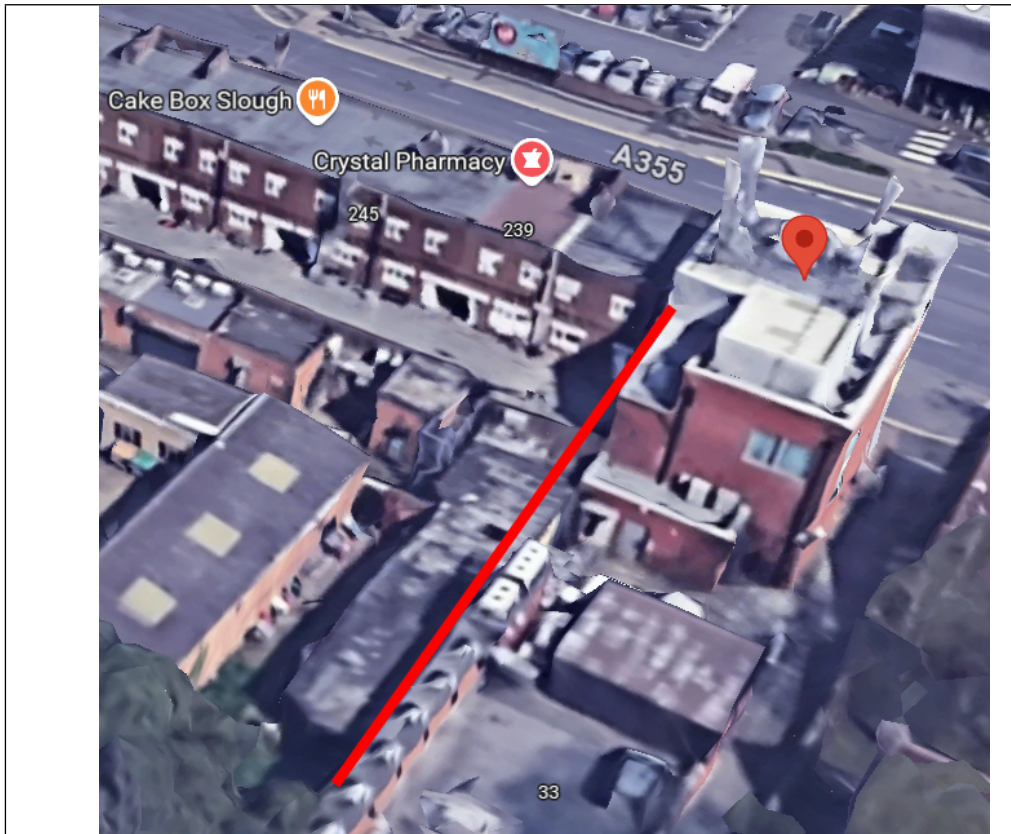
The proposed design development would not comply with Policy EN1 of the Local Plan for Slough March 2004, Core Policies 1, 4 and 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the National Planning Policy Framework 2024.

8.0 Impact on amenity of neighbouring occupiers

- 8.1 The National Planning Policy Framework requires planning decisions to ensure developments create places with a high standard of amenity for existing and future users.
- 8.2 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.
- 8.3 Comments from neighbours have focussed on noise and disturbance, overshadowing and privacy issues, and traffic/parking issues.
- 8.4 In the absence of a noise assessment, it is unclear whether the proposed dwellings would impact upon existing neighbouring occupiers, however given the proposed residential use, and opportunity to provide sound insulation to the new dwellings during construction, it appears unlikely that the new dwellings would result in significant increases in noise levels (notwithstanding any noise from construction which could be addressed within a construction management plan).
- 8.5 The site is to the north of properties on Beaumaris Court, and therefore despite the unacceptable bulk of the resultant building, there will be no increased overshadowing. The views from habitable rooms towards the site will generally be oblique due to the placement of windows, or at a distance of at least 15m, therefore on balance there will be no increased sense of enclosure impact upon neighbours within their properties at Beaumaris Court. Several residents at Beaumaris Court appear to use the area outside their properties as amenity area, with decorative planting, seating and tables, and whilst these are not private areas, would represent an area for the enjoyment of neighbouring occupiers. The extended building, spanning the full depth of the site, with only a modest step in above ground floor level, and within 7.2m of the shared boundary would result in a visually oppressive structure, harmful to the residential amenity of neighbours at Beaumaris Court.

