

Registration Date:	02-Jan-2025	Application No:	P/03143/011
Officer:	Shivesh Seedhar	Ward:	Elliman
Applicant:	Mr. R Laly	Application Type:	Major
		13 Week Date:	3 April 2025
Agent:	Mr. Ian Donohue, Southern Planning Practice Youngs Yard, Churchfields, Twyford, Winchester, SO21 1NN		
Location:	Unit D, Stoke Gardens, Slough, SL1 3QB		
Proposal:	The demolition of the existing building on site to facilitate the construction of a part part 6, part 7, part 8, part 9 storey building to create 34 no flats, with cycle parking and bin stores (amended description).		

Recommendation: Delegate to the Planning Manager for refusal



1.0 **RECOMMENDATION**

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

1. The proposal for piecemeal development would result in the partial loss of an Existing Business Area to a non-employment generating use. A comprehensive approach has not been adopted or achieved that could provide exceptional circumstances and would potentially sterilise future development of neighbouring land when taking into consideration the neighbouring adjoining land to the east and north of Stoke Gardens. The proposal would therefore be contrary to Policy H9 of the Local Plan for Slough 2004, Core Policy 1 and 5 of the Core Strategy, and the requirements of the National Planning Policy Framework 2024.
2. The proposed development would, by virtue of its design, scale and massing would result in a development that is not be in keeping with character and appearance of the local area to its severe detriment. The proposal lacks adequate architectural and landscape detail, resulting in a low-quality, poorly legible design and therefore would have an unacceptable impact on the character and visual amenity of the area. In addition to this, the application fails to demonstrate and investigate the impacts of the proposed massing on the wider townscape and the neighbouring Horlicks development which is forthcoming. The proposal is therefore contrary to Policies H9, EN1, EN2, and EN3 of the Local Plan for Slough 2004 and Policies CP1, CP4, and CP8 of the Local Development Framework Core Strategy 2008 and the requirements of the NPPF 2024.
3. Insufficient information has been submitted to assess the impact on the relevant heritage assets as required by Paragraph 202 of the NPPF, particularly in terms of the impacts of the height, scale and materiality on Windsor Castle. The lack of any form of a Heritage statement in the submission has resulted in a Holding Objection from the Heritage advisor. The proposal has therefore failed to demonstrate compliance with Core Policy 9 and the NPPF.
4. The proposal fails to provide sufficient defensible space and separation to the ground floor windows of the proposed scheme which open to habitable rooms. This would result in poor levels of privacy and put residents at risk of crime and antisocial behaviour. The flats would fail to provide any meaningful private amenity space for future users. No Noise Assessment has been provided as a part

of the proposal meaning it cannot be sufficiently demonstrated if the future occupiers of the proposal would not be adversely affected by the noise generated from the railway and / or surrounding commercial uses. Ground floor habitable windows are site close to boundary fencing providing poor outlook. The proposal has also failed to demonstrate the habitable rooms would receive sufficient levels of sunlight and daylight. Cumulatively, the proposal would provide poor living conditions for the future occupiers of the development, failing to comply with Core Policy 4 and 12 of The Core Strategy, Policies, EN5 and H14 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024.

5. The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted would lead to additional on-street car parking which would obstruct the access, turning heads, visibility splays, cause pavement parking or obstruct access by emergency vehicles which would result in an unacceptable impact on safety for users of the highway including pedestrians. The development is contrary to Slough Borough Council Local Plan Policy T2 and Paragraphs 114 and 116 of the National Planning Policy Framework.
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 Paragraph 116 of the National Planning Policy Framework.
7. The applicant has failed to provide a shadow Habitats Regulations Assessment to assess the impact of the proposal on the Burnham Beeches Special Area of Conservation. The development would likely have a significant adverse effect on the Burnham Beeches Special Area of Conservation. The development would therefore be contrary to Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, 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.
8. Insufficient information has been provided to make a detailed assessment of the impacts on biodiversity, as a result of the development. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, and the National Planning Policy Framework.

9. 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.

1.2 The application is being brought to Planning Committee for decision as it comprises of a major development for 34 flats.

2.0 **PART B – PLANNING ASSESSMENT**

2.1 The site is located on the southern side of Stoke Gardens and measures approximately 0.18 hectares in area. The plot narrows to the west of the site. The building on site is single storey and currently vacant but was previously used as an industrial unit for small scale car repairs, tyre fitting and car valeting. Access is off Stoke Gardens or Bristol Way.

2.2 Surrounding land uses are a mix of industrial and new build residential apartments. To the west and north of the site is currently under construction for the redevelopment of the former Horlicks Factory site for up to 1,380 dwellings approved under reference P/00094/092 on 8th August 2024. To the north is a temporary car park and marketing suite associated with the Horlicks Factory and to the northeast is a building used as a lawyer's office. Further to the north and northeast, the character of the area comprises a mixture of residential properties.

2.3 To the east is car repair business W.N. Thomas & Sons. The nearest residential properties are flats at Gray's Road approximately 50m north east of the site which are up to 4 storeys in height and West Central Apartments are approximately 120m east of the site, up to 7 storeys.

2.4 To the south are various light industrial trade buildings including warehouses and distribution centres at Bristol Way. The ground levels drop at Bristol Way. Further south some 26m from the site is the Great Western Railway line with trains running from Reading to the west and London Paddington to the east.

2.5 The site is situated outside of the defined town centre and Stoke Road neighbourhood centre as shown on the Slough Local Development Framework Proposals Map. The commercial core of Slough town centre is located to the southeast of the site some 250m away. Slough Trading Estate

is approximately 1.2km from the site. Salt Hill Park is located 300m to the west of the site.

- 2.6 The site does not lie within a Conservation Area and is not identified as a designated or non-designated heritage asset. The nearest listed building to the site is Slough Train Station, approximately 300m to the East. The Horlicks Factory to the west is a locally listed building. The site lies within Flood Zone 1 and is not located close to an Air Quality Management Area. The site lies in a Existing Business Area under EMP3 and Core Policy 5 of the Core Strategy. The site does not form part of a Selected Key Location (SKL), however it is noted that to the east, Stoke Road and Mill Street (SKL 3) is identified as a SKL site.

3.0 **Relevant Site History**

- 3.1 There has been no pre-application engagement with the Local Planning Authority with respect to this application proposal. With reference to relevant planning applications, the following applications below are of significance:

P/04230/010 - Demolition of existing building and proposed construction of 40 new flats. 9 n.o 2 bedroom flats and 31 n.o one bedroom flats with roof terraces, basement car parking and amenity space.

Withdrawn – 10th June 2021

P/04230/009 - Submission of details pursuant to condition 4 (Phase 1 Desk Study and Preliminary Risk Assessment), 5 (Phase 2 Intrusive Investigation Method Statement) & 6 (Phase 3 Quantitative Risk Assessment and Site Specific Remediation Strategy) of planning permission P/04230/007 dated 03/09/2020

Approved with conditions – 2nd November 2020

P/04230/008 - Advertisement consent to display 9no freestanding signs, 2no wayfinder sign posts, 1no hoarding run (5 sections) and 3no exhibition frames signs

Approved with conditions – 22nd September 2020

P/04230/007 - Erection of a temporary car park and open space for use in relation to the approved Marketing Suite (P/00094/042, granted on 30th April 2020) and associated temporary boundary treatment, hard and soft landscaping and formation of new pedestrian accesses.

Approved with conditions - 3rd September 2020

Unit D and E Stoke Gardens

P/03143/009 - Lawful Development Certificate for use of site for car servicing, valeting, general repairs and tyre fitting.

Refused – 26th July 2011

P/03143/008 - Demolition of existing buildings and erection of 3 buildings 3 storeys high with curved roofs for B1 use

Refused – 27th February 2004

P/04230/006 - Erection of workshop extension with two decks of car storage over (amended plans received 31.10.97)

Approved with conditions – 17th December 1997

P/03143/004 – Erection of industrial unit

Approved with conditions – 20th October 1986

4.0 **Consultations**

4.1 **Neighbour Notification**

4.2 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 15/01/2025. The application was advertised in the 17/01/2025 edition of The Slough Express for the following reasons:

The proposals constitute a Major Development

Further revised plans and documents were submitted in connection with the application received by SBC on 20/02/2025. The revised documentation included amendments to the development proposals, and to the plans submitted (for consideration/approval) as well as amendments to the description of development. As such, in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), a number of amended site notices were displayed around the site on 05/03/2025 with an amended press notice advertised in the 14/03/2025 edition of The Slough Express.

No representations from the public have been received at the time of writing this report.

4.3 **Consultation responses**

SBC Air Quality and Noise (Environmental Officer)

Proposal

The demolition of the existing building on site to facilitate the construction of an 8 storey building to create 33no flats with cycle parking and bin stores. Existing use: car servicing, valeting, general repairs and tyre fitting
No parking is to be provided.

Air Quality Comments

The development site is not in an existing area of poor air quality (expected to be in the region of 20-30 $\mu\text{g}/\text{m}^3$), nor is the development likely to contribute to a worsening of air quality as it does not propose to provide any parking spaces. As such, the impact on air quality will likely be minor. It is recommended however that the applicant considers the impact of any localised air quality issues, for example if there is polluting plant nearby the development site. Due to the lack of parking provision, it is recommended that the applicant considers mitigation to reduce risk of on street parking, for example contributing towards the provision of a car club space.

