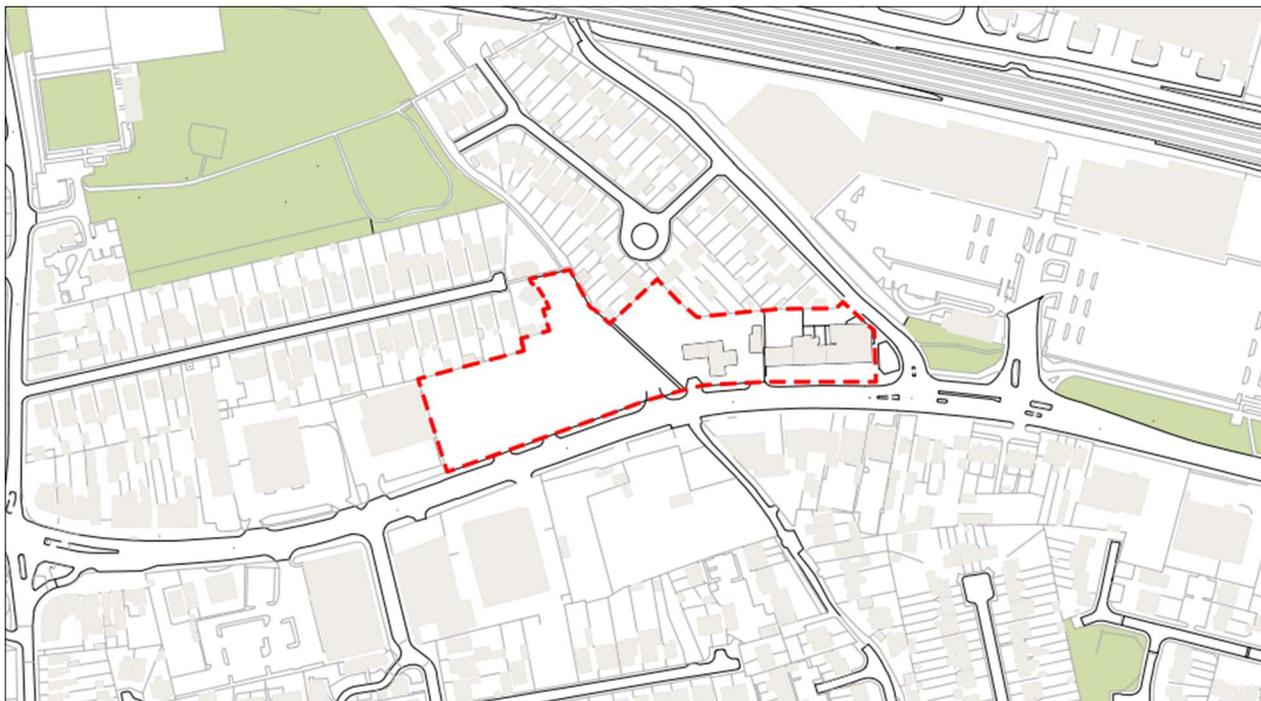


Registration Date:	30 th November 2021	Application No:	P/19639/001
Officer:	Martin Cowie	Ward:	Cippenham Green and Haymill
Applicant:	Mackenzie (South West) Homes Limited c/o Agent.	Application Type:	Major
Agent:	Turley Planning, The Pinnacle 20 Tudor Road, Reading, RG1 1NH		13 Week Date: 1 st March 2022
Location:	324-372, Bath Road, Slough, SL1 6JA		
Proposal:	<p>Demolition of existing buildings and structures and redevelopment of the site in two phases incorporating six buildings with maximum heights of five, seven, eight and nine-storeys (excluding parapets) connected by two and three-storey elements. Provision of undercroft parking, circulation space, cycle and refuse storage facilities and associated plant rooms at ground floor level, in addition to commercial floorspace (Use Class E) and residential communal areas. Provision of 231 residential units, private and communal external amenity space on upper floors with associated plant and PV panels at roof level. External areas at ground floor to include vehicular and pedestrian access, car parking, plant, hard and soft landscaping and attenuation pond. Proposed alterations to and widening of existing public right of way and public realm along Bath Road, new pedestrian crossing, and associated works (AMENDED DESCRIPTION AND PLANS).</p>		

Summary of Recommendation: Refuse and delegate to Planning Manager



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 and subject to:

- a) a decision in relation to affordable housing provision following completion of the viability assessment; and
- b) consideration of any further substantive comments which have not already been raised following expiry of a press notice consultation period in early July.

Reasons for refusal:

1. The proposed development represents an overdevelopment of the site and its scale, height, massing and design would be detrimental to the character and appearance of the surrounding area contrary to Core Policies 1 and 8 of the Slough Development Framework Core Strategy 2006 – 2026 Development Plan Document 2008, Policy EN1 of the Adopted Local Plan for Slough 2004 (Saved policies) and the National Planning Policy Framework 2024.
2. The scale, height, massing and design of the proposed development would be detrimental to the residential and visual amenities of neighbouring residents, contrary to Core Policies 1, 4 and 8 of the Slough Development Framework Core Strategy 2006 – 2026 Development Plan Document 2008, Policies EN1 and H14 of the Adopted Local Plan for Slough 2004 (Saved policies) and the National Planning Policy Framework 2024.
3. No legal agreement has been entered into by the applicant, by way of a Section 106 agreement, for the funding of infrastructure and local facilities made necessary by the development including education, recreation, air-quality monitoring, Slough Car Club, Cycle Route Improvement, On-Street Parking Study and Controlled Parking Zone (CPZ), Public Electrical Vehicle (EV) Charging, Travel Plan Monitoring and Burham Beeches Special Area of Conservation contrary to Core Policies 4, 7, 9 and 10 of the Slough Local Development Framework Core Strategy 2006 – 2026, Development Plan Document, 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 In line with the current scheme of delegation, this application is to be determined by the Planning Committee, as it is an application for a major development comprising more than 10 dwellings.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 The planning application seeks full planning permission for the residential-led mixed-use redevelopment of the site in two phases (comprising Sites A & B) including in summary:

- Six blocks (three on Site A and three on Site B) fronting Bath Road with maximum heights of five, seven, eight and nine-storeys and linked by one and two-storey elements.
- 231 residential dwellings (Use Class C3) comprising studio, 1-, 2- and 3-bedroom flats for rent including affordable rent.
- 185 sqm of flexible commercial uses (Use Class E) at ground floor level at one of the blocks on Site A (90 sqm) and Site B (95 sqm).
- 168 residential car parking spaces, two car club spaces and 247 residential cycle parking spaces (including fourteen visitor spaces).
- Internal and external communal and private amenity space including four podium gardens.
- An improved, landscaped connection between Bath Road and Cippenham Recreation Ground/Iona Crescent (known as Brook Path) and attenuation pond serving as a landscape feature.
- Three new access points from Bath Road/Burnham Lane.
- New public realm treatment along Bath Road frontage.
- Relocation of the Bath Road signalised pedestrian crossing and remodelled bus stop.
- Associated infrastructure, ancillary plant, and hard and soft landscaping.
- Financial contributions towards education, recreation, air-quality monitoring, Slough Car Club, Cycle Route Improvement, On-Street Parking Study and Controlled Parking Zone (CPZ), Public Electrical

Vehicle (EV) Charging, Travel Plan Monitoring and Burnham Beeches Special Area of Conservation.



Aerial view looking north across the front of the proposed development



Aerial view looking south across the back of the proposed development

2.2 The proposals presented are the third set of amendments made to the application. When submitted, the application proposed the development of 301 flats in six blocks with maximum heights of eight, nine, ten and eleven-storeys, connected by ground and first floor podiums, in addition to parking, landscaping and associated works. In September 2022, revised plans were submitted proposing the development of 291 flats in six blocks, with maximum heights of seven, eight and fourteen-storeys, connected by two and three-storey elements. Associated changes were also made to the design of the buildings, layout, housing mix, parking provision and landscaping.

2.3 The amended schemes, including the latest now being determined, follow a number of key concerns raised by Planning Officers in relation to the layout, height, scale and design of the development, accommodation mix and the treatment of the Bath Road frontage.

3.0 **Application Site**

3.1 The application site is at the western end of the Borough in Cippenham and sits on the northern side of Bath Road. It measures approximately 1.28 Hectares and is positioned between a Halfords store at 380 Bath Road on its west side and the Burnham Lane junction to the east. Residential properties lie to the north within Iona Crescent, Brook Crescent, and Burnham Lane. A Public Right of Way (Brook Path) runs through the centre of the site providing access from Bath Road to Cippenham Recreation Ground approximately 100m to the north.

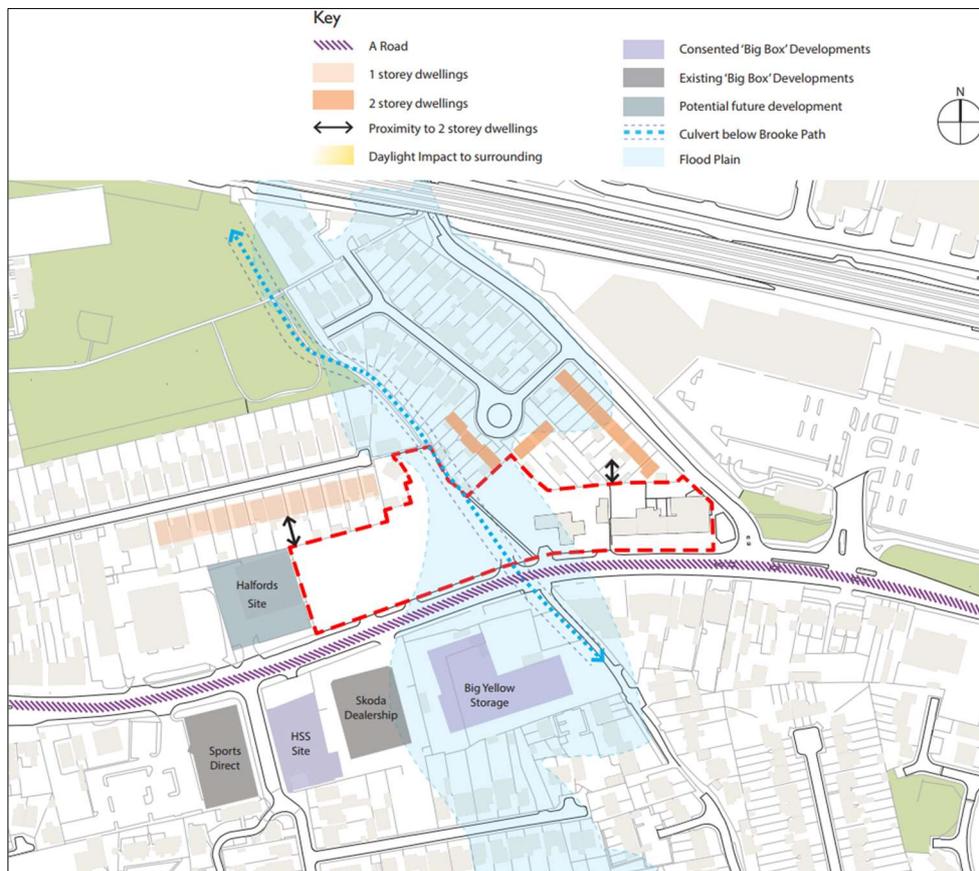


Aerial photograph looking north across the site

3.2 The site comprises two distinct parts, each side of Brook Path, a Public Right of Way and these are defined in the application as Site A and Site B. Site A, measuring 0.74 ha, sits on the west side of Brook Path and has been cleared but formally accommodated a bathroom showroom building

(Use Class E), and a car sales building (Sui Generis Use Class) with surface level parking outside. It should be noted that Site A is currently being used for the parking and storage of vehicles without planning permission and subject to enforcement proceedings.