- 8.6 The site is to the south of residential properties within the row of shops on Farnham Road; the north facing wall of the site will extend for the full depth of the site, and over 3 storeys; views from habitable rooms windows will be dominated by the resultant building, and given the orientation is likely to result in overshadowing for lengthy periods of the day (and more so during winter months when the sun is lower in the sky).
- 8.7 The images below from Google demonstrate the approximate position of the proposed northern wall (red line) of the resultant building, extending the full depth of the site and adjacent to the northern boundary of the site. The first image shows the true orientation (north to the top), and the second shows a rotated view (east to the top) to demonstrate the various windows with an oblique view towards the proposed building, as extended; these windows are also likely to suffer from unacceptable levels of overshadowing (which can be confirmed by an adequate daylight assessment).





The proposed development would have an unacceptable impact upon amenity of neighbouring occupiers.

9.0 **Living conditions for future occupiers of the development**

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.

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.

9.1 *Amenity*

Policy H14 of the Local Plan discusses Amenity Space. It states that:

The appropriate level will be determined through consideration of the following criteria:

- a) type and size of dwelling and type of household likely to occupy dwelling;*
- b) quality of proposed amenity space in terms of area, depth, orientation, privacy, attractiveness, usefulness and accessibility;*
- c) character of surrounding area in terms of size and type of amenity space for existing dwellings;*

d) proximity to existing public open space and play facilities; and e) provision and size of balconies

- 9.2 The flats all meet and exceed the national space standards for the size of units proposed, which is acceptable in planning terms. The flats would either benefit from private gardens (lower ground floor) or private balconies (upper ground floor and above), which provides some level of amenity for the occupiers of the flats.
- 9.3 The applicant has submitted a Daylight Assessment dated May 2024, which refers to Average Daylight Factor (ADF) for habitable rooms, which was a metric recommended in previous BRE guidance, however this was revised in June 2022, and measurements of ADF is no longer recommended. The current BRE guidance uses one of two methodologies, one based on target illuminances from daylight to be achieved over specified fractions of the reference plane or calculating the daylight factors achieved over specified fractions of the reference plane. The ADF Daylight Report submitted does not assess the level of daylight to be received by the proposed dwellings in accordance with the BRE guidance, and it is therefore not possible to assess if the daylight received would be adequate.
- 9.4 Several of the proposed flats, particularly at lower and upper ground floors, would have a modest separation distance (some between 7.5m and 12m) to the side wall of the neighbouring properties, No's.13 and 14 Beaumaris Court, resulting in poor outlook and unacceptable levels of enclosure; the distance from some habitable rooms to the site boundary is as shallow as 4m, therefore any boundary treatment is likely to exacerbate poor outlook. The building at No's.13 and 14 Beaumaris Court would present a visual obstruction (outside of the applicant's control), and would result in poor living standards for future occupiers, exacerbated by potentially poor levels of daylight. There was no noise assessment submitted, therefore it is not clear whether future occupiers would suffer from noise generated by commercial uses and traffic on Farnham Road, however such an assessment could be provided as a reserved matter.
- 9.5 The living conditions for occupiers, as a result of poor outlook and increased sense of enclosure, and potentially substandard daylight is unacceptable, and is a symptom of poor design, and overdevelopment of the site.

10.0 **Landscaping and Trees**

Core Policy 9 of the Core Strategy states that development will not be permitted unless it enhances and preserves natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

- 10.1 Whilst there are several trees outside of the site boundary, including silver birch, the site is predominantly covered in hardstanding and buildings, as such there would be no loss of soft landscaping or trees. The proposal includes a green roof, and gardens to lower ground floor flats, which would offer a degree of greening; further details of any planting could be secured by planning condition in the event that the proposal was otherwise acceptable.