As a minimum it is expected that the applicant provides the following mitigation:

- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report
- A contribution shall be made towards the Slough Car Club scheme.

Environmental Noise

Bristol Way consists of mainly industrial uses in two and three storey buildings, therefore industrial and plant noise may cause noise disturbance to future occupants of the development. In addition, the site is very close by the rail line, therefore there is risk that the development will expose future occupants to very high noise levels during both the day and the night. This is particularly relevant to the upper storeys, as the lower storeys appear to benefit from some screening from buildings alongside the rail line on Bristol Way. Traffic noise from neighbouring roads and adjacent development is also likely to contribute to noise disturbance. It is expected that significant mitigation will be required in the form of glazing and ventilation, to ensure that the development is acceptable in regards to noise exposure.

In regards to room orientation, the floor plans supplied indicate that sensitive rooms (i.e. bedrooms) will be facing directly onto the rail line, with a balcony on each floor. This does not follow good design principles and it is recommended that room layout of the units is reconsidered to position bedrooms away from the southern façade, to ensure that noise criteria within BS 8233 can be met. It is also unlikely that the noise levels on balconies will meet external amenity noise criteria within BS 8233 (50 – 55 dB), although it is recognised that some occupants may prefer to have noisy private space than none at all.

It is expected that a noise assessment will be submitted which assesses the impact of nearby noise sources on the proposed development, and outlines mitigation required to enable requirements of BS 8233 to be met. If any plant is to be installed as part of the development, it is expected that it shall be assessed in accordance with BS 4142. The council require that the rating level of new plant does not exceed the existing background noise level as a minimum.

SBC Urban Design Advisor

Comments have been provided by the Urban Design Advisor throughout the scheme and are distilled into the Officer's assessment.

BEAMS (Townscape and Visual Impact, and Heritage comments)

The application site comprises a triangular plot of land at the west end of Stoke Gardens, the site is on the south side of Stoke Gardens and immediately to the north of Bristol Way and the railway line.

The former Horlicks factory site lies to the north and west of the site, the Horlicks Factory is a landmark building in the town, it is a 'locally listed building' (undesigned heritage asset) and the adjacent brick chimney stack is also a local landmark.

The Horlicks Factory site has consent for a large-scale residential redevelopment, which is underway, and includes the conversion of the former Horlicks Factory to residential use.

The application proposes demolition of the existing modern workshop buildings on the site and redevelopment to provide a 6 / 7 / 8 / 9-storey residential block comprising 34 flats.

The Design and Access statement makes no reference to any heritage-based constraints or any potential impact upon their significance, through development within their setting. NPPF para.207 states:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected,

including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Whilst a detailed Heritage Statement may not be needed here, some form of Heritage Impact assessment would be welcomed. [Officers note – this is considered to hold weight as a holding objection due to the lack of information provided].

Development is well underway on the former Horlicks Factory site, which lies to the north and west. This does include some taller blocks of up to 14 / 17 storeys so it is noted the development being put forward upon the application site will be lower than this. However, in townscape terms it is not clear how well the proposal relates to its immediate surroundings.

The contemporary design approach is considered acceptable in terms of materials, the use of brick is recommended.

BEAMS notes the relatively modest scale of development on the site, compared to that of the former Horlicks Factory site but raises concerns over the lack of any heritage statement / assessment as part of the application submission - a 9 storey building is not small scale!

The development will be visible from Slough Station, which comprises 3 statutory listed buildings, however the proposal will not have an adverse impact upon their significance (through development within their setting). The listed War Memorial within the Horlicks Factory site is surrounded by taller development at present and the proposal will not impact its setting. The redevelopment of the Horlicks Factory site was found to have a low adverse impact upon the setting of Baylis House (and grounds) but due to the position of the application site in relation to the Horlicks Factory site (and intervening development under construction) the proposal will not impact the setting of this grade I listed building.

In relation to the wider setting of Windsor Castle, at 9 storeys the proposed development is unlikely to have a significant adverse impact (and will have taller development to the rear - Horlicks Factory site) but careful use of materials / colour to the upper part should be agreed to make sure it is not a visible element in views from Windsor Castle towards Slough.

Berkshire Archaeology

There are potential archaeological implications with this proposed development as demonstrated by Berkshire Archaeology's Historic Environment Record. The site lies directly adjacent to the Horlicks Quarter

where, during development in 2019, significant prehistoric and medieval remains were discovered. The Horlicks Quarter site had previously seen large scale commercial development across the site, but despite this significant and high quality archaeological remains survived.

The proposal site currently covered by hard standing and commercial building. No heritage assessment or assessment of potential for as-yet unknown heritage assets has been submitted alongside the application, and therefore the potential impact of past development is not understood. Despite this it seems likely that, as in the case of the Horlicks Quarter, there is potential for archaeology to survive in pockets, and therefore such an impact assessment would result only in the same following recommendation.

As shown, the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. It is therefore recommended that the following condition is applied, should permission be granted, in order to mitigate the impacts of development. This is in accordance with Paragraph 218 of the NPPF (2025) which states that local planning authorities should *'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'*.

Condition:

A) No development shall take place/commence until a programme of archaeological work, including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing.

The WSI shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

B) The Development shall take place in accordance with the WSI approved under condition (A).

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition

(A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason:

The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy. In view of the nature and scale of the development and the low likelihood of the potential archaeology,

should it exist, meriting preservation in situ, field **evaluation through trial trenching** would represent an appropriate initial phase of work in order to determine the archaeological potential, levels of previous truncation, and the need for any further phases of work. Berkshire Archaeology would be pleased to discuss the approach with the applicant, or their archaeological consultant, should permission be granted.

Contaminated Land

No comments received at the time of writing this report and an update will be provided on the Amendment Sheet if comments are received prior to publication of the Amendment Sheet.

Crime Prevention and Design

Comments provided the Crime Prevention and Design Advisor from Thames Valley Police.

I have reviewed the submitted documents and crime statistics for the area and the following comments are provided to ensure the application meets the requirements of;

- The National Planning Policy Framework 2024 paragraph 96(b); which states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

I have a number of significant concerns with regards to the design of the proposed development from a designing out crime perspective. I therefore submit a **holding objection**, and request that the following matters are addressed through a revised plans submission prior to the determination of the application:

Boundary Treatment

It is noted that a 1.8m timber fence is proposed on the southern boundary. This would be acceptable as it will form a boundary with neighbouring commercial uses which is understood not to be publicly accessible. If the boundary is not secured by the neighbouring commercial use, the fence should be to a minimum security standard of LPS 1175 SR1 or equivalent.

The proposed boundary treatment around the rest of the site is not clear and has not been defined on the proposed site plan. From the elevations provided, it appears that a 1.8m close boarded fence is proposed to the road frontage of the site. This will not be an appropriate boundary treatments as it will provide a blank frontage to the street, removing the potential for ground floor active surveillance. The blank frontage can also present the opportunity for crimes such as graffiti, antisocial behaviour or inappropriate loitering. Railings here would be more appropriate, which can provide the same level of security (if to the same height), but also provide visual permeability, and increase natural surveillance of the street from the proposed development. Lower level railings could be appropriate along the building frontage, if combined with defensive planting, and further secure boundaries are provided within the site to prevent access into the open space proposed (see below).

Secure Outside Space

As proposed, the open spaces provided by the development would be open for use by the wider public. This is not considered appropriate in this location, particularly with limited natural surveillance of the space. Such a space, which would be accessible by the wider public, can introduce issues such as antisocial behaviour or undesirable use.

As such, it is recommended that the open space within the development is provided for the use of residents only and there is a clear definition between public and private space. Access beyond the frontage of the building should be restricted by at least 1.8m high metal railings (to maintain visual permeability) with gates. The gates should be electronically controlled with key fob access available to residents. The 1.8m railings could start from the corners of the proposed building, with lower railings (and defensive planting) in front of the building. The 1.8m railings should be to a minimum standard of LPS1175 SR1 or equivalent.

Landscape Treatment

The landscape scheme for the development is very important from a designing out crime perspective and details should be provided with the application. There should be defensive planting of at least 1m in depth around the edges of the building, to provide additional security and privacy for the ground floor apartments. Defensive planting will provide an area of 'stand-off', marking the change of ownership and therefore the acceptable activity that is associated with it, protecting the privacy and security of occupants whilst reducing the potential for neighbour disputes.

It is noted that sliding doors are proposed on ground floor flats to allow direct access into the open space. It is recommended that an area of outside private space is provided in front of these doors with appropriate demarcation of the area.

Cycle Storage

I have some concerns with the proposed location of the Cycle Store. At present it allows direct access from the street and the entrance would have very limited surveillance. Ideally, cycle storage would be provided within the building. If this is not possible, it is suggested that the cycle store is moved away from the site frontage, and located further within the site where it can be protected with an additional line of security provided by perimeter railings and gates (as recommended above).

In any case, both the bin store and cycle store will need robust single leaf doors to a minimum standard of LPS 1175 SR2 or equivalent. Both will need to be well lit and should be covered by CCTV (internally and covering external access points).