- 3.3 Site B is 0.54 ha and accommodates a car/van rental company with associated temporary structures and parking/hardstanding, and a shopping parade comprising a single-storey commercial building and a traditional two-storey terrace with residential uses at first floor level and within the roofspace. The parade accommodates approximately 10 ground floor business uses including car sales, a café, off-license, blind and kitchen retailers and an accountant's office.
- 3.4 The residential properties at the rear of the site to the north are established suburban homes with gardens. Iona Crescent comprises bungalows, seven of which back directly onto Site A. Brook Crescent mainly accommodates two-storey semi-detached houses, ten which back onto/adjoin both Site A and Site B. Burnham Road similarly features two-storey dwellings with two adjoining Site B.
- 3.5 Cippenham Recreation Ground lies to the rear of Iona Crescent, Brook Crescent and Compton Court and backs onto the Great Western Railway, with Burnham Train Station across the tracks to the north-west.



Context/constraints plan of application site, extracted from the application submission

- 3.6 Opposite the site, on the southern side of Bath Road are mainly commercial uses and buildings backing into an established residential area. These comprise mainly low-rise single, 1, 2, and 3-storey buildings accommodating uses including a builder's merchants, kitchen/bathroom showroom, vehicle repair garage and car sales.
- 3.7 It should be noted that the kitchen/bathroom showroom provides some residential accommodation at first floor level and two former commercial buildings on this frontage have been converted into a school (Al-Madani Girls School) at 339 – 341 Bath Road and residential flats at 337 Bath Road. In addition, a part two, part three and part six-storey self-storage facility is currently being constructed at 361 Bath Road by Big Yellow Storage.
- 3.8 The wider built-up area is also varied in character, spreading out from Bath Road and accommodating, in the main, established low-rise residential and commercial development and the Slough Trading Estate to the east. Slough Town Centre is approximately 2 miles further east.
- 3.9 The site to the west of Brook Path (Site A) is allocated for redevelopment in the adopted (Site Allocation SKL1 of the 2010 Site Allocations DPD) and emerging (Proposed Spatial Strategy, 2020) Development Plan and identified as an Area of Major Change. The SKL1 allocation highlights that the loss of the existing business uses may be permitted to allow for comprehensive residential or mixed-use development.
- 3.10 The site is not located within a conservation area and does not accommodate any locally or statutory listed buildings. There are, however, 5 heritage assets of significance in the area surrounding the site (within 1km). These include a Grade II Listed milestone on Bath Road, several hundred metres to the south-east and the Listed Buildings and Registered Park and Garden of Huntercombe Manor located between 900m -1200m from the site to the south-west. In the wider area it should be noted that Stoke Park and Windsor Castle/Windsor Great Park are of significance and have been considered as part of the application. Stoke Park is a Grade II Registered Park and Garden due to its special historic interest located just under 2 miles north-west of the site. Windsor Castle/ Windsor Great Park is a Grade I Listed Building/Registered Park and Gardens with associated structures approximately 3 miles south-east of the site.
- 3.11 The site is in Flood Zones 1, 2 and 3 which indicates it is at a medium - high risk of flooding. It should be noted that a culvert runs directly under Brook Path, where the site is at particularly high risk of surface water flooding.

3.12 Given the nature and condition of the site, it has limited ecological value. The northern and eastern boundaries of the site have a non-native and ornamental hedgerow measuring approximately 2m high and stretching approximately 130m. The wider area features Haymill Valley Local Nature Reserve (LNR) approximately 300m north of the site and Cockshred Wood LNR is located approximately 1.5km north of the site, which contains deciduous woodland that supports a variety of ecologically important fauna and flora. It should also be noted that Beeches Special Area of Conservation (SAC) is located just over 3km to the north of the site.

4.0 **Relevant Site History**

4.1 Site A was previously used for a number for commercial uses. Before the site was cleared, it comprised a bathroom showroom (Use Class E), and car sales (Sui Generis – no use class specified).

4.2 Site B currently comprises 2no. car rental companies, 2no. car sales businesses (Sui Generis – no use class specified), a café, off-license, blind/curtain showroom, a kitchen showroom, and an accountant's office (Use Class E). The upper floors are used for residential purposes.

4.3 While there are many previous planning applications covering the application site and surrounding area, the following are directly relevant to this planning application:

324-372, Bath Road:

4.4 - P/19639/000

Environmental Impact Assessment Screening Opinion Request for the demolition of all existing structures and a phased development of a series of different height blocks (potentially up to c.11-storeys for residential dwellings with associated parking, infrastructure and landscaping.

Environmental Impact Assessment not required – 12/10/2021.

361 Bath Road (former Northgate Vehicle Hire):

5.2 - P/00908/018

Variation of condition 2 of planning permission P/00908/012 dated 05/11/2021 involving changes to overall profile of building by reduction in height, raised level of service yard, increased set back from rear boundary, and alterations to elevations, including reduced glazing.

Approved with Conditions; Informatives – 07/09/2022

5.3 - P/00908/012

Construction of a part two, part three and part six storey building comprising a self-storage facility (Use Class B8) together with vehicular access, service yard, parking, associated works and landscaping

Approved with Conditions; Informatives – 05/11/2021

375 Bath Road (HSS Tool Hire):

5.4 - P/03444/003

Demolition of existing commercial (Class E use) building and erection of a new part 4, part 6 and part-8 development accommodating 83 Class C3, self-contained, apartments with associated rear access road providing the entrance to the Ground Floor, which accommodates car parking, plant rooms, bin and bicycle stores.

Approved with Conditions; Informatives – 21/12/2022

Invalidated due to incorrect plans.

337 Bath Road (former Masons Accountants):

5.5 - F/02069/017

Prior approval for change of use from class B1 (A) offices to class C3 residential for 13no residential dwellings

Prior Approval; Granted/Informative – 04/Oct/2021

426-428 Bath Road (National Tyre Depot) including offices at 430 Bath Road:

5.6 - P/00442/016

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

Approved with Conditions; Informatives – 25/09/2020

6.0 **Neighbour Notification**

6.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as

amended), 10 site notices were displayed within the vicinity site on 15/05/2024 providing notification of the amended plans. The plans were also publicised via a press notice in the 10/05/2024 edition of The Slough Express. Another press notice is being published with respect to the amended plans highlighting Public Right of Way (Brook Path) which is affected by the proposed development. As per the recommendation of this report, any further substantive comments which have not already been raised will be considered appropriately following the expiry date of the press notice consultation period in early July.

6.2 An ePetition entitled “Concerns and objections to the revised Bath Road Development application P-19639-001”, signed by 185 people was received stating:

- We strongly oppose the nine storey plus parapet height of the proposed dwellings in the development, by reason of its scale, height and massing, which would fail to respect or respond to the well-established character and appearance of the area and would constitute the overdevelopment of the site. It would be more in keeping with the surrounding area if all units were the same height as existing neighbouring residential properties. The application contains no commitment to an associated Section 106 agreement to secure affordable housing, education, healthcare and all other infrastructure that is required to mitigate the impact of development, or to the significant impact of increased traffic in an already over-trafficked zone, the resulting impact on traffic volume in Burnham Lane, or significant concerns regarding the number of parking spaces available.

We entered a separate petition previously in 2022; however, we feel that with the revision of the plans it is warranted that we have the opportunity to raise our concerns and objections to the specifics of the new revisions.

6.3 Approximately 70 template-based letters have been received, objecting to the planning application on the following grounds:

- Does not reflect the feedback provided to the applicant by SBC planning committee Wednesday, 15th Sep 2021 or the 107 objection responses submitted to SBC as part of the original planning application or the subsequent objections and ePetition.
- The proposed scheme by reason of its scale, height and massing would fail to respect or respond to the established character and appearance of the area and would constitute the overdevelopment of the site.
- The scheme creates an overwhelming sense of enclosure and overlooking to neighbouring houses.

- Does not comply with Slough Spatial Strategy for Cippenham Bath Road - Cippenham Central.
- Creates a cluster of tall building in Cippenham when SBC policy is that these types of developments should only be allowed in the Centre of Slough.
- Historic England have raised significant concerns regarding the two previous versions of this application. Historic England should review and advise on the latest proposal before any planning decision is made.
- 168 parking spaces (a 17% reduction from the previously proposed 203 spaces).
- Parking Spaces per dwelling ratio is 0.727 while SBC have requested 0.8.
- 2 commercial units - no allocated parking spaces
- Provides no affordable housing (SBC policy is 35%).
- Provides no Section 106 agreement for financial commitments by the developer to contribute to local infrastructure, GP's, Schools etc.
- Generates significant issues regarding noise, traffic and parking.
- No financial viability report for the latest application by either the developer or Slough Council is available for review on the planning site as of 30/5/24. The developer states it was provided to Slough Council 27/3/24.
- SBC estimate the original application results in a profit of £15m for the developer. They have not costed this revised application.
- The developer originally estimated this results in a loss of £1.6m but then revised this to a profit of £6.8m. This is an increase of £8.4m!
- Size and scale of the development do not consider the neighbouring two storey semi-detached and bungalow residential properties.
- Local resident house values are likely to be reduced significantly - no compensation has been proposed.

6.4 A number of additional representations have been received objecting to the application and raising the following issues:

- Creates a cluster of tall buildings contrary to SBC policy for these types of developments only being allowed in the Centre of Slough.
- No affordable housing contrary to SBC policy of 35% nor Section 106 agreement for financial commitments by the developer for local infrastructure, GP's, schools etc.
- Generates significant issues regarding noise, traffic and parking.
- Size and scale of development do not consider neighbouring two and one storey residential properties.
- Loss of sunlight to neighbouring houses and gardens, overshadowing and loss of privacy.

- Noise and fumes from construction work will impact health and well-being.
- Increased traffic and congestion.

Planning Officer comments:

The matters raised in these representations are, in the main, considered as part of the assessment of the proposals in the main body of the report below. In relation, for instance to the potential impact on local services and infrastructure, as required by planning policy and guidance, financial contributions would be secured by the Local Planning Authority if the application is approved.