11.0 **Ecology & Impact on Local Protected Habitats [including Burnham Beeches Special Area of Conservation]**

Paragraph 192 (b) of the NPPF requires new development to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

- 11.1 Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.
- 11.2 Saved Policy EN22 sets out that special account will be taken of nature conservation interest when determining proposals for development which would be detrimental to land which contains features of ecological importance. Ecological appraisals are required where proposed development is likely to threaten any nature conservation interest.
- 11.3 *Biodiversity Net Gain*

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.

- 11.4 The proposal is exempt from mandatory BNG, as the site is predominantly hard surfaced or comprising buildings; as such there is no obligation to provide a 10% Net Gain for biodiversity.
- 11.5 *Impact on Burnham Beeches SAC and Review of Shadow Habitat Regulations Assessment & Appropriate Assessment*

Under the requirements of the Conservation of Habitats and Species Regulations 2017 (‘The Habitats Regulations’) it is necessary to consider whether the proposed project may have significant effects upon areas of nature conservation importance designated/classified under the Directives (Habitats Sites). In this case the proposed development is entirely within a 5.6 Km buffer zone of Burnham Beeches Special Area of Conservation (SAC) located to the northwest of Slough outside the borough boundary.
- 11.6 The Habitats Regulations place a duty upon ‘Competent Authorities’ i.e. Slough Borough Council to consider the potential for effects upon ‘Habitats Sites’ (Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar) prior to granting consent for projects or plans.

- 11.7 The applicant has undertaken a Shadow Habitats Regulations Assessment and Appropriate Assessment of the proposed mitigation scheme as part of the above planning application. The Shadow HRA outlines the Habitats

Regulations context, the project, the relevant designated sites, screening of potential effects and consideration of potential effects resulting from public access/ recreation. The Shadow Appropriate Assessment comprises an assessment of whether the Likely Significant Effects on the integrity of Burnham Beeches SAC can be adequately mitigated.

- 11.8 This HRA Screening Report of Likely Significant Effects (LSE) has assessed the Development Proposals in terms of any potential impact upon relevant European designated sites and concluded that Likely Significant Effects cannot be ruled out in relation to the potential for increased recreational disturbance from new residents on Burnham Beeches SAC European Site.
- 11.9 An Appropriate Assessment (Stage 2) must be undertaken and completed by Slough Borough Council to assess whether the LSE on the integrity of Burnham Beeches SAC can be adequately mitigated.
- 11.10 The Council and Natural England have agreed in principle that an appropriate strategic solution to mitigating the cumulative impacts on Burnham Beeches from development (within the Burnham Beeches SAC buffer zone within Slough) would comprise improvements towards Upton Court Park near to and overlapping the southern edge of the borough. Council's draft Mitigation Strategy and the Upton Court Park Master Plan identifies a range of biodiversity/natural habitat improvements in Upton Court Park and identifies the Park as a suitable alternative natural greenspace. The Strategy was agreed by the Council on 11 October 2022. The 68 ha. park has the carrying capacity for more residents to use it. Its size, accessibility, substantial areas of existing semi natural habitat and walking routes means visitors can enjoy walks amongst nature away from development. It is already used for dog walking providing an alternative to Burnham Beeches. Implementation of some projects in the Mitigation Strategy/Master Plan will enhance its attractiveness to visitors and provide mitigation for the completed and fully occupied development.
- 11.11 The Mitigation Strategy identifies work priorities in Slough to address the Council's duty under the Habitat Regulations regarding reducing visitor pressure on the Burnham Beeches SAC sensitive habitat as a result of new residential developments within the zone of influence. The aim of creating alternative recreation spaces is to attract visitors who might have otherwise travel to Burnham Beeches SAC and also to improve biodiversity generally in the area. Section 106 contributions would apply to residential developments within 5.6km of Burnham Beeches SAC with the requirement for a contribution being set in the Mitigation Strategy acting as a planning guidance document prior to incorporation within a future, and subsequently in a Supplementary Planning Document. The Strategy sets out a contribution of £570 per additional dwelling.
- 11.12 In advance of the formally adopting this policy Supplementary Planning Document guidance, and recognising the evidence in place at the time, the Applicant has agreed to make s106 contributions on the basis of a rate of £570 per additional dwelling towards the above projects. As a result, it is considered that the proposal would not have adverse effect on the integrity of Burnham

Beeches SAC. As such compliance with such planning obligations (Section 106 contribution) would provide certainty of no adverse effect on site integrity subject to the conditions or obligations being secured.