Access Control

An Access and Security Strategy for the development should be submitted prior to the determination of the development to confirm that appropriate security for the development can be achieved. The Strategy should include details on the following:

- **Access Control:** Access control measures for residents and visitors: Unrestricted access to the apartment block must not be possible, and residential access should be controlled by a two-way audio visual system with remote access controls. No trade buttons should be present.
- **Postage and Deliveries** Postal services must not have unrestricted access to private communal areas, and mail delivery should be provided within a secure lobby at the entrance to the building, or via "Through the wall" letterboxes in to a secure area. At present, a secure lobby area has not been achieved with stairs leading directly from the main entrance without any additional access control.
- **Compartmentation:** Proposals for compartmentation of the building so that residents only have access to parts of the building that they need to, as offenders have the potential to be both external and internal to the

development. Secure lobbies should also be extended to each floor to enable effective compartmentation

- **Bin and Cycle Store:** Details as described above.
- **Window and Door security Specification:** All communal doorsets and external doorsets into ground floor flats should be to a minimum standard of LPS 1175 SR2 or equivalent. Apartment doorsets should be to PAS24:2022 or equivalent. Accessible windows should be to a minimum of LPS 1175 SR1 or equivalent.
- **CCTV:** CCTV is not a universal solution to security problems but it can form part of an overall security plan. It can help deter crime and criminal behaviour, assist with the identification of offenders, promote personal safety, and provide reassurance for residents and visitors. The number, type, location and coverage of cameras should be informed by an Operational Requirements Study
- **Lighting:** Lighting of external and internal communal areas needs to be considered in relation to the associated CCTV provision.

As a general point, and for any future specification for the development, I would recommend the applicant consults the guidance provided by Secured by Design Homes Guide 2024.

Environment Agency

No comments received at the time of writing. An update will be provided on the Amendment Sheet if comments are received prior to publication of the Amendment Sheet.

HSE Planning Gateway One

Final comments received on 13th March 2025
Headline response: Content (i.e. no objections)
Scope of consultation is based on the amended plans.

Current consultation

HSE received a second consultation request on 05/03/2025. The email from the LPA informed HSE that: *'We have received some amended drawings'* - namely a response to HSE's comments, referred to from this point onwards as "the applicant's letter". For the avoidance of doubt, this substantive response is in relation to the applicant's letter. Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations. However, HSE has identified some matters as supplementary information, set out below, that the applicant should address in advance of later regulatory stages.

Fire resistance

Section 7 of the fire statement states: *"The building is assumed to include a floor in excess of 11m, **but below 18m** above the lowest adjoining ground.*

*Therefore, the building shall be **designed to achieve a structural fire resistance of 60 minutes throughout. Each floor shall be designed as a compartment floor achieving 60 minutes fire resistance. Each shaft penetrating compartment floors (staircase, lift, service risers, natural smoke shaft) shall be a protected shaft achieving 60 minutes fire resistance.***

The cited fire statement states that the minimum period of fire resistance for a block of flats in accordance with Appendix E of Approved Document B vol 1 is 90 minutes. In this instance, design changes required to provide the minimum period of fire resistance for the structure may be achieved without affecting land use planning considerations. If this is not the case, the applicant should seek advice from the LPA about the materiality of any changes. Accordingly, it will be for the applicant to demonstrate compliance at later regulatory stages.

Firefighting shaft

Section 7 of the fire statement states: *“Each **shaft penetrating compartment floors (staircase, lift, service risers, natural smoke shaft) shall be a protected shaft achieving 60 minutes fire resistance.**”* It is noted that the fire statement does not reference the provision of a firefighting shaft. The cited fire safety standard states that a building with a storey 18m or more above the fire and rescue service vehicle access level should have one or more firefighting shafts, each containing a firefighting lift. Accordingly, the building should be provided with a firefighting shaft. Design changes necessary to upgrade the single staircase to a firefighting shaft, equipped with a firefighting lift, may affect land use planning considerations such as the layout of the development if this cannot be achieved by way of internal alterations. However, there appears to be sufficient space available for a firefighting shaft.

Firefighting shaft – lift within stair enclosure

Additionally, the amended floor plans show the lift located within the (single) stair enclosure. Fire safety standards state that a firefighter’s lift should not be installed within a stair enclosure, as it has the potential for increasing the fire load within a means of escape staircase. Design changes in this instance, to ensure the firefighting lift is separated from the firefighting staircase, are unlikely to affect land use planning considerations. However, it will be for the applicant to demonstrate compliance at later regulatory stages.

Sprinkler system

Section 7 of the fire statement states: *“The building is assumed to include topmost storey height of more than 11m and will include residential units. As such, automatic fire suppression is required throughout the building. This building shall include a **Category 2 residential suppression system to BS 9251.**”* The cited fire safety standard states that blocks of flats with a top storey more than 11m above ground level should be fitted with a sprinkler system throughout the building in accordance with Appendix E. Appendix E

states that for residential buildings sprinklers should be installed with the requirements for BS 9251. BS 9251 states that all residential buildings 18m or higher should be Category 4. It should be considered that, if necessary, space will need to be made available to house suitable water tanks for the sprinkler system supply which may affect land use planning considerations in relation to the layout of the building and subsequently further HSE consultation may be required if this cannot be achieved by way of internal alterations. If this is not the case, the applicant should seek advice from the LPA about the materiality of any changes. Accordingly, it will be for the applicant to demonstrate compliance at later regulatory stages.

Relevant boundary

Section 7 of the fire statement states: *“The building is located on a constrained urban site, however it is noted that it will be more than 3.5m from any relevant boundary. Enclosing rectangle calculations shall be carried out to determine the extent to which other walls, however these are not expected at this stage to result in any fire resisting external walls being required, noting the provision of automatic fire suppression.”* This is noted and it will be for the applicant to demonstrate compliance at later regulatory stages.

LLFA Officer

Comments to be provided on the update sheet to Committee.

Natural England

OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 5.6 KILOMETRES OF BURNHAM BEECHES SPECIAL AREA OF CONSERVATION (SAC) WITHIN 5.6 KILOMETRES

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Our advice is outlined below. Please re-consult Natural England once this information has been obtained.

Historic England

No comments received at the time of writing this report and an update will be provided on the Amendment Sheet if comments are received prior to publication of the Amendment Sheet.

SBC Transport and Highways

Introduction

The Local Highways Authority's initial consultation response is provided below regarding Highways and Transport for planning application No. P/03143/011 at Stoke Gardens, Slough, SL1 3QB.

The LHA understand the application to be for 34 dwellings, consisting of 13 x 1-bedroom and 21x 2-bedroom apartments. No car parking is proposed.

Accessibility by Sustainable Modes of Transport

The site benefits from good opportunities to travel by rail, walking, cycling, bus and car club. The application site is situated 550m (8 minutes' walk) from Slough Railway Station and 800m (11 minutes' walk) from Slough High Street. Tesco Extra is 700m (10 minutes) walk from the site. Stoke Gardens benefits from shared use footways which can be used by cyclists.

The future residents would be able to book the Enterprise Car Club vehicles at the Horlicks site.

Car Parking

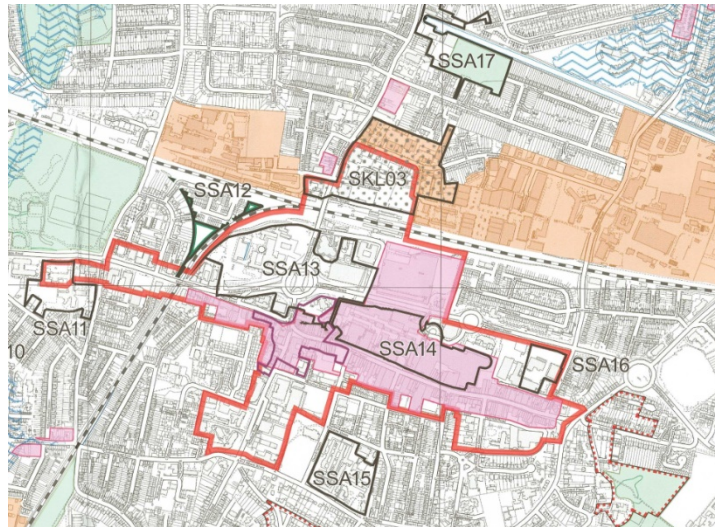
The LHA would recommend refusal due to the lack of car parking proposed on site. The level of car parking provision is not compliant with Local Plan Policy T2 which states that: *'Residential development will be required to provide a level of parking appropriate to it's location and which will overcome road safety problems, protect the amenities of adjoining residents and not result in an adverse visual impact on the environment'*.

The proposed development does not cater for likely car ownership levels amongst future residents. The proposed development would cause an overspill of vehicle parking onto the surrounding roads to the detriment of highway users safety.

The LHA would require a minimum of 0.63 spaces per dwelling at this location in line with the car ownership level recorded for flats in the 2021 Census in this area.

This would mean a minimum of 21 car parking spaces are required on site. The neighbouring Horlicks redevelopment provides 0.34 car parking spaces per dwelling, however this was on the basis the developer would provide 10 car club spaces and significant contributions towards sustainable travel improvements.