Similarly, construction-related impacts would be addressed by planning conditions and obligations, including the need to prepare and agree a Demolition and Construction Environment Management Plan prior to the commencement of development.

The provision of affordable housing is subject to ongoing discussions between the Applicant and the Local Planning Authority in respect to viability.

The matter raised concerning the impact on property values is not material to planning and therefore not considered.

6.3 It should be noted that in relation to the previous scheme for 291 flats, 86 letters from local residents and one petition signed by 32 residents of Iona Crescent were received objecting to the proposal and raising the following issues and concerns:

- Not in compliance with the emerging spatial strategy which requires new houses or low-rise flats in Cippenham Central.
- Loss of established businesses along Bath Road.
- Empty offices should be considered first before building new high-rise flats.
- Not in compliance with Core Policy 4 (Type of Housing) which states “High density housing should be concentrated in Slough town centre”.
- No family houses are proposed.
- The layout, scale and design of the new development does not consider the juxtaposition of adjoining residential properties.
- The height, size, scale, and density of the proposal out of character with the local area particularly when considering the sitting next to established single story dwellings.
- Over development of site.
- Risk of more future high-rise developments if approved.
- Loss of light and privacy to neighbouring properties.
- Loss of property values.

- Impact on local services.
- Traffic and parking impacts.
- Risk of flooding.
- Construction related impacts.
- Fire safety.

Planning Officer comments:

Most of the matters raised in these earlier representations reflect those more recently submitted and, in the main, are also considered as part of the assessment of the proposals in the main body of the report below.

7.0 **Consultations**

7.1 ***SBC Highways and Transport:***

- No objection in principle to the revised scheme.
- The most recent application differs little in terms of transport compared to the previous application which we commented on; and did not raise an objection to. The site access junctions are retained. We extensively discussed their design previously and received acceptable visibility splays and swept paths. The gates separating sites A and B are retained to prevent ‘rat-running’ through the site. The car club spaces and lorry loading bay previously proposed are also retained. The cycleway is also retained along the site frontage along with the ‘bus stop bypass’.
- The revised dwelling mix of 231 dwellings and 168 car parking spaces retains a parking ratio of 0.72 spaces per dwelling which we had accepted in response to the previous application on the basis that the site is located close to Burnham Railway Station, benefits from frequent bus services to Slough Town Centre and on the basis that the applicant would provide contributions towards a new Controlled Parking Zone to mitigate risk of overspill parking. The provision of car club spaces, a new toucan crossing on the A4 Bath Road and the cycleway was also key in accepting the low parking ratio as these will help encourage journey by sustainable travel modes.
- In respect to drainage, the applicant has removed the previous solution of large culverts under the footway which the LHA objected to due to maintenance and safety concerns.

7.2 **SBC Urban Design Advisor:**

- Concerns raised on grounds of scale, design and appearance. Comments have been provided by the Urban Design and are reflected in the planning assessment below.

7.3 **SBC Contaminated Land Officer:**

- Reviewed the Desk Study / Preliminary Risk Assessment Report (Ref. no. P3255J2142/JLW), dated 8th November 2021 and prepared by Jomas Associates Ltd., and our database of Potentially Contaminated Land sites.
- It is acknowledged that evidence suggests that tanks have been removed at both former filling stations on the site, but no formal verification reports detailing the works have been identified. There remains the possibility that tanks or other historic fuel infrastructure remain in the sub surface at the site.
- The preliminary risk estimation indicates that there is a high risk associated with the site. Thus, an intrusive investigation is recommended to further assess the geo-environmental risks identified and to provide geotechnical information for design purposes.
- Based on the above, the report is considered a suitable subject to appropriate conditions as recommended.

7.4 **SBC Lead Local Flood Authority Officer:**

- There is sufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.
- Consider that subject to planning conditions the impacts of surface water drainage will have been adequately addressed at this stage.

7.5 **SBC Environmental Services Officer - Air Quality and Noise:**

Air quality:-

- The construction phase dust assessment indicates that the sensitivity of the receiving environment to dust impacts was high due to proximity of residential receptors. Potential unmitigated dust risks across demolition, earthworks, construction and trackout were rated medium to high, with an overall high-risk rating.

- The dust control measures recommended within IAQM guidance should be incorporated into the CEMP. This includes the development of a Dust Management Plan and a monitoring regime. With the implementation of these measures, it is agreed that the impact will be considered not significant.
- The applicant has committed to a mitigation package to reduce air quality impact through the provision of car club bays and installation of a publicly accessible rapid charger, which are expected to mitigate the cumulative impact on air quality. This supports the aims of the Low Emission Strategy, through supporting electric vehicle growth and reducing car usage. The implementation of this mitigation package is expected to result in acceptable air quality impacts.
- It is very unlikely the residential units to the rear of the development will not suffer from poor air quality impacts as a result of the proposed access roads within the development.
- In relation to exposure risk, NO₂ concentrations at the façade of the development have been modelled for 2019, which indicates that concentrations are expected to be below 34ug/m³ therefore exposure risk is low relative to the 40ug/m³ threshold.

Noise: -

- The impact of noise levels generated primarily from road traffic to the south and the railway to the north are relatively high but are expected to be acceptable subject to conditions covering plant, glazing and ventilation.

SBC Heritage Advisor (BEAMs):

- The application for residential development at 324 to 372 Bath Road has been amended - with one of the residential blocks (B3) being taller (14 storeys) whilst the other blocks are lowered in height. The reduction in the height of blocks A1, B1 and B2 is welcomed as their visibility is reduced. Block B3 will become a more visible element due to its height increase, although it is noted the tallest building will not 'break the skyline' as demonstrated within the TVIA in views from the Copper Horse (within Windsor Great Park) or from the North Terrace of Windsor Castle.
- The most sensitive view is from the North Terrace of Windsor Castle; and the Castle (along with Windsor Great Park) are designated heritage assets of the highest significance with an extensive setting. Currently the site is not a visible element in these views although Slough town centre, the industrial park and the

cooling towers of the energy plant are visible in more distant views and now form part of the wider setting of Windsor Castle.

- The verified views demonstrate that the proposed development will be visible, but BEAMS takes the view that the development will not dominate any views due to the distance between the site and Windsor Castle and the way in which the development does not break the skyline.
- As such, BEAMS takes the view that the proposal can be seen to preserve the setting, and significance, of Windsor Castle and Windsor Great Park.
- However, the Council, as decision maker, should be satisfied that the material treatment of the new development does not allow any part of it, particularly the tallest tower, to 'draw the eye'. Currently the palette of materials includes brick and seems to tone in sympathetically. If this material palette were to be amended at any stage, i.e. through use of reflective cladding materials or large areas of glazing, the visual impact of the development would be increased and there could be scope for harm to the setting of Windsor Castle identified.

7.6 ***Berkshire Archaeology:***

- Confirm that the desk-based assessment is satisfactory and addresses the archaeological potential of the site, particularly in relation to prehistoric archaeology prevalent in the wider area. The report notes the inevitable impacts of previous phases of development on the site, and we agree with the conclusion that rather than requiring further pre-determination works, the remaining archaeological issues can be dealt with post-determination, by way of a condition to be included in any planning permission granted.

Heathrow Aircraft Safeguarding:

- Assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

National Highways:

- Content that proposal will unlikely impact the safe and efficient operation of the Strategic Road Network (SRN) M4 and raise no objection.

Historic England:

- Consider the proposals would result in some limited harm, at the low end of less than substantial, to the significance of Windsor Castle. The Council will need to weigh this up, taking into consideration cumulative harm across the Borough from consented schemes that would also harm the significance of the Castle through negative change to its setting.

Sport England:

- Raise no objections to the granting of planning permission for this proposal.

Environment Agency:

- The applicant has proposed changing the culverts under the raised walkway to an open ditch. We have no concerns with the proposed approach in order to maintain flood flow in this location.
- The applicant proposes to agree final details with your Authority and this should be secured through a condition.
- We therefore remove our objection to the proposed development subject to appropriate conditions as recommended.

Thames Water:

- No objection to application in respect to foul water sewerage network capacity, surface Water network infrastructure capacity and water network and water treatment infrastructure subject to appropriate conditions and informatives.

Thames Valley Police:

- Having reviewed the submitted documentation I have significant concerns that some aspects of the design and layout could be problematic in terms of crime and anti-social behaviour and therefore will not meet the requirements of the NPPF.
- The concerns could be addressed with suitable amendments in the submitted plans and additional documentation. The DAS refers to the intention to achieve Secured by Design, however there are some sections of the standard I believe the application will be unable to fulfil through the existing plans, including the lack of compartmentation, provisions for postal services and access/visitor

entry controls. This will increase the risk of crime and anti-social behaviour occurring.

- Therefore, I ask, to ensure that adequate physical security is present in the resultant development, a condition is placed on the applicant to achieve the standard set out in the Homes 2019, Secured by Design accreditation or that a detailed Access and Security Strategy is submitted by the applicant for approval.

7.7 Network Rail:

- No objections in principle to the amended plans and description.

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).
- Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment (HRA) is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity.
- This application is supported by a HRA. Although Natural England are broadly supportive of the direction of the HRA, we are not in a position to agree with the conclusions as yet. We agree that Upton Court Park, could function as the mitigation as outlined in the HRA. We agree that contributions could be made by this development towards its improvement. Natural England is yet to formally agree and sign off the use of this Suitable Alternative Natural Green Space (SANG), as Slough Borough Council have not provided the detail about the site, that satisfies us that likely significant effect will be avoided upon the integrity of Burnham Beeches SAC. In effect that it will definitively work as a SANG.
- If agreement can be reached with the Council in relation to an appropriate strategy to mitigate the impacts of new developments coming forward within the Borough to satisfy the requirements of the Habitats Regulations, then we will be happy to remove this Objection.

Health and Safety Executive:

- Following a review of the information provided with this consultation, HSE is satisfied with the fire safety design, to the extent that it affects land use planning.

Buckinghamshire Council:

- No comments received.

8.0 **Planning Policy Context**

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

8.2 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).

8.3 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.

8.4 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.

8.5 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.

8.6 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

8.7 National Planning Policy Framework (NPPF) 2024:

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

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

- Core Policy 1 – Spatial Strategy
- Core Policy 3 – Housing Distribution
- Core Policy 4 – Type of Housing
- Core Policy 5 - Employment
- Core Policy 7 – Transport
- Core Policy 8 – Sustainability and the Environment
- Core Policy 9 – Natural and Built Environment
- Core Policy 10 – Infrastructure
- Core Policy 12 – Community Safety

8.9 Adopted Saved Policies in the Local Plan (2004)

- H14 – Amenity Space
- EN1 – Standard of Design
- EN3 – Landscaping
- EN5 – Design and Crime Prevention
- EN6 – Interference with Telecommunication Signals
- T2 – Parking
- T7 – Rights of Way
- T8 – Cycling Network and facilities

8.10 Site Allocations Development Plan Document (2010)

- SKL 1 - Bath Road, Cippenham.