12.0 Transport and Highways

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.

12.1 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.

12.2 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.

12.3 Core Policy 7 states: All new development should reinforce the principles of the transport strategy as set out in the council's Local Transport Plan and Spatial Strategy, which seek to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.

12.4 Development proposals will, either individually or collectively, have to make appropriate provisions for:

- Reducing the need to travel;
- Widening travel choices and making travel by sustainable means of transport more attractive than the private car;

- Improving road safety; and
- Improving air quality and reducing the impact of travel upon the environment, in particular climate change.

12.5 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. The site falls within Farnham Road District Shopping Centre, and there is no requirement for parking provision.

12.6 Policy T8 of The Adopted Local Plan for Slough 2004 provides that planning permission will not be granted for development which would prejudice the implementation of the proposed cycle network in Slough, and proposals must include suitable cycle access to and through the site and cycle parking racks and other facilities for cyclists as an integral part of the development.

12.7 The Local Highways Authority have raised firm objection to the proposed development, fundamentally inadequate or inappropriate cycle and bin storage, and unsuitable loading/servicing area with an impact upon highways safety and the free flow of traffic. The proposal would fall contrary to the relevant saved transport and highways policies in the Local Plan (T8) and the Core Strategy Policy 7, and the NPPF (2024) and would result in severe impacts.

13.0 **Air Quality and Noise**

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. Proposal should not result in unacceptable levels of air pollution. This is reflected in the National Planning Policy Framework which also goes on to require any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

13.1 The Council has adopted Low Emission Strategy on a corporate basis, which is a local air quality action plan incorporating initiatives to be delivered by the Council and will set the context for revising the Local Development Plan Policies. Measures in the Low Emission Strategy include reducing traffic, requiring electric charging points, and low emission boilers within new developments. The Low Emission Strategy is a material planning consideration but it does not form part of the current local development plan.

13.2 No objections are raised in respect of Air Quality impacts. 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 traffic and commercial uses on Farnham Road, however in the event that planning permission was granted a Noise Impact Assessment would be required and measures incorporated within the design of the development, which can be secured by condition where relevant.

14.0 Land Contamination

Paragraphs 183 of the National Planning Policy Framework require a site to be decontaminated so that it is suitable for its proposed use. Core Policy 8 (Sustainability and the Environment) of the SBC's Core Strategy Document states that development shall not 'cause contamination or deterioration in land, soil or water quality' nor shall development occur on polluted land unless appropriate mitigation measures are employed.

The site is not included within the Council's database of Potentially Contaminated Land sites, although is adjacent to several such sites, one of which was a former garage and filling station. Due to proposal introducing a more sensitive human health receptor, additional investigation and assessment is required to ensure there are no unacceptable residual risk to the end users, and the environment. The Council's Land Contamination Officer has been consulted and has recommended conditions which should be included if the proposal was acceptable in all other regards.

15.0 Flood Risk and Drainage

Core Policy 8 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. 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. The National Planning Policy Framework states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Advice from the lead local flood authority should be taken into account.