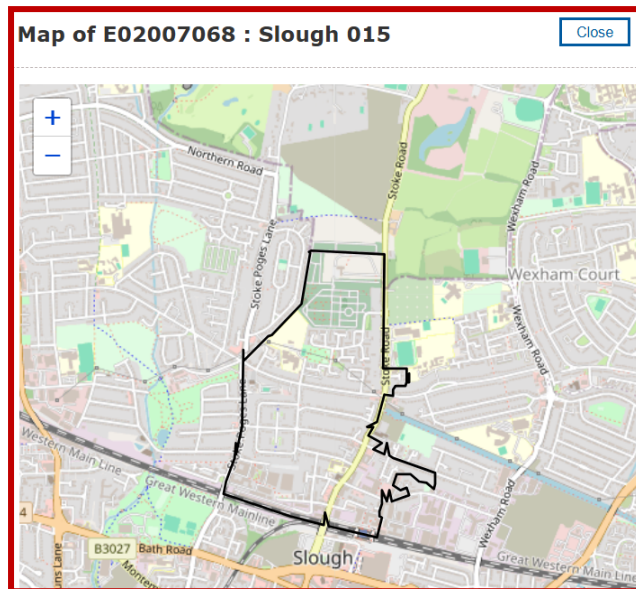
The application site is situated outside the Town Centre area where Nil car parking will be considered by SBC for residential developments.



Car Ownership Data

The 2021 Census recorded 0.63 cars per flat within the census area including Stoke Gardens. The 2021 Census data is provided in the table below:

2021 Census Data for Car Ownership at Flats within Slough 015C			
Category	Percentage	Total	Cars/Vans
Flats with No Cars or Vans	46.1%	523	0
Flats with 1 Car or Van	45.1%	512	512
Flats with 2 Cars or Vans	8.7%	99	198
Totals	100%	1134	710
Cars/Vans Per Flat		0.63	



Car Parking Standards

The application of the Slough Council Parking Standards result in a requirement for 53 car parking spaces for the 34 proposed dwellings, as shown below:

Slough Borough Council Parking Standards (Rest of Town Centre, Communal Layout)		
Dwelling Type	Spaces per Dwelling	Total Spaces Required
1-Bedroom Dwelling (x13)	1.25	16
2-Bedroom Dwelling (x21)	1.75	37
Total Parking Spaces Required		53

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

Cycle Parking

The LHA would recommend refusal of the application because the proposed cycle parking does not comply with the requirements of the Slough Developer's Guide as follows:

- The cycle store should be accessed from within the building lobby to improve security and ensure that only residents of the building can access the cycle store. The door fronts onto the public highway which makes cycles vulnerable to theft.
- The proposed site drawings does not display cycle racks within the cycle store which measures 4.92m x 3.3m.

- No visitor short-stay cycle parking is provided on the site frontage. The Slough Developer's Guide requires short-stay visitor cycle parking at flatted developments with 10 dwellings or more (This is separate to the requirement for long stay residents parking).

Deliveries and Servicing Provision

The application does not provide space for a delivery vehicle to park and unload without obstructing the freeflow of traffic on the public highway. This means that vans for deliveries, removals and maintenance would need to stop on Stoke Gardens, blocking the freeflow of traffic or blocking the pavement. The LHA typically require off-street loading provision be made for a Luton Box Van and a long wheelbase Mercedes Sprinter (6.96m long).

Therefore, the LHA would recommend refusal due to the impact loading and unloading of delivery vehicles would have on the freeflow of traffic and highway safety. The NPPF states that applications should: *'Allow for the efficient delivery of goods, and access by service and emergency vehicles'*

Summary and Conclusions

The LHA would recommend refusal of the proposed dwellings for the reasons listed below:

Recommended Reasons for Refusal:

Reason for Refusal: Car Parking Provision

The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted would lead to additional on-street car parking which would obstruct the access, turning heads, visibility splays, cause pavement parking or obstruct access by emergency vehicles which would be detrimental to safety for users of the highway including pedestrians. The development is contrary to Slough Borough Council Local Plan Policy T2 and Paragraphs 114 and 116 of the National Planning Policy Framework.

Reason for Refusal: Deliveries and Servicing

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 Paragraph 116 of the National Planning Policy Framework.

Reason for Refusal: Cycle Parking

The development fails to provide cycle parking and would not encourage travel to the site by sustainable travel modes amongst staff and customers. The application does not comply with Slough Local Plan Policy T8, is contrary to Slough Core Strategy Core Policy 7 and is also contrary to Paragraph 116 of the NPPF.

5.0 **Description of Development**

5.1 The description of development as agreed with the applicant is as follows:

The demolition of the existing building on site to facilitate the construction of a part 6, part 7, part 8, part 9 storey building to create 34 no flats, with cycle parking and bin stores (amended description).

5.2 The application proposes 34 flats in total, with the mix of this being 26 x 1 bedroom flats and 8 x 2 bedroom flats. None of the ground floor units benefit from any private amenity space, however it is noted that the upper floor flats each contain a small balcony. A bin and cycle store are shown on the proposed block plan however it is not indicated on the plans, the total provisions for these. Some communal green landscaping is provided at ground floor level. No car parking spaces are proposed.

The applications proposes a part 6, part 7, part 8, part 9 storey building, with residential accomodation provided on 8 storeys.

6.0 **Planning Policy**

6.1 **Slough Local Development Plan and the National Planning Policy Framework (NPPF)**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The current version of the National Planning Policy Framework (NPPF) was published on 12th December 2024. Significant weight should be attached to the policies and guidance contained within the NPPF particularly where the policies and guidance within the Development Plan are out-of-date or silent on a particular matter. Relevant paragraphs of the NPPF are outlined below. However, before doing so officers first identify the relevant policies in the Development Plan which is the starting point of an assessment of the application consistent with the statutory test in section 38(6) as above. The

weight to be attached to the key Development Plan policies, and an assessment of the proposal against them, is set out within this report.

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

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

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

- Limited
- Moderate
- Considerable
- Substantial

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

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)

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

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

The Council's adopted Spatial Vision set out in the Core Strategy is to consolidate current efforts by the Council and its partners to improve the town's environment; by 2026, Slough will have a positive image which will help to create prosperous, confident and cohesive communities.

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

- Core Policy 1 - Spatial Vision and Strategic Objectives for Slough
- Core Policy 4 – Type of Housing
- Core policy 5 – Employment
- Core Policy 7 – Transport
- Core Policy 8- Sustainability and the Environment
- Core Policy 9 – Natural and Built Environment
- Core Policy 10 – Infrastructure
- Core Policy 12 – Community Safety

The Adopted Local Plan for Slough 2004 (Saved Policies)

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.

- H9 – Comprehensive Planning
- H14 – Amenity Space
- EN1 – Standard of Design
- EN3 – Landscaping
- EN5 – Design and Crime Prevention
- EN17 – Locally Listed Buildings
- T2 – Parking
- T8 – Cycling Network and facilities

Other Material Considerations

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 11. Making effective use of land
- Chapter 12. Achieving well-designed places
- 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

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

“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-date, 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>)

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.

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

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

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."

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.

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).

Planning (Listed Buildings and Conservation Areas) Act 1990

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

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seeks special regard to preserving or enhancing the character or appearance of a conservation area.

6.2 **Planning Considerations**

6.3 The planning considerations for this proposal are:

- Land Use and Comprehensive Development
- Housing Mix
- Design and Impact on the Character of the Area
- Heritage
- Impact on Amenity of Neighbouring Occupiers
- Living Conditions of Future Occupiers of the Development
- Ecology & Impact on Local Protected Habitats [including Burnham Beeches Special Area of Conservation]
- Transport and Highways
- Crime Prevention and Design
- Air Quality and Environmental Noise
- Contaminated Land
- Drainage & Flood risk issues
- Archaeology
- Fire Safety
- Making Effective Use of Land
- Equalities Considerations
- Planning Obligations
- Planning Balance

7.0 **Land Use and Comprehensive Development**

7.1 The proposed development would result in the removal of a the currently vacant building on site which was formally used under an industrial use, to redevelop the site to provide 34 flats. The site is located within an Existing Business Area.

7.2 Paragraph 61 of the NPPF states that in order to support the government objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 125 (c) of the NPPF states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

7.3 The Core Strategy (2008) Policies 1 and 4 seek high-density, non-family type housing to be located in the Town Centre. In the urban areas outside of the town centre, new residential development is expected to be predominantly family housing. Core Strategy (2008) Policy 8 seeks all development to be sustainable, of high-quality design that respects its location and surroundings, in that it should respect the amenities of adjoining occupiers and reflect the street scene and local distinctiveness of the area. Core Policy 5 also states that there will be no loss of the defined Existing Business Areas to non-employment generating uses, especially where this would reduce the range of jobs available. Outside Existing Business Areas, the change of use or redevelopment of existing offices to residential will be encouraged where this is considered appropriate

7.4 The site is not within the 2010 Strategic Site Allocations Development Plan. The site is within an area identified on the Proposals Map (2010) as existing business area. Core Strategy Policy 5 (employment) requires there to be no loss of existing business areas to non-employment uses. There are no specific saved policies or criteria in the Local Plan (2004) to assess the suitability of residential uses on designated employment land, other than the Proposals Map which identifies the site as being in an Existing Business Area.

The Emerging Spatial Strategy regeneration of sites within the 'square mile' of the Town Centre to provide the bulk of housing that will be built in the Borough. The application site is located within the square mile and The emerging spatial strategy supports the comprehensive redevelopment of stoke gardens. Given the emerging nature of the spatial strategy this is afforded limited weight and any loss of business area needs to be justified as an exception and whether there are material considerations identified that are capable of outweighing the business area designation.

The employment use has ceased on the site, and in accordance with the NPPF the site is a brownfield site in a sustainable location and therefore substantial positive weight should be given to the benefit of using the site for new homes to meet clear housing need. However, the proposal is for non-comprehensive piecemeal development amounting to 34 flats which

does not suggest that there are exceptional circumstances and benefits which outweigh the conflict with Core Policy 5 in relation to loss of business use.