8.11 Supplementary Planning Documents and Guidance

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

8.12 National Planning Practice Guidance (NPPG)

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

8.14 The Proposed Spatial Strategy (Nov 2020)

8.15 Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020. This sets out a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough.

8.16 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."

8.17 It should be noted that the consultation document for the Proposed Spatial Strategy does not contain any specific planning policies or allocate any sites. It made it clear that the existing planning policy framework for Slough would remain in force until replaced by new Local Plan policies in the future. Nevertheless, it sets out the most up to date statement of the Council's position with regards to strategic planning issues.

8.18 Equality Act

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

recommendation, Officers have considered the equalities impacts on protected groups in the context of the development proposals as set out below in this report.

8.20 Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

8.21 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.

8.22 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.

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

8.24 The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that the site falls within 5.6km catchment area from this site and 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).

PART B: PLANNING APPRAISAL

9.0 Planning Assessment

9.1 The planning considerations for this proposal are as follows:

- Principle of development/land use
- Housing need/supply
- Housing mix
- Design and impact on the character and appearance of the area
- Impact on heritage assets
- Living conditions for future occupiers of the development

- Impact of the amenity of the adjoining occupiers
- Transport, highways, access and parking
- Energy and sustainability
- Crime prevention and design
- Ecology and Biodiversity Net Gain
- Air quality and noise
- Contaminated land
- Flooding and surface water drainage
- Fire safety
- Affordable housing
- Infrastructure
- Equalities considerations
- Making effective use of land
- Planning balance

10.0 **Principle of development/land use**

10.1 The site represents brownfield land (previously developed) in an established mixed-use area within Flood Zone 1, 2 and 3. The proposals would redevelop land which is partially vacant and accommodates a shopping parade with residential uses above, and other business operations.

10.2 The site is in part identified as an Area of major Change in the Core Strategy and as a Selected Key Location for Comprehensive Regeneration - SKL 1 - Bath Road, Cippenham in the Site Allocations Development Plan Document 2010. These policy approaches highlight the designation as having the potential to accommodate some alternative uses or mixed-use developments.

10.3 The parade of shops is not designated and thereby not protected in the Local Plan. Its demolition and use as part of a wider residential-led redevelopment is therefore considered acceptable having regard to relevant planning policy and guidance.

10.3 National and local planning policies encourage new housing on appropriately located and previously developed land. Having regard to the nature, location and history of the site, the principle of the residential led development is considered acceptable and is afforded positive weight in the planning balance. The acceptability of the application is, however, dependent on the consideration of its individual merits as set out below.

11.0 **Housing need/supply**

11.1 Given the absence of a five-year housing land supply, the Local Planning Authority must undertake an exercise in judgement in determining the appropriate balance of considerations as to whether the adverse impacts

of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Local Development Plan and the NPPF taken as a whole.

11.2 The 231 homes applied for would make a positive contribution to the supply of housing within the Borough. Given that the tilted balance is engaged, this contribution attracts positive weight in the planning balance, providing the proposed development is reasonable in all other planning aspects.

12.0 **Housing mix**

12.1 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 (Type of Housing). 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 %

This Assessment has identified the need for family housing, which reflects the disproportionate number of flats which have been completed in recent years.

12.2 The development proposes the following mix of homes:

Type	No of units	Percentage
Studio	18	8 %
1-bed	96	42 %
2-bed	96	42 %
3-bed	21	9 %
Total	231	100 %

12.3 Core Policy 4 states that in urban areas outside the town centre, new residential development will predominantly consist of family housing. Within existing suburban residential areas there will only be limited infilling which will consist of family houses that are designed to enhance the distinctive suburban character and identity of the area. One of the criteria set out in the Site Allocation SKL1 requires the provision of some family housing at the rear of the site.

12.4 Notwithstanding this policy approach, the proposed development includes mainly smaller flats and a limited proportion of larger family flats. It is acknowledged, however, that the 2-bedroom homes can provide small family accommodation, and some flexibility can be exercised in relation to

the mix depending on location and the characteristics of the site and its surroundings.

12.5 The site is located on an accessible main road close to bus and rail services and in reach of a variety of local facilities/amenities, and able therefore in principle to support higher density accommodation. In addition, as noted previously, the site sits in part in Flood Zone 3 and the design of the proposed development has sought to address this by incorporating non-residential ground floor uses including podiums with undercroft parking. This arrangement does not readily lend itself to larger accommodation, particularly family housing, and such constraints and associated viability considerations must be appropriately factored into the overall planning balance.

12.5 Having regard to the location, size and potential of the site, local policy and the continuing demonstrable need, Planning Officers consider however that it is not unreasonable to conclude that it could provide and generate demand for additional larger family accommodation. The proposed development is therefore not considered to provide an appropriate mix of housing in accordance with policy and tempers the weight afforded to the benefit of providing housing in the planning balance.

12.6 The submission makes provision for some on-site affordable housing. Core Policy 4 requires between 30% and 40% on-site provision etc.

12.7 The Applicant has included provision for some affordable housing on-site and has submitted a Financial Viability Assessment with the application in support of the approach. This is currently being reviewed by Planning Officers with the assistance of specialist consultant surveyors. Subject to further detailed assessment, a decision will be made via the resolution of the recommendation as to whether the proposed provision of affordable housing is acceptable.

13.0 **Design and impact on the character and appearance of the area**

13.1 The National Planning Policy Framework 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.

13.2 The National Design Guide 2021 acknowledges that well-designed places do not need to copy their surroundings in every way. However, the National Design Guide advises that well designed new development is based on a clear understanding of the architecture prevalent in the area, including the local vernacular to inform the form and scale of new development.

- 13.3 The National Design Guide states that well-designed tall buildings play a positive urban design role in the built form. They act as landmarks, emphasising important places and making a positive contribution to views and the skyline. Proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky.
- 13.4 Core Policy 8 of the Core Strategy sets out that in terms of design, all development should:
- a) *Be of high quality design that is practical, attractive, safe, accessible and adaptable;*
 - b) *Respect its location and surroundings;*
 - c) *Provide appropriate public space, amenity space and landscaping as an integral part of the design; and*
 - d) *Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.*
- 13.5 Policy EN1 of the Adopted Local Plan states that all development proposals are required to reflect a high standard of design and must be compatible with and/ or improve their surroundings in terms of scale, height, massing/ bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to watercourses. Poor designs which are not in keeping with their surroundings and schemes that overdevelop the site will not be permitted.
- 13.6 The site is in part identified as an Area of major Change in the Core Strategy and as a Selected Key Location for Comprehensive Regeneration - SKL 1 - Bath Road, Cippenham in the Site Allocations Development Plan Document 2010. These policy approaches highlight the designation as having the potential to accommodate some alternative uses or mixed-use developments.
- 13.7 SKL 1 states that any residential or mixed-use development should be comprehensively planned in a way which:
- Improves the appearance of this important main road frontage,
 - Provides some family housing at the rear of the site,
 - Includes suitable amenity areas or gardens
 - Minimises the number of access points onto the A4
 - Provides for cycleways where appropriate
 - Overcomes all flooding and drainage issues
 - Protects the amenities of adjoining residential areas

- 13.8 It goes onto highlight that there should not be any further retail development or any office development in this out-of-town centre location and that the design and layout of any development should take account of the juxtaposition of adjoining residential property and the need to create an attractive and distinctive development on this important main road frontage.



Plan showing Site Allocation SKL 1 in blue and proposed development

- 13.9 The application site is located at the western end of the Borough on the northern side of Bath Road, which is characterised by a range of developments and uses. The wider built-up area is also varied in character, spreading out from Bath Road and accommodating, in the main, established low-rise residential and commercial development and the Slough Trading Estate to the east. Slough Town Centre is approximately 2 miles further east.
- 13.10 The site as highlighted earlier, comprises two parts, each side of the Brook Path Public Right of Way and these are defined in the application as Site A and Site B. Site A, sits on the west side of Brook Path and has been cleared but formally accommodated a two-storey bathroom showroom building (Use Class E), and a car sales building of similar height (Sui Generis Use Class) with surface level parking outside. Site B accommodates a car/van rental company with associated temporary structures and parking/hardstanding, and a shopping parade comprising a single-storey commercial building and a traditional two-storey terrace with residential uses at first floor level and within the roofspace.
- 13.11 An established residential area, including Cippenham Recreation Ground lies adjacent the site to the north and extends back to the Great Western Railway. Iona Crescent comprises bungalows, nine of which back directly onto Site A. Brook Crescent accommodates mainly two-storey semi-detached houses, ten of which back onto/adjoin both Site A and Site B.

Burnham Road similarly features two-storey dwellings with two adjoining Site B.

- 13.12 Opposite the site, on the southern side of Bath Road are mainly low-rise commercial buildings and uses backing onto further established residential areas. It should be noted, however that a part-two, three and six-storey self-storage facility is currently being constructed at 361 Bath Road.



Plan of proposed development

- 13.13 The proposed development would present six large blocks of flats spread evenly across the site's frontage onto Bath Road. The blocks would be connected by two and three-storey elements providing ground floor non-residential space, plant, podium decks and additional flatted accommodation.

- 13.14 The six residential blocks vary in height from five to nine-storeys plus parapets on the Bath Road frontage, and step down at the back, as follows:

Block	No. of storeys (front)	No. of storeys (rear)
Block A1	8 - with 3-storey link	6, 3, 1
Block A2	8 - with 3-storey link	6, 3, 1
Block A3	9 - with 3-storey link	6, 3, 1
Block B1	7 - with 2-storey link	7, 3, 1
Block B2	5 - with 2-storey link	3, 1
Block B3	9 - with 2-storey link	9 (no step down)

- 13.15 The buildings would have a contemporary appearance finished in brick, which the applicant notes references Slough's brickmaking history. The elevations would comprise a blend of light, medium and dark grey stock bricks (Site A) and a light brown multi stock brick (Site B), with complimentary brick detailing. They would also feature full length windows,

inset, projecting and Juliet balconies and spandrel panels. It should be noted that the north, rear facing elevations are simpler in their composition, incorporating fewer windows, balconies and architectural details.



View of proposed development looking west along Bath Road

- 13.16 The development proposes three vehicular access points, two on Bath Road and one on Burnham Lane, which rationalises the number currently present. This includes a new vehicular access as part of the widening and improvement of Brook Path, a Public Right of Way through the centre of the site to service the development, enhance its setting and provide a better pedestrian route. Additional new public realm treatment is proposed across the Bath Road frontage, again to enhance the setting of the development and specifically to address flood risk and drainage issues whilst providing for safe pedestrian and cycle access and movement. The scheme proposes a part raised and widened footway, tree planting and additional landscaping including rain gardens.