- 15.1 Parts of the Site are located within Flood Zone 1, identified as land assessed as having a less than 1 in 1000 year annual probability of river/tidal flooding. The Site is therefore considered to be at little or no risk of fluvial or tidal/coastal flooding.
- 15.2 The applicant has submitted a Drainage Strategy, dated March 2020, which not only pre-dates the current application by almost 5 years but also several iterations of the NPPF. The Drainage Strategy concludes that the proposed development can be constructed with no flooding to property and is within the constraints and guidance regarding surface water drainage and flood risk; this may be the case, however an up to date Drainage Strategy would be necessary to allow the LPA to determine this.
- 15.3 The Lead Local Flood Authority have been consulted with regards to the submitted flood risk assessment and drainage strategy, and a response is pending. An up to date draining strategy could be required to be submitted as a reserved matters to ensure that flood risk and drainage arising from the development will be designed to minimize impacts in a sustainable way, to comply with Core Policy 8 and the NPPF.

16.0 **Making effective use of land**

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

- 16.1 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.
- 16.2 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).
- 16.3 The proposal would provide 18 additional units, following demolition of an existing building to the rear of the site and extensions to the existing building at the front of the site; whilst this would meet some of the aims set out in Paragraph 125 of the NPPF, the proposal would be of poor design, have a harmful impact on neighbouring and future occupiers, and fail to meet highway safety the objectives.
- 16.4 Based on the above the proposal would cause substantial harm and would not result in the effective use of land, failing to comply with Section 11 of the NPPF.

17.0 **Equality Considerations**

- 17.1 The Council is subject to the Public Sector Equality Duty in section 149 of the Equality Act 2010, which (amongst other things) requires the Council to have due regard to the need to eliminate discrimination/harassment/victimisation, advance equality of opportunity between people who share (and do not share) a protected characteristic and foster good relations between people who share (and do not share) a protected characteristic.
- 17.2 Having due regard to the need to advance equality of opportunity between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 17.3 Having due regard to the need to foster good relations between persons who share (and do not share) a relevant protected characteristic involves having due regard, in particular, to the need to: (i) tackle prejudice; and (ii) promote understanding.

- 17.4 The protected characteristics referred to in the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The PSED is a continuing duty to have regard to the objectives identified in the Act as opposed to requiring the Council to achieve any particular outcome.
- 17.5 Throughout this report, due regard has been had to the needs of individuals with these protected characteristics, as required by the Act in order to understand the likely impact of the development proposal on them.
- 17.6 It is considered that there will be temporary (but limited) adverse impacts whilst the development is under construction. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development eg: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. However, measures can be incorporated into the demolition method statement and construction management plan to mitigate the impact and minimise the extent of the effects.
- 17.7 As detailed design is not known, an accessibility condition will be included to ensure level threshold access where possible within the Development, for example to individual and communal entrances to the dwellings and commercial units are accessed by way of ramps and level thresholds which considers the needs to people with characteristics such as those with disabilities, pregnancy/maternity or age characteristics.
- 17.8 The recommendation includes satisfactory completion of an Equalities Impact Assessment (EqIA) which considers the detailed impacts on protected groups under the Equality Act. In conclusion, it is considered that the needs of individuals with protected characteristics have been considered by the Local Planning Authority to appropriate level at this outline stage in the planning process, exercising its PSED in accordance with the 2010 Equality Act.

18.0 **Planning Obligations**

Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new infrastructures must be sustainable. Where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.

- 18.1 A Section 106 Agreement would secure financial contributions as detailed below (this is in addition to controls that would be secured by planning conditions). The following obligations would form part of the Agreement, each of which is considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 i.e. the obligations are considered to be:

- (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.

18.2 The following obligations would be secured:

- Provision of **£153,623.50** off-site Affordable Housing contribution, based upon 18 units with a mix of 15 x one bed and 3 x two bed dwellings (83.3% of £146,854 and 16.7% of £187,471 respectively).
- For developments of over 15 dwellings a financial contribution is required towards education. A one bedroom flat requires a contribution of £903 and a two bedroom flat would require a contribution of £4,828. The proposed development of 15 x one bedroom flats (£13,545) and 3 x two bedroom flats (£14,484) would require a total contribution of **£28,029**.
- Provision of **£5454** towards the operation of the Council's car club, including provision of vehicle(s) and dedicated parking space(s), and contribution of **£3,000** towards a Traffic Regulation Order for the provision of the car club bay.
- Financial Contribution of up to **£10,260** towards providing precautionary measures reducing recreational and visitor pressure on Burnham Beeches SAC including but not limited to improvements to Upton Court Park, and/or towards management and maintenance of visitor facilities within Upton Court Park and other suitable alternative green spaces in Slough as deemed appropriate by SBC in consultation with Natural England. Contributions derived from basis of £570 per additional dwelling to be calculated based on the quantum of housing coming forward.