- 7.6 Policy H9 of the Local Plan states that ‘a comprehensive approach should be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised. Commercial schemes which sterilise residential land or prejudice the ability of potential residential units being provided or brought into use will not be permitted’.

Core Policy 1 of the Core Strategy also 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.

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

- 7.8 Whilst it is accepted that a building of this height could be accommodated in this location given the presence of the Horlicks Development to the north, the application has not given sufficient consideration to how the proposed scheme would impact the land immediately north and east to the site, when considering the NPPF and making effective use of land. The proposed building contains a number of windows which open to habitable rooms, particularly to the east. This is considered by officers to significantly sterilise the potential for future development to the east, which would be in conflict with Paragraph 125 of the NPPF and Policy H9 of the Local Plan.

- 7.9 Based on the above, the proposal would fail to comply with Local Plan Policy H9, Core Policy 1 and 5 of the Core Strategy, and the requirements National Planning Policy Framework 2024. Substantial negative weight should be applied to the planning balance.

8.0 **Housing Mix and Type**

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

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

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

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

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.

The site lies outside the Town Centre, however, as a result of its proximity to the train station and Town Centre, the location is considered to be a relatively sustainable location. Furthermore, it is noted that to the east (West Central Flats) and immediately north to the site (Horlicks Development), serve flats therefore the precedent for flatted development is set in this area. It is considered that the provision of flats within this location would be acceptable.

8.3 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

The proposed scheme would provide 34 residential units with a range of mixes as set out in the table below:

Type	No of units	Percentage
1 bed 2 person	27	79%
2 bed 4 person	7	21%
Total	34	100%

It is noted that one of the flats at 6th floor level shows a master bedroom with no living kitchen/lounge area. This is likely to be a drafting error given the size of the space, and the layout of the same area on other floors. Therefore, this is assessed as a 1 bed, 2 person unit.

8.4 There is a significant need for family housing in the Borough. It is considered that the site has potential to provide family housing, but this has not been addressed. The high percentage of one bedroom units at 79% of the total, which is significantly above the recommended 5% in the Local Housing Assessment. Given that the proposal site is in close proximity to the town centre, some flexibility is applied to the above housing figures; however officers consider the amount proposed to exceed the housing needs figures considerably, with little justification. In addition, there are no 3- or 4-bedroom units proposed, which would provide large, high quality family units. While positive is applied by virtue of the provision of housing, when having regard to the proposed quantum of dwellings, and mix in relation to where the need is most, the positive weight is tempered.

8.5 *Affordable Housing*

Core Policy 4 of the Core Strategy requires all sites of 15 or more dwellings (gross) to provide between 30% and 40% of the dwellings as social rented accommodation along with other forms of affordable housing.

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.”

The Council’s affordable housing guidance is contained in the ‘Developer Contributions & Affordable Housing (Section 106)’ document, dated September 2017. This requires 30% affordable housing as a ‘normal requirement’.

8.6 From officers’ calculations, as 30% of the housing provided would be required to be affordable, this would mean that 10 units would have to be provided towards affordable housing to be policy compliant. Since the submission the applicant has made an offer of 60% total affordable housing comprising 50% Rent and 10% Intermediate. Given the uplift the affordable

provision the proposed tenures would be acceptable, and the mix would be required to be a proportionate reflection of the overall mix. In principle this provides positive weight in the planning balance.

8.7 In conclusion, having regard to the proposed quantum of dwelling, mix in relation to where the need is most, and affordable provision, limited – moderate positive is tilted in favour of the proposed development.

9.0 **Design and Impact on the Character of the Area**

9.1 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.

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.

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.

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.

9.2 It is noted that there have been no former pre application discussions between the applicant and the LPA. This is encouraged, as early engagement has significant potential to improve the efficiency and effectiveness of the planning system for all parties, in accordance with paragraph 40 of the NPPF. This can enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle.

9.3 *Assessment*

The proposed block of flats would comprise of a part 6, part 7, part 8 and part 9 storey building, providing 8 storeys of residential accommodation. The ground floor also comprises of a communal garden and a cycle store and refuse store. The principles of design and appearance are discussed below.

9.4 The proposed building would significantly increase the scale, bulk, massing and built form on the site from what currently exists on site. Whilst a larger building would be acceptable in this location, proposals should seek to respond to the immediate surroundings of the buildings along Stoke Gardens and Grays Road, where buildings vary from 3 storeys (Engineering Mews as a part of the Horlicks Development) to 7 storeys (West Central Apartments). The design and access statement makes reference to the Horlicks development which has heights of up to 17 storeys in some areas. Whilst it is accepted that design proposals within this area may take cues from this development, the proposed scheme provides limited understanding as to how the proposals would work within the context of adjacent sites, particularly those to the east and south of the site, nor does the application make reference into how the proposed scheme relates to the immediate context and its transition in terms of height to the Horlicks development. The application also fails to justify or investigate the impacts of the scale and massing on the visual amenity of the area, through the lack of a Townscape and Visual Impact Assessment (TVIA). Therefore, the application proposal fails to provide further understanding as to how

adjacent sites could come forward in future would assist officers in understanding the appropriate scale of development that could be achievable for this site. As such, the application would fail to demonstrate and investigate the impacts of the proposed massing on the wider townscape and heritage sites, particularly in terms of the impacts of the height, scale and materiality on Windsor Castle.

9.5 With respect to the architecture and visual appearance of the proposed scheme, the proposed building is monolithic in its design and detailing, providing limited detail and interest in terms of its use of materials, brickwork and façade design, particularly around the windows and balcony areas along the elevations of the building. Furthermore, the top crown of the building provides blank faces to the north, east and west which provides a poor quality and top-heavy appearance. The entrance areas also lack articulation through its design and use of contrasting materials, which provides a poorly legible and sterile appearance. This lack of detail, alongside the proposed materials used, provides a bulky, top-heavy, low-quality design, which would have a harmful impact on the character and appearance of the area.

9.6 With respect to landscaping and the public realm, the application provides a block plan which indicates some provision of communal green space and a cycle and refuse store externally. This appears to be accessible from Stoke Gardens, however, this appears to be the only pathway on site. No details are provided into how the shared amenity space is accessible from this region, and how this space would function. No landscaping strategy has been provided as a part of the application. As a result, it is not clear how the landscaping would improve the visual amenity, create opportunities for new wildlife habitats or provide a sense of enclosure and privacy.

9.7 Given the above, the proposed development would, by virtue of its design, scale and massing would result in a development that is not be in keeping with character and appearance of the local area to its severe detriment. The proposal lacks adequate architectural and landscape detail, resulting in a low-quality, poorly legible design and therefore would have an unacceptable impact on the character and visual amenity of the area. In addition to this, the application fails to demonstrate and investigate the impacts of the proposed massing on the wider townscape and heritage sites, particularly in terms of the impacts of the height, scale and materiality on Windsor Castle. The proposal is therefore contrary to Policies H9, EN1, and EN3 of the Local Plan for Slough 2004 and Policies CP1, CP4 and CP8 of the Local Development Framework Core Strategy 2008 and the requirements of the NPPF 2024. Considerable adverse weight is applied in the planning balance.

10.0 **Heritage**

- 10.1 Core Policy 9 sets out that new development will not be permitted unless it protects and enhances the historic environment and respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations. This is inconsistent with the NPPF insofar as it does not provide the need for a public benefits test and a balance to be carried out in concluding on the level of harm and whether this is outweighed by the public benefits.

Saved Policy EN17 sets out that special attention will be given, in the exercise of the development control function, to the retention and enhancement of locally listed buildings and their setting.

- 10.2 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 provides that in considering whether to grant permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As a consequence, the desirability of preservation must be given considerable importance and weight in the decision making process.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seeks special regard to preserving or enhancing the character or appearance of a conservation area.

- 10.3 The NPPF requires a consideration of the impact that Development Proposals could have on designated heritage assets. Paragraph 212 of the NPPF sets out that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”. This makes clear that the starting point should be to conserve designated heritage assets, and Paragraph 214 states:

Where a proposed development will lead to substantial harm to (or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 215 further states that: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

10.4 No Heritage Assessment has been submitted as a part of the proposal. The submitted Design and Access statement also fails to make any reference to any potential heritage constraints.

10.5 The following heritage assets have been identified that could be potentially affected by the development:

- Windsor Castle (Grade I)
- Windsor Great Park (Grade I)
- Eton College (Grade I)
- Group: Baylis House (Grade I) and Walls and Gatepiers (Grade II)
- Horlicks War Memorial (Grade II)
- Group: Slough Station Booking Hall (Grade II), Offices (Grade II) and Island Platform Building (Grade II)

10.6 Paragraph 202 of the NPPF states that 'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.'

BEAMS have been consulted as a part of the application in order to provide heritage comments. The comments note that given the scale of the building proposed, some form of heritage statement should have been provided to assess the impact of the heights, design and materials (particularly with regard to its potential impact on Windsor Castle) on the identified heritage assets. This is considered by officers to substantiate as a holding objection due to this lack of information.

10.7 As discussed in the design section of the report, the proposed design, in particular the elevations, lack details that would be required for a development of this type. Due to there being a lack of information and no Heritage Impact Assessment, it is considered that the heritage impacts have not been sufficiently considered by the applicants. It is considered that there would be some impact on the adjacent non-designated heritage assets due to the height and design of the proposed development.