View of development on Bath Road showing Brook Path

- 13.17 The wider layout proposes a comprehensive landscaping treatment having regard to residential and visual amenity, neighbouring boundary conditions, access, drainage and ecology. The landscaping strategy makes provision for a shared pedestrian / cycle route connecting through to Cippenham recreation ground, a swale and feature attenuation pond, buffer planting against existing residential boundaries and semi-private podium gardens and green roofs.



Plan of proposed landscaping

- 13.18 The application is supported by a Planning Statement and Design and Access Statement (DAS) in addition to other documents which present and explain the rationale behind the design of the development based on its location and context and including key features and impacts. The application is also accompanied by a Townscape and Visual Impact Assessment (TVIA) which provides an assessment of the impact of the development on the townscape including key views and visual amenity.



View of proposed development from across Bath Road

- 13.19 Having regard to planning policy and the nature of the site and surrounding area, the application highlights that the proposed development offers an excellent opportunity to make more efficient use of a brownfield site in a

sustainable location. It emphasises the importance of optimising the development potential of the site, assisting viability, meeting housing need and delivering range of associated public benefits. It states that the majority of the site has been identified as a suitable location for a residential-led redevelopment and that the proposals can establish the site as a new place capable of meeting its full potential whilst acting as a catalyst for the wider regeneration of this part of Bath Road.



View of proposed development looking east along Bath Road

13.20

Whilst the application and supporting documents acknowledge that the proposed development would result in and establish a new character and approach to height in an area identified for major change, it considers following appropriate analysis that the scheme is acceptable from an urban design perspective and in terms of its impacts on the local townscape. The application also highlights that the site is further free from any significant heritage, physical and Green Belt constraints, and is therefore not an 'inappropriate location' for the scale and height proposed.



View of development looking west along Bath Road at junction with Dover Road

13.21

The principle of making effective use of the site for a residential-led development is, as previously stated is acceptable. Seeking to deliver a

comprehensive redevelopment having regard to policy and the nature of the site and the surrounding area is also supported. It should be noted however, as mentioned earlier, that a significant part of the site falls outside the area allocated for major change in Site Allocation SKL1, namely the established shopping parade forming part of Site B to the east and the site allocation also encompasses a much larger area. This therefore requires some consideration in relation to the implications of redeveloping land beyond the allocated site and how the remaining land allocated may come forward for further development.

13.22 The parade of shops is a traditional 2-storey terrace of properties with accommodation in their roofspace. The uses comprise a range of businesses at ground floor with residential and non-residential uses at first floor and within the roof. Due to the layout and configuration of development in this particular location, the parade backs close onto established residential housing to the rear on Burnham Road and together form part of the established character and appearance of the area. Whilst the redevelopment of the parade including the loss of existing commercial uses may assist in facilitating a more comprehensive scheme and provide additional new dwellings and associated planning and environmental benefits, more careful consideration must be given to how any replacement development 'fits' and impacts the established character locally.

13.23 In a similar way, as the proposed site forms only part of a much larger area allocated for change, it is important to have regard to the way this allocation may be redeveloped cumulatively and affect the character and appearance of the area.

13.22 Apart from the parade of shops at its eastern end, the existing site as previously described is largely cleared and formerly accommodated low-rise commercial/retail buildings. This section of Bath Road is predominantly commercial in nature featuring a range of building types and uses, generally low-rise and this is mirrored further along Bath Road in both directions. A notable exception is the storage facility currently being completed at 361 Bath Road, opposite the application site, which is a part two, part three and part six-storey structure. As indicated, the wider area, extending back from Bath Road accommodates established residential areas comprising predominantly of two-storey housing. Specifically, there are bungalows and two-storey houses with gardens along the rear boundary of the site on Iona Crescent, Brook Crescent and Burnham Road. There are also established residential areas comprising houses behind Bath Road to the South.



View of proposed development from Ioan Crescent

- 13.23 The proposals present a significant new urban form on a northern section of Bath Road which will establish a new character and approach to scale and height in the area. The development introduces a new building line along Bath Road with a frontage extending over 200m in length, split across Site A and Site B, each side of a proposed widened Public Right of Way (Brook Path). The frontage is formed by six blocks ranging from five to nine-storey high, averaging therefore nearly eight-storeys, linked by two and three-storey elements. The blocks extend back into the site approximately 35m and 24m within Site A and Site B respectively and step down in recognition of the adjoining housing to the rear.



View of proposed development from Brook Crescent to the rear of the site

- 13.24 This approach seeks to optimise the potential of the site, and in urban design terms provides for a strongly defined and distinctive new street front onto Bath Road, including new public realm treatment and

landscaping. Having regard, however, to the policy context and to the nature and scale of the surrounding townscape, Planning Officers consider it creates an over dominant and precedent form of development not in keeping with the general character and appearance of the area.

- 13.25 The proposed development is higher and generally larger in overall form than neighbouring development and that opposite, and it is considered out of scale locally, notwithstanding the nature and appearance of this stretch of Bath Road and the way the scheme incorporates gaps across its length and steps down at the back in seeking to better relate to the existing residential area.



View from Stowe Road looking north to proposed development

- 13.26 The contrasting scale and nature of the proposed development is most marked in relation to the more suburban residential areas to the rear, and across Bath Road to the south. The development sits at its closest point approximately 10m from the rear gardens of the bungalows on Iona Crescent and approximately 12.6m from the boundary of the nearest house on Burnham Road. Clearly the distances increase as the height of the development steps up away from these boundaries, but its proximity and differing scale and form are considered incompatible and unacceptable in this location. The overall built form, including the nature of the gaps and staggered design with a number of rear facing windows, would result in a sense of enclosure and issues relating to perceived and actual overlooking and loss of privacy in respect to neighbouring houses. The relationship with these properties and separation distances is such that any design, scale, bulk and height, must be respectful of its neighbours and introduce a built form which would result in change but not harm residential amenity.
- 13.27 The contrast is accentuated by the design and architectural treatment of development to the rear, which in addition to accommodating the stepped block formation, seeks to present a plainer set of elevations to address, understandably concerns in relation to overlooking. The result however, having regard to the scale of the development, is somewhat stark in

appearance, and considered incongruous in relation to the more domestic neighbouring setting with the development effectively turning its back on the adjoining area.



View of proposed development from Brook Path looking north towards Bath Road



Same view from Brook Path showing proposed development partially hidden by new storage building under construction at 361 Bath Road

- 13.28 The key local views from Bath Road and the surrounding residential areas included above as set out in the Design and Access Statement and Townscape and Visual Impact Assessment clearly show the scale of the proposed development and its visual impact.
- 13.29 It is recognised that most of the site is vacant and underused, and identified within an area for major redevelopment. However, having regard to the nature of the surrounding environment, including the existing development on-site, which is not designated for change, it is considered that the proposals are not in keeping and represent an overdevelopment. The impacts may be further compounded by future development coming forward on other parts of the site allocation which have not been sufficiently considered as part of the application, given the need to take account of a comprehensive approach.
- 13.30 The overall scale and height of development is considered more representative of a town or city location and the result is a significant change to the character and appearance of this part of Bath Road which sits between the suburban local centre at Cippenham to the south and Burnham Station to the north.
- 13.31 Based on this assessment, the application fails to comply with Local Core Policy 8 of the Core Strategy, Policy EN1 of the Adopted Local Plan, guidance set out in the Site allocation Development Plan Document, and

requirements National Planning Policy Framework. Negative weight is therefore applied in the planning balance.

14.0 Impact on heritage assets

- 14.1 Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seeks special regard to the desirability of preserving a listed building or its setting and to preserve or enhance the character or appearance of a conservation area.
- 14.2 Chapter 16 of the National Planning Policy Framework intends to preserve and enhance the historic environment; paragraph 205 requires local planning authorities to afford great weight to the asset's conservation, irrespective of whether the potential harm is substantial harm, total loss or less than substantial harm. Paragraph 200 requires 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.
- 14.3 Paragraph 201 also requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 14.4 Paragraph 208 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.
- 14.5 Core Policy 9 of the Core Strategy, (2006 – 2026) Development Plan Document December 2008 states that development will not be permitted unless it:
- Enhances and protects the historic environment;
 - Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations;
- 14.6 In accordance with Paragraph 200 of the National Planning Policy Framework, the application is accompanied by a Heritage Statement, which assesses whether the proposed development would affect the significance of heritage assets.

- 14.7 The site is not located within a conservation area and does not accommodate any locally or statutorily listed buildings. There are, however, 5 heritage assets of significance in the area surrounding the site (within 1km). These include a Grade II Listed milestone on Bath Road, several hundred metres to the south-east and the Listed Buildings and Registered Park and Garden of Huntercombe Manor located between 900m -1200m from the site to the south-west. In the wider area it should be noted that Stoke Park and Windsor Castle/Windsor Great Park are of significance and have been considered as part of the application. Stoke Park is a Grade II Registered Park and Garden due to its special historic interest located just under 2 miles north-west of the site. Windsor Castle/Windsor Great Park is Grade I Listed Building/Registered Park and Gardens with associated structures approximately 3 miles south-east of the site.
- 14.8 The site falls within the setting of just one of the heritage assets highlighted, the Grade II listed milestone on Bath Road, some 230m to the south-west. The Heritage Statement concludes that at present the site makes no contribution towards the significance of the milestone and that the proposed development would not impact its significance.
- 14.9 The remaining five local heritage assets form the listed buildings and Registered Park and Garden of Huntercombe Manor and given their distance from the site and intervening development, it is not considered that the proposals would have an impact on the significance of these assets.



View of outline of proposed development (in white) from The Copper Horse statue, Long Walk, Windsor Great Park

- 14.10 Whilst the proposed development is not visible from Stoke Park, the applicant acknowledges the significance of Windsor Castle/Windsor Great Park following comments from Historic England and the Council's Heritage Advisor, and that the built form of Slough is visible in the far distance. Although the proposed view from Windsor Castle shows that the proposed development:

“will be visible from the north terraces of Windsor Castle, the proposed buildings will sit within the existing built form of Slough, and so not appear out of context. Additionally, although the proposed buildings will be taller than the surrounding built form within their context, they will not break the skyline, and as such will appear within the existing context of Slough’s built form. The materiality of the proposed built form will also minimise their presence within this view”

14.11 The statement further sets out that:

“This view from the north terrace of Windsor Castle has been substantially altered since the construction of the castle and two of the most significant changes are to construction of Slough and the construction of the M4. Against this much altered back-drop, the proposals represent a very small change to the existing baseline.

Therefore, the proposals are not considered to notably exacerbate the presence of Slough within the setting of the castle and the park. There would be no impact on the significance of Windsor Great Park as a result of the proposals due to the limited intervisibility between the two, and that the park does not draw any significance from this view. With regard to Windsor Castle, the impact of the proposals on its significance is also considered to be nil, as no harm will be caused to elements from which the castle derives its significance. Rather, the proposals will appear as a minor alteration within the wider context of the castle.”

14.12 Historic England has commented that the proposal would a result in degree of harm to the significance of Windsor Castle, which they consider at the lower end of less than substantial.