19.0 **Planning Balance**

The application has been evaluated against the Development Plan and other material considerations including the NPPF. The Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development" for which there is a presumption in favour (per paragraph 11 of the NPPF).

- 19.1 The report identifies that the proposal does not comply with some of the relevant saved policies in the Local Plan and Core Strategy, and it identifies where there are some conflicts with the Development Plan. As a whole, it is considered the proposals are not compliant with the Development Plan. However, there are important policies in the development plan which are out of date, and, in applying a presumption in favour of sustainable development (as required by paragraph 11), this means that part (d) of Para 11 of the NPPF is triggered which provides that planning permission should be granted unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination".
- 19.2 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 18 new residential units at the mix provided should be afforded **moderate positive weight**.
- The provision of a green roof and solar panels (whilst no further details have been provided regarding type of planting, or number/generating capacity of the panels), could make a contribution towards sustainability, energy efficiency and biodiversity, and should be afforded **moderate positive weight**.

19.3 The following adverse impacts were identified:

- The proposed bulk of the building, in close proximity to site boundaries would represent an overbearing form of development, harmful to the amenity of residential neighbours and not in keeping with the massing and appearance of the properties that sit within Beaumont Court, which comprises single storey and 2 storey dwellings. 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. This should be afforded **considerable negative weight**.
- The future occupants of the new dwellings, particularly at lower and upper ground floor would suffer poor outlook from habitable room windows, due to a minimal separation distance to the site boundary and existing neighbouring buildings. The applicant has provided a daylight assessment which does not follow the current guidelines of the BRE, as such it has not been demonstrated that the development would benefit from adequate daylight. efficient use of adjoining land. The proposal would provide poor living conditions for the future occupiers of the development, which should be afforded **considerable negative weight**.
- No Noise Assessment has been provided as a part of the proposal, and it cannot therefore be sufficiently demonstrated that the future occupiers of the proposal would not be adversely affected by the noise generated from the demonstrated if the future occupiers of the proposal would not be adversely affected by the noise generated from traffic and commercial uses on Farnham Road; this matter could be resolved at a later stage as reserved matters, and should be afforded **moderate adverse weight**.
- The development proposes a loading area and bin storage provision which is inadequate, and would impact upon the flow of traffic on the highway, resulting in conflict between vehicles associated with the proposed site and existing highway users on the Farnham Road. This should be afforded **considerable negative weight**.

19.4 Therefore, in coming to a conclusion, Officers have given due consideration to the benefits of the proposal in providing a net gain of 18 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 potential biodiversity and sustainability improvements. These factors create a range of limited to moderate benefits which weigh in favour of the development in the planning balance. However, given the considerable (and numerous) adverse impacts raised with regards to design and impact on the character of the area and residential neighbours, impact on future and neighbouring occupiers, and highways access it is considered that the proposal has demonstrably adverse

impacts that would greatly outweigh the benefits of the scheme in the planning balance.

- 19.5 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.
- 19.6 Officers acknowledge that the site represents a redevelopment opportunity and that a mixed-use development which makes efficient use of the site would be acceptable in principle, although not to the scale proposed, due to the adverse impacts and harmful aspects discussed within this report. Officers have sought to work proactively with the applicant, both within the current application, and following withdrawal of the proposal from February 2020, to progress to an acceptable scheme at this site, however the applicant appears reluctant to make necessary changes, or reduce the scale of development. In light of resistance when seeking further information or amendments, Officers considered that it would not be pertinent to continue discussions in respect of scale and design and that the application should be determined as submitted, so as to avoid protracted discussions with little scope for improvement. The applicant did not engage in pre-application discussions for the proposal, and this would have highlighted the issues at an early stage which could have been addressed. Officers have been proactive in seeking clarification and further information, however as the number of units is included within the description of the development for an outline application, with all matters reserved, the indicative scale and mass shown would not be able to be reduced without impacting the delivery of the proposed unit numbers.
- 19.7 Having considered the relevant policies and planning considerations set out above, it is recommended the application be refused for the reasons set out below.