10.8 Based on the above insufficient information has been submitted to assess the impact on the relevant heritage assets as required by Paragraph 202 of the NPPF. The proposal has therefore fail to comply with Core Policy 9 and the requirements of the NPPF.

11.0 **Impact on Amenity of Neighbouring Occupiers**

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

11.2 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.

11.3 The proposal contains windows to all elevations. Whilst there would be some existing overlooking impact as the nearest residential properties are over 50m away at Gray's Road, the forthcoming Horlicks, and over 125m at West Central. This is sufficient separation distance to prevent any unacceptable impacts on neighbouring amenity. It is noted that the proposal would sterilize neighbouring land and this is assessed elsewhere in the report.

11.5 Given the above, the proposal would comply with Core Policy 8 of the Core Strategy and Policy EN1 of the Local Plan and the NPPF.

12.0 **Living Conditions of Future Occupiers of the Development**

12.1 The NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

12.2 Core Policy 4 of Council's Core Strategy seeks high density residential development to achieve "a high standard of design which creates attractive living conditions", as set out in the supporting text.

12.3 The dwellings and flats all meet and exceed the national space standards for the size of units proposed, which is acceptable in planning terms.

12.4 No daylight and sunlight assessment has been provided as a part of the proposal. Therefore, officers are unable to determine if the proposed flats would benefit from sufficient access to sunlight and daylight.

12.5 In terms of outlook and privacy, all habitable rooms would be served by habitable windows. However, no defensible space, screening or separation is provided for the ground floor units, which are accessible from the street, and visible from the street scene. As a result, these areas would have a loss of privacy, as they could be publicly viewed as a result of a lack of separation from the pathway leading to the main entrance of the block and cycle and refuse stores. Further to this, the ground floor habitable windows would be

within very close proximity to boundary fence. As a result, these ground floor units would suffer from a poor outlook, and natural light.

12.6 With respect to noise, the proposed apartment block is located at the end of a cul-de-sac which has a mix of residential and industrial uses, particularly immediately to the east. No noise assessment has been provided as a part of the application. The SBC Environmental Noise Team have been consulted on this application. From comments received by the consultee, it is considered that it has not been sufficiently demonstrated that the future receptors of the proposed site would not be adversely impacted by noise given these surrounding uses. It is also unlikely that the noise levels on balconies will meet external amenity noise criteria within BS 8233 (50 – 55 dB). In the absence of a noise assessment, it is considered that an additional reason for refusal would be appropriate. Without a noise assessment it is not possible to ascertain whether the development would provide good internal living conditions with respect to noise levels

12.7 With respect to private amenity, the upper floor flats are provided with small balconies and a communal outdoor amenity area is provided at ground floor level. Notwithstanding this, the balconies at circa 500mm deep are too small to provide meaningful private amenity space and no private amenity space is provided for the ground floor flats. This would deteriorate the quality of living conditions for future occupiers of these units.

12.8 *Conclusion*

As set out above, as a result of the open access of the site and lack of defensible space and separation distance from external circulation areas, and the proximity of the boundary fencing to ground floor habitable windows, the proposed ground floor units would suffer from a loss of privacy, poor outlook, daylight and sunlight, detrimental to the amenity of the future occupiers of the development. No private amenity space is provided for the ground floor flats, and it is not considered that the upper floor balconies provide sufficiently sized and meaningful private amenity areas, which is considered to create poor living conditions for the future occupiers of these units. Further to this, no Noise Assessment has been provided as a part of the proposal. Given the above, it cannot be sufficiently demonstrated that the future occupiers of the proposal would not be adversely affected by the noise generated from the surrounding industrial uses. The proposal has also failed to demonstrate that the habitable rooms would receive sufficient levels of sunlight and daylight. Cumulatively, the proposal would provide poor living conditions for the future occupiers of the development, failing to comply with Core Policy 8 of The Core Strategy, Policies EN1, EN3, and H14 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024. Considerable adverse weight is applied in the planning balance.

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

13.1 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.

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.

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.

13.2 *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.

13.3 No Biodiversity Net Gain Assessment or metric calculation has been provided as a part of the proposed scheme. The application form has identified that the site is exempt, through the ‘de-minimis exemption’, from the requirement to demonstrate a 10% Biodiversity Net Gain. This is because no habitats with a distinctiveness greater than zero are present on Site. From reviewing site imagery, and consultations with WSP, it is noted that the baseline aerial imagery (circa 2019 from Slough GIS mapping data) suggests that this is below the 25m2 de-minimis threshold and is therefore exempt.

13.5 With respect to the impacts of the proposed scheme on habitats and protected species, no Preliminary Ecological Assessment (PEA) has been provided. Given the existing unit is vacant and following comments from WSP and on running the Wildlife Assessment Check by Biodiversity in Planning (as recommended by the Planning Portal), the site has the potential to contain habitats. As such a PEA would be required in this instance. Therefore, insufficient information has been provided by the applicant to demonstrate or identify if there are any protected species on site, nor has it been demonstrated that the proposed scheme would not harm any protected species as a result. The proposal would therefore fail

comply with Core Policy 7 of the Core Strategy, and the requirements of the National Planning Policy Framework and would result in a reason for refusal.

13.6 *Impact on Burnham Beeches SAC:*

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. 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.

13.7 No Shadow Habitats Regulations Assessment (sHRA) has been provided as a part of the application. Therefore, there is insufficient information provided to assess any harm as a result of the proposal on the SAC, and suggested mitigation measures to counteract this.

13.8 Natural England have been consulted on the application and have stated that they raise an objection as a result of the above. As such, an additional reason for refusal has been added.

13.9 Given the absence of a sHRA and a PEA, the development would therefore be contrary to Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, 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. In accordance with Paragraph 11(i) of the National Planning Policy Framework, this would constitute a strong reason for refusal.

14.0 **Transport and Highways**

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

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national

guidance, including the National Design Guide and the National Model Design Code; and

- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 116 of the NPPF states that development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

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

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

14.4 *Car Parking*

No car parking spaces are proposed as a part of the scheme. SBC Highways have commented in this regard and have set out that a minimum of 0.63 spaces per dwelling (21 spaces) would be required from analysing 2021 Census Data for car ownership in slough for flats. The proposed

development does not cater for likely car ownership levels amongst future residents. The proposed development would cause an overspill of vehicle parking onto the surrounding roads to the detriment of highway users safety. Given this, a reason for refusal for car parking has been inserted as a part of the officers recommendations, as the proposal would fail to comply with Policy T2 of the Local Plan.

14.5 *Cycle Parking*

A cycle store is proposed as a part of the scheme, however, the drawings do not display cycle racks within the cycle store which measures 4.92m x 3.3m. No visitor short-stay cycle parking is provided on the site frontage. The Slough Developer's Guide requires short-stay visitor cycle parking at flatted developments with 10 dwellings or more (This is separate to the requirement for long stay residents parking). Furthermore, the entrance door to the store fronts onto a public highway, making the area vulnerable to theft. Whilst it is noted that this would be objected to by SBC Highways, it is accepted by officers that a cycle store area is provided and that further information could be obtained by amendments or via condition.

14.6 *Delivery and servicing provision*

The application does not provide space for a delivery vehicle to park and unload without obstructing the freeflow of traffic on the public highway. This means that vans for deliveries, removals and maintenance would need to stop on Stoke Gardens, blocking the freeflow of traffic or blocking the pavement. The Local Highway Authority typically require off-street loading provision be made for a Luton Box Van and a long wheelbase Mercedes Sprinter (6.96m long). Therefore, the Local Highway Authority would recommend refusal due to the impact loading and unloading of delivery vehicles would have on the freeflow of traffic and highway safety. The NPPF states that applications should: *'Allow for the efficient delivery of goods, and access by service and emergency vehicles'*

14.7 *Conclusion*

In having regard to the above and the comments received from the Local Highway Authority, the development fails to provide car parking and demonstrate sufficient provision of cycle parking in accordance with adopted Slough Borough Council standards and if permitted would lead to additional on-street car parking which would obstruct the access, turning heads, visibility splays, cause pavement parking or obstruct access by emergency vehicles which would result in an unacceptable impact on the safety for users of the highway including pedestrians. The applicant has also not included adequate provision within the site for the loading, unloading and manoeuvring of service vehicles clear of the highway. As such, the proposal would be contrary to Slough Borough Council's Core Strategy 2006-2026 Core Policy 7, Policies T2 and T8 of the Local Plan, and Paragraphs 114

and 116 of the National Planning Policy Framework. Considerable adverse weight is applied in the planning balance.

15.0 **Crime and Prevention**

15.1 Core Policy 12 of the Core Strategy discusses Community Safety and states that:

Developments to be laid out and designed to create safe and attractive environments in accordance with the recognised best practice for designing out crime.

Policy EN5 of the Local Plan discusses Design and Crime Prevention and states that:

All developments schemes should be designed to reduce the potential for criminal activity and anti-social behaviour.

15.2 Consultation comments have been provided by Thames Valley Police (TVP). A holding objection has been raised by TVP, as concerns in relation to the boundary treatment, secure outside space, landscape treatment, cycle storage and access control have been raised. Whilst it is noted that some issues relating to access control could be resolved by condition, the issues arising from the lack of detail provided within the proposed plans in respect to the boundary treatment and lack of natural surveillance and physical security provided with respect to the accessibility of the outside open space, landscape treatment and cycle storage, it is considered by officers that these would contribute to the issues raised earlier in the report with regards to the proposed schemes design and impact on the future occupiers of the site.