14.13 The Council’s Heritage Advisor has commented that the verified views provided demonstrate that the proposed development will be visible, however, the development would not dominate any views due to the distance between the site and Windsor Castle and the way in which the development does not break the skyline compared to the chimney to the east in the Slough Trading Estate.

14.14 In accordance with the NPPF, the Council as decision maker must balance the less than substantial harm identified against any public benefits the proposals may provide.

14.15 The public benefits of the proposal are considered to comprise:

- Substantial number of new dwellings at a time where the Local Planning Authority cannot demonstrate a Five-Year Land Supply.

- Re-use of vacant brownfield land, designated in part as a key location for comprehensive redevelopment.
- Improvements to Brook Path and the provision of a pedestrian crossing on Bath Road providing better local connectivity.
- Significant net gains in biodiversity.
- Reduction in surface water run-off due to restricted discharge and attenuation.
- Increase in flood storage volume due to flood compensation provided (68 cubic metres) reducing flood risk elsewhere.
- Financial contributions towards education, recreation, transport measures including public EV charging infrastructure.

14.16 Planning Officers consider that the less than substantial harm to identified heritage assets is outweighed by the public benefits highlighted.

14.17 Based on the above assessment and having regard to the heritage related comments and advice received, the proposal is considered on balance to be acceptable in heritage terms, and broadly in accordance with the National Planning Policy Framework and Core Policy 9 of the Core Strategy. Neutral planning weight is applied in this regard in the planning balance.

15.0 Living conditions for future occupiers of the development

15.1 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.

15.2 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". Core Policy 8 (Sustainability and The Environment) and Local Plan Policy H14 (Amenity Space) requires development to provide appropriate public space, amenity space and landscaping as an integral part of the design.

Flat accommodation:

15.3 The proposed development will provide high-density flat accommodation for rent. It incorporates a mix of dwelling sizes including studios, 1-, 2- and 3-bedrooms flats. The floor/flat layouts are tight, but the application confirms that the flats will meet national and local planning policy space standards and will generally benefit from internal floor-to-ceiling heights of 2.5m. They will also be compatible with Lifetime Home standards. A minimum of 5 per cent (12 out of 231 of the residential units would be provided as Wheelchair Adaptable Homes. All other homes are designed to 'Part M4(1) Visitable Dwellings' standards with step-free access

including communal and external areas given the provision of lift access. All flats will be provided to 'shell and core' standard to allow future tenants full flexibility with the final fit-out.

15.4 The flats have been orientated on a north-south axis to optimise numbers and dual aspect arrangements. There are 153 dual-aspect (66 per cent) and 78 single-aspect (34 per cent) flats, respectively. None of the single aspect flats are, however, north facing.

15.5 Most of the proposed flats have balconies or terraces if at podium level, which vary in size depending on the flat type/size, providing appropriate private external amenity space. External balconies are accessed directly off the front of the living room, and the main bedroom of each flat in the case of studios. There are a number 1-bed, 2-person flats which don't have balconies either due to their proximity to the amenity space for adjacent flats or in order to simplify the elevational detail and allow the relevant blocks to appear slenderer in their design. These flats will have access to communal amenity space.

Amenity and play space:

15.6 All flats will benefit from access to dedicated internal and external communal amenity space. The podium gardens are semi-private between each block and incorporate attractive and low maintenance planting. Play space for younger children is focused on the podiums, as these areas are well overlooked and semi-private in nature, therefore providing a safer space to play than at ground level. The terraces on podium levels with defensible space/buffer zones at the front of the home to maintain privacy.

15.7 The amenity and public realm strategy incorporates a green link bisecting the site and as part of the improvements to Brook Path connecting up to Cippenham Recreation Ground. This includes pedestrian, cycle and vehicular with intensive planting; a total of c.2,450 sqm incidental play overlooking pedestrian/cycle route with naturalistic planting; and segregated footway and cycleway and rain garden planting.

15.8 In addition, internal communal amenity space is provided at ground floor level in one of the blocks in Site B providing a space for future residents to meet, relax and socialise.

15.9 The commercial uses at ground floor level at both Site A and Site B offer the potential opportunity to provide additional amenity for residents, such as a café and/or convenience store and would activate the frontage towards the new public realm/Brook Path.

Daylight and sunlight:

- 15.9 An updated Daylight and Sunlight Report has been submitted with the application which assessed the internal daylight and sunlight levels of the proposed development. The report assesses habitable rooms for daylight provision via the latest appropriate illuminance methodology in the Building Research Establishment's Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2011) and updated guidance published in 2022.
- 15.10 The Report indicates that 510 out of 594 (86%) habitable rooms meet their target illuminance value across 50% of the calculation area and 171 out of 231 units (74%) meet the target sunlight exposure value. A review of the visual representation of the results shows that, in most locations, where lower light levels are received in living rooms, this is due to the presence of a circulatory corridor or area at the entrance of the room.
- 15.11 Furthermore, the impact on sunlight received because of balconies leading off living rooms should be noted, as well as the fact that not all the flats face south given the orientation of the development. The provision of balconies often requires a trade-off with daylight and/or sunlight as balconies partially obstruct sky view from the windows below and adjacent. Providing larger windows has thermal performance and overheating implications.
- 15.12 The application has also assessed relevant external areas associated with the development and confirms that all the proposed amenity spaces meet the target sunlight levels in accordance with the BRE guidelines.
- 15.13 The Daylight and Sunlight Report has been reviewed by the Council's daylight and sunlight consultants who have confirmed the findings of the Assessment. They advise that there are a number of living areas (living/kitchen and dining) that would experience poor daylight provision in one of the blocks in Site A, as they are deep single aspect spaces facing opposing blocks. A number of bedrooms in one of the blocks on both Site A and B would similarly be affected. In addition, they state that whilst there are a proportion of flats and associated rooms that will not comply with the BRE guidelines in specifically in relation to sunlight, it may be unrealistic to expect all dwellings within a development of this scale to meet the sunlight and daylight recommendations since north-facing areas will be naturally limited in the sunlight they could receive.

Overheating:

- 15.12 In relation specifically to overheating, the application is supported by a Thermal Comfort Assessment which considers how the proposed development addresses this risk and minimises the use of air conditioning. The Assessment highlights that the buildings have been developed having regard to the cooling hierarchy and relevant Building Regulations and guidance.

- 15.13 The proposed design incorporates high levels of passive solar shading and design measures to mitigate the risk of overheating including MVHR ventilation. The Assessment concludes that these measures will aid in overheating mitigation and aid in the reduction of future overheating risk. These measures will be secured and implemented by planning conditions.

Wind microclimate:

- 15.14 The application is also supported by an updated Wind Microclimate Assessment which provides an overview of the likely external wind conditions during the winter and summers seasons in relation to pedestrian comfort and safety, and residential amenity. It assesses the site under two scenarios (proposed and cumulative, taking account committed developments nearby) as well as a phased implementation scenario (Site A before Site B). Where adverse wind impacts are identified, appropriate mitigation is recommended to improve comfort conditions.

- 15.15 The Assessment highlights that most areas around the proposed development, including the main circulation areas, are expected to be suitable for standing and walking and generally protected from the prevalent wind directions. Conditions on the podiums are also considered generally suitable for sitting and therefore suitable for the intended use and no mitigation is required. It identifies a number of projecting balconies, however that may be impacted and suggests the installation of solid instead of railing balustrades as mitigation, to block incoming wind and improve conditions for residents. All appropriate measures will be incorporated at detailed design stage and secured via planning conditions.

Access, parking and servicing:

- 15.14 As detailed in other relevant sections of this report, the proposed development accommodates suitable and safe pedestrian and vehicle access arrangements including access for emergency, refuse and delivery vehicles. It also makes appropriate car and cycle parking provision subject to a package of mitigation to be secured via legal agreement and conditions.

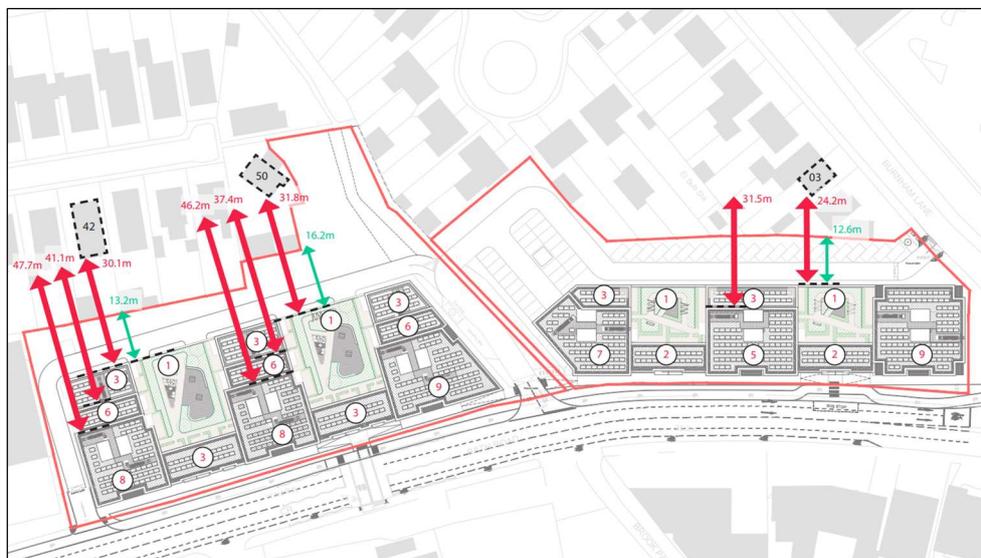
15. In summary, having regard to the nature, scale and density of the proposed development, it is considered that it would generally provide a satisfactory standard of accommodation and associated amenity. Whilst a significant number of the proposed flats are single-aspect, these relate to smaller 1-bedroom dwellings and none are north-facing. Whilst it is also acknowledged that a proportion of flats and associated rooms would not comply with the BRE daylight and sunlight guidance, and result in 'minor adverse' impact, a degree of flexibility can be applied given the size of the scheme. Similarly, a number of flats would not have a balcony, but all residents would have access to communal amenity space and public open

space nearby. The overall approach is therefore considered, on balance reasonable.

- 15.12 Based on the assessment outlined above in relation to the quality and amenity of the accommodation proposed, the application is considered broadly in compliance with national and local planning policy and guidance. Neutral weight is applied to this matter in the planning balance.

16.0 Impact on amenity of neighbouring occupiers

- 16.1 The National Planning Policy Framework requires planning decisions to ensure developments create places with a high standard of amenity for existing and future users.
- 16.2 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.
- 16.3 The site is located on a main road of mixed character, comprising a wide range of commercial and residential development. The residential properties that lie immediately to the rear of the site to the north are established suburban homes with gardens. Iona Crescent comprises bungalows, seven of which back directly onto Site A. Brook Crescent mainly accommodates two-storey semi-detached houses, ten which back onto/adjoin both Site A and Site B. Burnham Road similarly features two-storey dwellings with two adjoining Site B.
- 16.4 The proposals would create a new and significantly different form and scale of development in the area, extending across the entire length of the site, split mid-way by a Brook Path, to be widened to form a new vehicular access.