20.0 **PART D: RECOMMENDED REASONS FOR REFUSAL**

1. The proposal is considered to be overdevelopment of the site. This predominantly residential-led development would require an enlargement of the existing building resulting in a bulky, overbearing form of development, and not in keeping with character of the local area. It has not been satisfactorily demonstrated that the development proposed would not have a harmful impact on the character and appearance of the area due to its height, mass, prominent location and construction materials. The proposed development would not comply with Policy EN1 of the Local Plan for Slough March 2004, Core Policies 1, 4 and 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the National Planning Policy Framework 2024.
2. It is considered that there would be a harmful impact on living conditions of neighbouring occupiers, increased sense of enclosure, poor visual outlook and overshadowing as a result of the scale of the proposals and this is

demonstrated by the illustrative plans. The proposed development would result in an unacceptable loss of amenity to neighbouring residents including those within Beaumaris Court and Farnham Road due an overbearing development resulting from the scale and mass of the building. The proposed development would not comply with Policies EN1 and H14 of the Local Plan for Slough March 2004, Core Policies 4 and 8 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the National Planning Policy Framework 2024.

3. The Local Planning Authority maintains a holding objection as it has not been demonstrated that the proposed dwellings would achieve acceptable Daylight and Sunlight Standards as set out in the BRE Guidelines, exacerbated further by close proximity to boundary treatment and/or existing built form which will impact upon outlook enjoyed from habitable room windows, particularly at lower and upper ground floor levels. 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 traffic and commercial uses on Farnham 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. 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.
5. The development fails to provide cycle parking in accordance with adopted Slough Borough Council standards and does not encourage the uptake of sustainable travel modes in accordance with the Slough Local Plan and the NPPF. Therefore, the development does not comply with Slough Local Plan Policy T8, is contrary to Slough Core Strategy Core Policy 7 and is also contrary to Paragraph 115, 116 and 117 of the NPPF.
6. The applicant has not included adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway. The development if permitted would lead to the stationing of vehicles on the highway and to vehicles reversing onto or off of the highway to the detriment of public and highway safety. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and

is also contrary to Paragraphs 115, 116 and 117 of the National Planning Policy Framework.

7. The applicant has not included adequate provision within the site for the storage of bins clear of the highway. The development if permitted would lead to the stationing of bulk bins on the footway and highway to the detriment of highway users safety. The development is contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7 and is also contrary to Paragraph 115, 116 and 117 of the National Planning Policy Framework.

Informatives:

1. The application has been determined in accordance with the following submitted plans:
 - (a) Location Plan, scale 1:1250, Dated 04-Jul-2024; Recd On 05/07/2024
 - (b) Drawing No.P-01; Recd On 05/07/2024
 - (c) Drawing No. P-07 REV B; Recd On 05/07/2024
 - (d) Drawing No. P-08 REV A; Recd On 05/07/2024
 - (e) Drawing No. P-09 REV A; Recd On 05/07/2024
 - (f) Drawing No. P-10 REV D; Recd On 06/01/2025
 - (g) Drawing No. P-11 REV C; Recd On 05/07/2024
 - (h) Drawing No. P-17 REV A; Recd On 05/07/2024
 - (i) Drawing No. P-18 REV D; Recd On 05/07/2024
 - (j) Drawing No. P-19 REV A; Recd On 05/07/2024
 - (k) Drawing No. P-20 REV C; Recd On 05/07/2024
 - (l) Drawing No. P-21 REV A; Recd On 05/07/2024
2. It is the view of the Local Planning Authority that the 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.

In accordance with paragraph 39 of the NPPF 2024, the Council takes a positive and creative approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 41 of the NPPF 2024, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