15.3 Given the above, while the application does not address the above concerns, a stand-alone reason for refusal at this time would not be required but will be referred to in such reasons.

15.4 Based on the above the proposed plans do not demonstrate the proposal would sufficiently design out the potential for crime and antisocial behavior in accordance with Local Plan Policy EN5, Core Policy 12 of the Core Strategy, and the NPPF.

16.0 **Air Quality and Noise**

16.1 Core Policy 8 of the Core Strategy seeks development to be located away from areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors. 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.

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

16.3 No air quality and noise assessment has been submitted as a part of the proposed scheme. SBC Environmental Air Quality and Noise have been consulted as a part of this application.

16.4 *Air Quality*

The site is not in an existing area of poor air quality (expected to be in the region of 20-30 $\mu\text{g}/\text{m}^3$), nor is the development likely to contribute to a worsening of air quality as it does not propose to provide any parking spaces. As such, the impact on air quality will likely be minor. As a result of the lack of car parking, mitigation may be required to reduce risks of onstreet car parking. As a minimum it is expected that the applicant provides the following mitigation:

- A Construction Environmental Management Plan (CEMP) shall be produced and submitted to SBC for approval prior to commencement of works
- The CEMP shall include non-road mobile machinery (NRMM) controls in line with table 10 of the LES Technical Report
- All construction vehicles shall meet a minimum Euro 6/VI Emission Standard
- All heating systems shall meet the emission standards laid out in table 7 of the LES Technical Report
- A contribution shall be made towards the Slough Car Club scheme.

16.5 *Noise*

With respect to noise, as discussed earlier in the report, the proposed apartment block is located at the end of a cul-de-sac which is has a mix of residential and industrial uses, particularly immediately to the east. No noise assessment has been provided as a part of the application. The SBC Environmental Noise Team have been consulted on this application. From comments received by the consultee, it is considered that it has not been sufficiently demonstrated that the future receptors of the proposed site would not be adversely impacted by noise given these surrounding uses. It is also unlikely that the noise levels on balconies will meet external amenity noise criteria within BS 8233 (50 – 55 dB). In the absence of a noise assessment, it is considered that an additional reason for refusal would be appropriate.

16.6 As such, due to the insufficient information provided, it cannot be sufficiently demonstrated that the future occupiers of the proposal would not be adversely affected by the noise generated from neighbouring industrial uses. The proposal would fail to comply with Core Policy 8 of The Core Strategy, Policy EN1 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework.

17.0 **Contaminated Land**

17.1 No preliminary contamination assessment has been submitted as a part of the application. Given the previous uses at the site, and the surrounding industrial uses, it is considered by officers that there may be contaminants on the ground.

17.2 No comments have been provided by SBC's Contaminated Land officer at the time of writing. Should this be received, comments will be included as a part of the amendment sheet. Given that the proposal would be for a more sensitive, human health receptor to be introduced, further site investigation, monitoring and assessment is required in order to address any potential residual contamination associated with the previous industrial site uses. It is considered that this could be addressed through conditions, including requesting the submission of an Intrusive Investigation Method Statement, a Quantitative Risk Assessment and Validation Report.

18.0 **Flood Risk and Drainage**

18.1 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.

18.2 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.

18.3 The National Planning Policy Framework requires local planning authorities when determining any planning applications to ensure that flood risk is not increased elsewhere. Paragraph 182 of the National Planning Policy Framework requires Major developments to incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be

inappropriate. Advice from the lead local flood authority should be taken into account. Core Policy 8 of the Core Strategy and the Council's Flood Risk and Surface Water Drainage Planning guidance January 2016 requires development to manage surface water arising from the site in a sustainable manner.

The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development, (Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems March 2015).

In accordance with the Ministerial Statement (HCWS161), the local planning authority need to be satisfied the site will be satisfactorily drained in accordance with SUDS requirements and Thames Water's requirement of an agreed discharge rate. Planning permission cannot be granted until acceptable SuDS strategy has been agreed.

18.5 There have been no details on the sustainable drainage system and surface water run off with the application. Officers have consulted the lead local flood authority, and an update will be provided on the update sheet to committee.

19.0 **Archaeology**

19.1 Paragraph 218 of the NPPF (2024) states that local planning authorities should
'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.'

19.2 No Archaeological desk based assessment has been provided as a part of the application. Berkshire Archaeology have been consulted as a part of this application. From their comments, it is noted that the application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. As such, no objections to the scheme have been raised, subject to the inclusion of a condition for the provision of a Written Scheme of Investigation (WSI).

20.0 **Fire Safety**

20.1 The Department for Levelling Up, Housing and Communities (DLUHC) published additional national guidance on 1st August 2021 relating to fire safety and high-rise residential buildings. The guidance introduces additional measures to ensure fire safety matters are incorporated at the planning stage for schemes involving a relevant high-rise residential building. The requirements apply to applications for planning permission made on or after 1 August 2021 as a result of the Town and Country

Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021 ("the 2021 Order"). The Government made a commitment in 'A reformed building safety regulatory system: government response to the 'Building a Safer Future' consultation' to introduce 'Planning Gateway One' which has two key elements:

- to require the developer to submit a fire statement setting out fire safety considerations specific to the development with a relevant application for planning permission for development which involves one or more relevant buildings, and
- to establish the Health and Safety Executive as a statutory consultee for relevant planning applications

In accordance with this national requirement, the Applicant has submitted an Outline Fire Statement and has consulted HSE (Gateway One) and the Local Fire Services.

20.2 The submitted Fire Statement sets out areas where the building will need to achieve relevant building standards and issues which may effect the fire safety of the development, and emergency road vehicular access and water supplies for firefighting. Following amendments to the plans, HSE Planning Gateway One have been re-consulted on this application and have set out in their comments that the building should be provided with a firefighting shaft. Design changes would be required to upgrade the single staircase to a firefighting shaft, equipped with a firefighting lift separated from the firefighting staircase. Planning Gateway one recommend this is unlikely to affect land use planning considerations and will be for the applicant to demonstrate compliance at later regulatory stages. Having regard to these comments, the proposal is considered to appropriately address fire safety.

21.0 **Making Effective Use of Land**

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

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

Paragraph 125 of the NPPF sets out that planning policies and decisions should promote and support the development of underutilized land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more

effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).

- 21.2 The proposal would 34 additional units on underutilized brownfield land. Whilst this would meet some of the aims set out in Paragraph 125 of the NPPF, the proposal would be of poor design, provide a poor and inadequate landscaping scheme, have a harmful impact on future occupiers, would not provide sufficient car and cycle parking and fail to demonstrate successful regeneration and comprehensive development, potentially sterilizing future development on neighbouring land.

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

22.0 **Equalities Consideration**

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

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

- 22.2 The proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access. The layout plans do not sufficiently show that due consideration has been given for the proposed flats have been constructed to meet Part M of Building Regulations requirements. This has not been discussed within the submitted Design and Access statement or Transport statement. In relation to the car parking provisions, the plans do not show the provision of disabled car parking that is closely located to access points to the building, Internal corridors are designed to accommodate the needs of residents and visitors with disabilities. The proposal is solely reliant on cycling and public transport services as a means of transport.

22.3 It is considered that there would be temporary (but limited) adverse impacts upon all individuals with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development e.g. people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction would have the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects which will be secured by condition.

23.0 **Planning Obligations**

23.1 Core Policy 10 of the Core Strategy states that development will only be allowed where there is sufficient existing, planned or committed infrastructure. All new 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.

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

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

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

The proposals entail the introduction of 34 new residential units (resulting in a net increase of 34 residential units). As such, the scheme would trigger affordable housing, Burnham Beeches and educational contributions under the Council’s policies, as set out in the Developer’s Guide.

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

Financial Contributions	
Burnham Beeches Special Area of Conservation	£19,380 (predicted and subject to HRA)
Education	£58,177
Affordable Housing	£n/a (onsite)

Highways	£n/a
Total	£77,557

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

23.4 Burnham Beeches Special Area of Conservation

The mitigation as set out in Slough's Mitigation Strategy for Burnham Beeches would require a contribution of £19,380 (£570 per dwelling). However, no sHRA has been provided and therefore it cannot be confirmed if the mitigation would be appropriate in this instance.

23.5 Education

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

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

- 27 x 1 bed, 2 person flats, (£903 x 27 = £24,381)
- 7 x 2 bed, 4 person flats, (£4,828 x 7 = £33,796)
- Total = £58,177

The provisions are required towards education as the proposal would be for more than 15 dwellings and would be necessary to mitigate against the impact of the development on local school places which are in a shortfall in the borough. It is considered that the requested provision would be in line with the Developers Guide Part 2.

23.6 Highways

23.7 No financial obligations have been sought by the SBC Highways Team, as there have been objections and reasons for refusal raised in regards to this scheme.

23.8 Affordable Housing

23.9 Core Policy 4 of the Slough Core Strategy sets out that for all sites of 15 dwellings (gross) or more will be required to provide 30% and 40% of the dwellings as social rented along with other forms of affordable housing. Given the proposal is for 34 units the Developers Guide states 30% provision is required on site.