Plan showing relationship of proposed development and existing housing to rear

- 16.5 The proposed development also extends back generally more than half the depth of the site bringing it close to the existing rear boundaries of neighbouring dwellings. As indicated earlier, it would sit at its closest point approximately 10m from the rear gardens of the bungalows on Iona Crescent and approximately 12.6m from the boundary of the nearest house on Burnham Road.



View of proposed development from rear of 50 Iona Crescent



View of proposed development from rear 44 Iona Crescent

- 16.6 In acknowledging the nature and proximity of the existing houses here, the development is part single and part-three-storey high to the rear, stepping up away to a maximum of nine-storeys on Bath Road with large breaks created between the higher blocks to reduce and articulate its scale and mass. The proposed landscaping treatment also incorporates buffer planting along the rear boundary in an attempt to soften the presence of the development. Notwithstanding this approach, however, the proposals present a substantial mass of built-form against a low-rise residential area and are considered to result in a visually overbearing and detrimental

impact in relation to neighbouring residential amenity. This impact, as indicated previously, is accentuated by the design and appearance of the back of the development which are in stark contrast to the more domestic character and setting of the neighbouring housing.



View of proposed development from rear of 32 Iona Crescent

- 16.9 Neighbouring residential amenity is further impacted by the potential for greater actual and perceived overlooking. The proposed development features a significant number of windows and balconies and notwithstanding the obscure/opaque glazing and balcony screening incorporated to mitigate overlooking, it is considered that the levels of privacy currently enjoyed by adjoining residents will be compromised.



View of proposed development opposite Burnham Road

- 16.10 An updated Daylight and Sunlight Report has been submitted with the application which assessed how the proposed development would affect levels of light received by existing neighbouring property and associated external areas, as shown in the plan below.



Plan of surrounding property considered in the sunlight/daylight assessment

- 16.11 The Report suggests that the majority of the surrounding properties retain daylight and sunlight in line with the BRE Guidelines' recommendations. Where transgressions of the BRE Guidelines occur, these are either considered 'minor adverse' or not significant and the retained level of daylight is considered good for an urban/suburban development context
- 16.12 The Daylight and Sunlight Report submitted has been reviewed by the Council's specialist lighting consultants who confirm that the scope of the assessment covers all appropriate properties to the north and south of the site and that to the east and west there does not appear to be any property any property with the potential to be impacted. The review of the assessment highlights the following key findings.

Brook Crescent:

- Minor adverse impact to daylight at numbers 1 and 3 to 5 Brook Crescent. The impact appears slightly greater to numbers 4 and 5.
- Minor adverse impact for winter sunlight to windows (the winter guideline would not be met at one window to number 5 labelled to a living room, which may have other windows able to meet the guideline, but there would generally be a large loss of winter sunlight).
- Minor adverse loss of sunlight to garden at 5 Brook Crescent and at least moderate adverse loss of sunlight to the garden at 4 Brook Crescent.

1 Burnham Lane:

- Minor adverse impact to daylight.

- A minor adverse impact to winter sunlight if there is a living area or conservatory (as the Report suggests) at the rear of the property; the guideline would be met but there would be a substantial loss.

3 Burnham Lane:

- Minor adverse impact to daylight.
- The guidelines for loss of sunlight would be met but there would be a large loss of winter sunlight.
- Minor adverse loss of sunlight to the garden.

5 Burnham Lane:

- Minor adverse impact to daylight.
- The guidelines for loss of sunlight would be met but there would be a large loss of winter sunlight.

Iona Crescent:

- Minor adverse impact to daylight at 44, 46 and 48 Iona Crescent as the windows at the rear of the properties would be below the vertical sky component guidelines but are marginal to the targets.
- There would be a large loss of winter sunlight, but the sunlight guidelines would be met.

Bath Road:

- For potential residential dwellings on the first floor of 343 to 352 Bath Road and the Al-Madani school at 339-341 Bath Road the results presented in the updated Report suggest a minor adverse impact to daylight. This would tend to moderate adverse for two rooms at 343 and 345A Bath Road.
- Loss of sunlight would not be an issue as existing properties face northerly.

16.13 The proposed development would as outlined above have an impact to varying degrees on sunlight and daylight received by neighbouring properties and whilst some impact is generally expected, cumulatively in this instance it is considered unacceptable and detrimental to residential amenity. It should be noted that reference is made in the Daylight and Sunlight Report to 'minor adverse' impacts being "not significant", however, in the context of the BRE guidelines, BRE Report 'Site layout planning for daylight and sunlight: a guide to good practice' any adverse impacts, including minor adverse, are significant.

16.12 In relation to highway-related matters, as considered elsewhere in this report, the development is not expected to generate excessive vehicular movement and the level of parking provided is considered acceptable having regard to the location of the site and the recommended mitigation measures. The safety of local highway users and pedestrians would therefore not be compromised. In addition, it is not considered that

vehicular use/movement associated with the development would cause undue noise disturbance given the siting of the access points and internal access routes, the proposed landscaping buffer and the existing and former uses of the site.

- 16.13 Whilst the proposed development is substantial, impacts associated with its construction can be appropriately mitigated and managed via the implementation of a Demolition and Construction Environment Management Plan to be agreed before any works commence and monitored throughout the build period. This would be secured by planning condition should the application be approved.
- 16.14 Based on this assessment, the development is considered to adversely affect neighbouring residential and visual amenity contrary to Core Policy 8 of The Core Strategy, Policy EN1 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024. Substantial negative weight is therefore applied in the planning balance.

17.0 Transport, highways, access and parking

- 17.1 The National Planning Policy Framework highlights that planning should seek to locate development where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It goes on to say that development should be located and designed, where it is practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Where appropriate local parking standards should be applied to secure appropriate levels of parking. This is reflected in Core Policy 7 and Local Plan Policies T2 and T8.
- 17.2 The National Planning Policy Framework also states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.
- 17.3 Core Policy 7 requires development proposals to improve road safety and reinforce the principles of the transport strategy as set out in the council's Local Transport Plan.
- 17.4 Local Plan Policy T2 requires that residential development will provide a level of parking appropriate to its location, and which will overcome road safety problems, protect the amenities of adjoining residents and not result in adverse visual impact on the environment.
- 17.5 Local Plan Policy T7 states, planning permission will not be granted for developments which affect an existing right of way unless the proposal maintains the right of way to an appropriate standard or makes provision for its diversion along a route which is at least as attractive, safe and

convenient for public use. An enhancement of the right of way network will be sought where this is needed as a result of new development.

- 17.6 Local Planning permission T8 states permission will not be granted for development which would prejudice the implementation of the proposed cycle network in Slough, nor include suitable cycle access to and through the site and cycle parking racks and other facilities for cyclists as an integral part of the development. It goes on to highlight that where a major development would result in increased demand for travel, the Council will seek a financial contribution by way of agreement towards, and/or required by condition(s), appropriate improvements to the cycleway network.
- 17.7 The site is situated in a reasonably accessible location on Bath Road some 2 miles west of Slough Town Centre and within a 10-minute walk to Burnham train station. Regular bus services operate along Bath Road with stops close-by and Burnham Rail Station is located approximately 700m to the north-west. There is a range of amenities and facilities in the local area which is characterised by residential and commercial development.
- 17.8 The application is supported by an updated Transport Assessment which details existing highway conditions, movement patterns and public transport, and analyses the impact of the proposed development on the highway network and local transport facilities in respect to vehicle, pedestrian and cycle movement. It also outlines the parking, servicing and transport-related mitigation measures associated with the proposed scheme.
- 17.9 As indicated, the site will be divided between Site A and Site B and served by 3 new vehicle access points, 2 provided along Bath Road and 1 provided on Burnham Lane. This is a reduction when compared with the existing 10 vehicular crossovers onto the site in line with the requirements of Site Allocation Policy SKL1.
- 17.10 Private access roads will be provided on-site to access / egress the proposed car parking, delivery and servicing areas. The central access road will provide access for residents in both Site A and Site B and will form part of the pedestrian route north-south between Bath Road and Cippenham Recreation Park. The roads run across the rear of the site to the west at Site A with a further access point from Bath Road and to east, accessed via Burnham Lane for Site B.
- 17.11 It is proposed that the access points to the private access roads will be gated and controlled via a fob system to comply with the Secure by Design measures. The gates into Sites A and Site B will be set open during the network peak periods (07:00-09:00 and 16:00-18:00) to ensure queues do not form on Bath Road, Burnham Lane or the site's internal access roads. The gates between Sites A and Site B (fronting the internal access road)

will be set closed during these periods, to prevent the site's internal access road being used as a rat-run / alternative route to the A4 Bath Road.

- 17.12 Emergency, waste collection and delivery vehicles will be able to access the Site by any one of the 3 access points via the gated and controlled fob system. A number of delivery bays will be provided within and adjacent to the site to serve the proposed residential accommodation and commercial units.
- 17.13 The proposed development provides 168 residential parking spaces across Site A and Site B resulting in an overall ratio of 0.73 spaces/flat. Parking will be accommodated under the podiums and to the rear of Site B. In accordance with policy guidance, at least 5% of the provision will be disabled parking spaces. In addition, 2 bays will be used as car club bays at the site for use by residents and 30% of total parking spaces within the development will be provided with active electric vehicle (EV) charging facilities, while the remainder of parking spaces will be provided with passive charging facilities.
- 17.14 A total of 233 long-stay secure cycle parking spaces across will also be provided to meet local policy requirements. Fourteen additional visitor cycle parking is provided within the public realm in the form of Sheffield stands located at the entrance to the building, with some being located within the car parks. The two small commercial uses will provide cycle parking for staff within the units depending on the end use within Class E.
- 17.15 The proposed Development includes several public realm improvements to address flood risk and enhance the local pedestrian and cyclist environment.
- 17.16 Improvements and widening of Brook Path leading up to the recreation ground north of the site are proposed, enhancing not only the setting of the development but providing an attractive public route through the site to Cippenham Recreation Ground and better connectivity.
- 17.17 As the site is located within a floodplain, consideration has been taken to raise the site and footway above the carriageway on Bath Road. Landscaping is proposed along the site's frontage on publicly adopted highway. Trees will be planted to provide a natural drainage solution alongside other environmental and visual benefits associated which in turn may encourage more active travel along the Bath Road. A new cycleway will be implemented as part of the public realm improvements. The dedicated cycleway will be separated from the highway and the footway via kerbs with appropriate integration with the signalised pedestrian crossing and bus stop also located along the site's frontage.
- 17.18 Raised table crossings are proposed at all of the site's entrance and exit points to Bath Road and Burnham Lane to provide a seamless pedestrian

experience. The footway on the western side of Burnham Lane will also be widened and landscaped. These measures will be beneficial to both vulnerable pedestrians and cyclists when travelling along the site's frontage.