23.10 Since the submission the applicant has made an offer of 60% total affordable housing comprising 50% Rent and 10% Intermediate. Given the uplift the affordable provision the proposed tenures would be acceptable, and the mix would be required to be a proportionate reflection of the overall mix.

23.11 *Conclusion*

The applicant has agreed to the relevant contributions and affordable housing provision. These would be subject to a Section 106 agreement should the application be acceptable in all other respects.

24.0 **Planning Balance**

24.1 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).

24.2 The report identifies that the proposal would not comply with Core Policies 1, 4, 7, 8, 9, 10 and 12 of the Core Strategy and Local Plan Policy EN1, EN3, EN5, H9, and H14 which are all the relevant policies in determining this application. On this basis the proposal would not comply with the local development plan.

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

24.4 Paragraph 11d(i):

In the application of policies in the NPPF on protect areas or assets of particular importance, the following provide strong reasons for refusing the development proposed:

1. The applicant has failed to provide a shadow Habitats Regulations Assessment to assess the impact of the proposal on the Burnham Beeches Special Area of Conservation. The development would likely have a significant adverse effect on the Burnham Beeches

Special Area of Conservation. The development would therefore be contrary to Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, 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.

2. Insufficient information has been submitted to assess the impact on the relevant heritage assets as required by Paragraph 202 of the NPPF, particularly in terms of the impacts of the height, scale and materiality on Windsor Castle. The lack of any form of a Heritage statement in the submission has resulted in a Holding Objection from the Heritage advisor. The proposal has therefore failed to demonstrate compliance with Core Policy 9 and the NPPF

24.4 Paragraph 11d(ii):

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 34 residential units at the mix and tenure proposed should be afforded limited – moderate positive weight.

The following adverse impacts are identified:

- The proposal for piecemeal development would result in the partial loss of an Existing Business Area to a non-employment generating use. A comprehensive approach has not been adopted or achieved that could provide exceptional circumstances and would potentially sterilise future development of neighbouring land when taking into consideration the neighbouring adjoining land to the east and north of Stoke Gardens. The proposal would therefore be contrary to Policy H9 of the Local Plan for Slough 2004, Core Policy 1 and 5 of the Core Strategy, and the requirements of the National Planning Policy Framework 2024. This should be afforded **substantial negative weight**.
- The proposed development would, by virtue of its design, scale and massing would result in a development that is not in keeping with character and appearance of the local area to its severe detriment. The proposal lacks adequate architectural and landscape detail, resulting in a low-quality, poorly legible design and therefore would have an unacceptable impact on the character and visual amenity of the area. In addition to this, the application fails to demonstrate and investigate the impacts of the proposed massing on the wider townscape and the neighbouring Horlicks development which is forthcoming. The proposal is therefore contrary to Policies H9, EN1, EN2, and EN3 of the Local Plan for

Slough 2004 and Policies CP1, CP4, and CP8 of the Local Development Framework Core Strategy 2008 and the requirements of the NPPF 2024. This should be afforded **considerable adverse weight**.

- The proposal fails to provide sufficient defensible space and separation to the ground floor windows of the proposed scheme which open to habitable rooms. This would result in poor levels of privacy and put residents at risk of crime and antisocial behaviour. The flats would fail to provide any meaningful private amenity space for future users. No Noise Assessment has been provided as a part of the proposal meaning it cannot be sufficiently demonstrated if the future occupiers of the proposal would not be adversely affected by the noise generated from the railway and / or surrounding commercial uses. Ground floor habitable windows are site close to boundary fencing providing poor outlook. The proposal has also failed to demonstrate that the habitable rooms would receive sufficient levels of sunlight and daylight. This should be afforded **considerable adverse weight**.
- The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted would lead to additional on-street car parking which would obstruct the access, turning heads, visibility splays, cause pavement parking or obstruct access by emergency vehicles which would result in an unacceptable impact on safety for users of the highway including pedestrians. The development is contrary to Slough Borough Council Local Plan Policy T2 and Paragraphs 114 and 116 of the National Planning Policy Framework. This should be afforded **considerable adverse weight**.
- 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 Paragraph 116 of the National Planning Policy Framework. This should be afforded **considerable adverse weight**.
- Insufficient information has been provided to make a detailed assessment of the impacts on biodiversity, as a result of the development. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, and the National Planning Policy Framework. This should be afforded **some adverse weight**.

- 24.6 In concluding, Officers have given due consideration to the benefits of the proposal in providing a net gain of 34 no. dwellings (including their mix and tenure) towards the defined housing need at a time where the Council is unable to meet housing needs within the Borough. It is also noted there would be some limited economic benefits during the construction phase. These factors create limited to moderate benefits which weigh in favour of the development in the planning balance. However, given the adverse impacts raised as noted above, it is considered that the adverse impacts would significantly and demonstrably outweigh the benefits of the scheme in the planning balance.
- 24.7 Therefore, the proposal would not constitute sustainable development with regard to paragraph 11 d i) and ii) of the Framework.
- 24.8 Having considered the relevant policies and planning considerations set out above, it is recommended the application be refused for the reasons set out below.

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

1. The proposal for piecemeal development would result in the partial loss of an Existing Business Area to a non-employment generating use. A comprehensive approach has not been adopted or achieved that could provide exceptional circumstances and would potentially sterilise future development of neighbouring land when taking into consideration the neighbouring adjoining land to the east and north of Stoke Gardens. The proposal would therefore be contrary to Policy H9 of the Local Plan for Slough 2004, Core Policy 1 and 5 of the Core Strategy, and the requirements of the National Planning Policy Framework 2024.
2. The proposed development would, by virtue of its design, scale and massing would result in a development that is not be in keeping with character and appearance of the local area to its severe detriment. The proposal lacks adequate architectural and landscape detail, resulting in a low-quality, poorly legible design and therefore would have an unacceptable impact on the character and visual amenity of the area. In addition to this, the application fails to demonstrate and investigate the impacts of the proposed massing on the wider townscape and the neighbouring Horlicks development which is forthcoming. The proposal is therefore contrary to Policies H9, EN1, EN2, and EN3 of the Local Plan for Slough 2004 and Policies CP1, CP4, and CP8 of the Local Development Framework Core Strategy 2008 and the requirements of the NPPF 2024.
3. Insufficient information has been submitted to assess the impact on the relevant heritage assets as required by Paragraph 202 of the NPPF, particularly in terms of the impacts of the height, scale and materiality on Windsor Castle. The lack of any form of a Heritage

statement in the submission has resulted in a Holding Objection from the Heritage advisor. The proposal has therefore failed to demonstrate compliance with Core Policy 9 and the NPPF.

4. The proposal fails to provide sufficient defensible space and separation to the ground floor windows of the proposed scheme which open to habitable rooms. This would result in poor levels of privacy and put residents at risk of crime and antisocial behaviour. The flats would fail to provide any meaningful private amenity space for future users. No Noise Assessment has been provided as a part of the proposal meaning it cannot be sufficiently demonstrated if the future occupiers of the proposal would not be adversely affected by the noise generated from the railway and / or surrounding commercial uses. Ground floor habitable windows are site close to boundary fencing providing poor outlook. The proposal has also failed to demonstrate the habitable rooms would receive sufficient levels of sunlight and daylight. Cumulatively, the proposal would provide poor living conditions for the future occupiers of the development, failing to comply with Core Policy 4 and 12 of The Core Strategy, Policies, EN5 and H14 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024.
5. The development fails to provide car parking in accordance with adopted Slough Borough Council standards and if permitted would lead to additional on-street car parking which would obstruct the access, turning heads, visibility splays, cause pavement parking or obstruct access by emergency vehicles which would result in an unacceptable impact on safety for users of the highway including pedestrians. The development is contrary to Slough Borough Council Local Plan Policy T2 and Paragraphs 114 and 116 of the National Planning Policy Framework.
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 Paragraph 116 of the National Planning Policy Framework.
7. The applicant has failed to provide a shadow Habitats Regulations Assessment to assess the impact of the proposal on the Burnham Beeches Special Area of Conservation. The development would likely have a significant adverse effect on the Burnham Beeches Special Area of Conservation. The development would therefore be contrary to Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document,

December 2008, 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.

8. Insufficient information has been provided to make a detailed assessment of the impacts on biodiversity, as a result of the development. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, and the National Planning Policy Framework.
9. 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.

Informatives:

1. It is the view of the Local Planning Authority that the proposed development does not improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is not in accordance with the National Planning Policy Framework.
2. The application has been refused in line with the following drawings:
 - a) Drawing No. 23.024.SP01A1 (revised), dated 01/12/2023, recd on 13/02/2025,
 - b) Drawing No. 23.024.SP02A1 (revised), dated 01/12/2023, recd on 13/02/2025,
 - c) Drawing No. 23.024.SP03A1 (revised), dated 01/12/2023, recd on 13/02/2025,
 - d) Drawing No. 23.024.SP04A1 (revised), dated 01/12/2023, recd on 13/02/2025,
 - e) Drawing No. 23.024.SP01A1 (revised), dated 01/12/2023, recd on 13/02/2025,
 - f) Drawing No. Location Plan, dated 22/10/2024, recd on 22/10/2024,
 - g) Drawing No. Fire Statement Rev 1.0, dated 20/12/2024, recd on 02/01/2025,
 - h) Drawing No. Transport Statement, dated n/a, recd on 22/10/2024,

- i) Drawing No. Planning and Design and Access Statement, dated 11/2024, recd on 02/01/2025.