- 17.19 It is proposed to relocate the pelican crossing, currently located to the west of the site, towards the frontage of the Proposed Development to align with north-south pedestrian travel from Brook Path towards Cippenham Recreation Ground.
- 17.20 The existing eastbound bus stop on Bath Road (Stop Burnham Lane) will remain and be remodelled, offset by 15m from the proposed central access into the proposed development. The new footway arrangement will integrate footway, cycle lane, landscaping and bus stop at this location with cyclists ramping up to footway level with a shared footway / cycleway arrangement near the bus stop. The final design of this arrangement will be secured via a Section 106 Agreement and/or by a Section 278 Agreement.
- 17.21 In respect to traffic impact, the Transport Assessment has modelled trip rates and confirms that the increase in traffic generated by the proposed development is negligible when compared with background traffic levels and falls within daily variations in traffic on the surrounding highway system. No junction capacity modelling was therefore necessary.
- 17.22 The Transport Assessment also forecasts the number of bus and rail users and identifies that the increase in bus and rail patronage will also be negligible and can be accommodated on the existing public transport network.
- 17.23 The application is supported by a Travel Plan which sets out a package of sustainable travel measures to encourage a shift in travel from private cars to sustainable modes (i.e. walking, cycling and public transport use) from the first occupation of the development.
- 17.5 SBC Transport Officers have reviewed the application and considered the accompanying Transport Assessment and Travel Plan carefully. as set out in their comments in the Consultation section above. The proposed traffic and transport impacts, access, car and cycle parking provision, highway safety and servicing arrangements are considered acceptable subject to the agreed mitigation comprising:
- Pedestrian crossing: relocation and upgrade of the existing pelican crossing across Bath Road to better align with Brook Path footpath.
 - Cycleway: provision of segregated cycleway and table crossings for 240 metres along the frontage of the proposed development which connects to existing cycle lanes;

- Bus stop: relocation of existing eastbound bus stop outside the site further east and provide a 'floating' bus stop island with crossing over the cycleway;
- Access - western Bath Road access to be entry only.
- Car Club – provision of 2 car parking spaces provided for a privately operated car club.
- Travel Plan - promoting sustainable means of travel.
- Financial contributions towards:
 - Slough Car Club - £52,659
 - Public EV charging infrastructure - £65,000
 - On-Street Parking Study and CPZ - £12,000
 - Cycle Route Improvements - £49,600
 - Travel Plan monitoring - £3000

Total - £182,259

17.11 Based on the above assessment and subject to the agreed mitigation, the application is considered, on balance, to be acceptable in transport, highway impact and parking terms and broadly compliant with national and local planning policy and guidance. Given the improvements to Brook Path and the provision of a new pedestrian crossing across Bath Road, limited positive weight is given in relation to these matters in the planning balance.

18.0 **Energy use and sustainability**

18.1 The National Planning Policy Framework highlights that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts. It states that it should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources and support renewable and low carbon energy and associated infrastructure.

18.2 Core Policy 8 (Sustainability and the Environment) sets out 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. It sets out that all development should, where feasible, include measures to (inter-alia): minimise the consumption and unnecessary use of energy, particularly from non-renewable sources, and generate energy from renewable resources.

18.3 Core Policy 8 and the Developers Guide Parts 2 and 4 require developments of 50 or more dwellings to improve upon Building Regulations (Part L1a 2013) in terms of carbon emissions. Specifically, a 15% reduction in the Target Emission Rate (TER) of the Regulations is stipulated. In addition, energy generation from low or zero carbon sources on-site or nearby, equivalent to approximately 10% of the development's

carbon emissions is also required. This is defined by the 15% target figure referred to above.

- 18.4 An Energy Statement has been submitted with the application which highlights that the development will improve upon Building Regulation carbon emission targets through passive energy efficiency measures including a high performing building fabric and building service efficiencies, namely:
- low energy glazing
 - energy efficient LED lighting
 - local heat pumps for domestic hot water
 - direct electric panel heaters
 - rooftop PV (Photo voltaic) technologies producing 382 MWh annually
- 18.5 The Statement confirms that the development will achieve a total improvement of 70% over Part L 2021 Building Regulations. It also highlights that 30% of the betterment comes from PV panels. This approach appears to comply with local policy requirements; however, it isn't how this performs against the specific percentages in the development plan.
- 18.6 In respect to other relevant matters, it should be noted that the development would make use of brownfield land in a sustainable location, provide policy compliant levels of cycle parking and other sustainable transport measures to reduce car use and ownership. The proposals also incorporate sustainable urban drainage, green roofs, soft landscaping, biodiversity gains, and active and passive electric vehicle charging infrastructure.
- 18.7 The application sets out a broadly acceptable approach in relation to energy use and sustainability which is considered to comply with national and local planning policy and guidance. Neutral weight is afforded to this matter in the planning balance.
- 19.0 **Crime prevention and design**
- 19.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed to reduce the potential for criminal activity and anti-social behaviour.
- 19.2 As noted previously, Thames Valley Police (Crime Prevention Design Advisor) raised a number of concerns in relation to the originally submitted scheme including the lack of compartmentation, provisions for postal services and access/visitor entry controls.

- 19.3 In amending the scheme, the applicant has stated that the matters raised by Thames Valley Police have been considered. In particular:
- Access controls/visitor entry systems will be provided to undercroft parking areas, podiums, refuse and cycle storage and communal entrances.
 - Access controls and appropriate doors will be used to provide a level of compartmentation within the development.
 - All external doors will meet the required standards.
 - Secure postal boxes will be provided within the secure lobby of each building.
- 19.4 Whilst the proposed development now incorporates some measures to mitigate against potential criminal activity and anti-social behaviour, a clear and appropriate strategy has not been prepared at this stage. Further work is necessary therefore to ensure a robust approach is deliverable and tempers the benefits of the development in regard in the planning balance.
- 20.0 **Ecology and Biodiversity Net Gain**
- 20.1 In accordance with the Natural Environment and Rural Communities Act 2006 Local Planning Authorities have a statutory duty to show regard for conserving biodiversity in the exercise of all public functions.
- 20.2 The National Planning Policy Framework states that planning decisions should contribute to and enhance the natural and local environment and require development to minimise impacts on and providing net gains in biodiversity.
- 20.3 Core Policy 9 relates to the natural environment and similarly requires new development to preserve and enhance natural habitats and the biodiversity of the Borough.
- 20.4 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 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.
- 20.5 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.
- 20.6 In England, Biodiversity Net Gain (BNG) recently became 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.

On-site impacts:

- 20.7 The proposed development seeks to improve ecology and biodiversity on site as part of a comprehensive landscaping strategy to provide appropriate greening, screening and sustainable urban drainage measures.
- 20.8 The planning application is supported by a Preliminary Ecological Appraisal, a Preliminary Roost Assessment, and Bat Emergence and Re-entry Surveys and a Biodiversity Net Gains Assessment.
- 20.9 The Preliminary Ecological Appraisal highlights that given the nature, use and character of the site, it has limited ecological value. In relation to bats, the local area has limited bat foraging and commuting habitat, other than a few scattered trees and areas of amenity grassland. The existing row of shops fronting Bath Road were found to hold low habitat value, and the surveys undertaken confirmed no emerging bats are present. There is not anticipated to be any significant impact on bats because of the proposed development, albeit it is acknowledged that an increase in the amount of current lighting of surrounding habitats may disturb commuting bats. It is recommended that further surveys are carried out during the active bat season (May– September) and subject to these, appropriate enhancement/mitigation provided. These can be secured via planning conditions and informatives.
- 20.10 The surveys also found no evidence of nesting birds on-site, although the Preliminary Ecological Appraisal highlighted limited birds could use the existing hedgerow for nesting. It also confirmed that the proposed development could result in the destruction, or the disturbance and subsequent abandonment of active bird nests and recommends that any vegetation removal should be undertaken outside the period 1st March to 31st August and any active nests will need to be retained until the young have fledged. It goes on to state that precautions should be taken with machinery and noise levels when working close to any retained nests so as not to disturb any nearby nesting birds during construction works. Again, appropriate measures can be secured via planning conditions and informatives.
- 20.11 Finally, the Preliminary Ecological Appraisal confirms that the site provides no habitat for protected or notable invertebrates, reptiles and amphibians,

or suitable habitat for badgers and protected dormice and limited foraging and commuting opportunities for hedgehogs. The Appraisal includes a number of recommendations to minimise the risks associated with the construction works and these can be managed via planning conditions.

Biodiversity Net Gain:

- 20.12 The Biodiversity Net Gain Assessment accompanying the application demonstrates that the proposed development will result in a considerable net gain (899.41%) in biodiversity on-site, clearly well above the 10 per cent minimum required. The existing site has, as indicated, very limited ecological interest given its condition and the proposals will significantly enhance biodiversity through the provision of new landscaping including new wildflower and grassland planting, shrubs, trees, hedgerows, green roofs and an attenuation pond. Other features recommended in the submission include bat and bird nest boxes and gaps in boundary fencing to allow movement of animals to green spaces.
- 20.13 Should consent be given, a Biodiversity Net Gain Management Plan must be prepared which should include recommendations for the implementation, management and monitoring of the site for at least 30 years to ensure that the biodiversity gain is delivered.

Off-site impacts:

- 20.14 A Habitat Regulations Assessment (HRA) Screening Report and Report to Support an Appropriate Assessment has been submitted with the application. The HRA considers the Likely Significant Effects (LSE) in relation to the following European sites which have the potential to be affected by the proposed development.
- Burnham Beeches Special Area of Conservation (SAC) - 3.1km north
 - Chilterns Beechwoods SA - 1km north-west
 - Windsor Forest and Great Park SAC - 5.8km south-west
 - South-West London Waterbodies Special Protection Area and Ramsar - 8km south-east
- 20.15 The HRA asserts that there is sufficient distance from the identified sites to prevent any significant impacts in terms of air/light/water pollution and visual/noise disturbance. It indicates that the proposal would not result in the loss of associated habitats, but that the increase in population may have significant effects in terms of recreational disturbance to the above-mentioned European sites. As such an Appropriate Assessment is recommended.

- 20.16 An Appropriate Assessment (Stage 2) must be undertaken and completed by Slough Borough Council to assess whether the LSE on the integrity of Burnham Beeches SAC can be adequately mitigated.
- 20.17 The Report to Support Appropriate Assessment submitted is limited in its content. No reference is made to any specific European site. It is noted that Natural England has raised an objection in respect to the likely significant effects on Burnham Beeches, subject to appropriate mitigation in respect to the impacts of new development coming forward within the Borough and meeting the requirements of the Habitats Regulations. This indicated that Natural England is satisfied that there would be no likely significant effect on the remaining European sites.
- 20.18 The Council and Natural England have agreed in principle that an appropriate strategic solution to mitigate the cumulative impacts on Burnham Beeches from development (within the Burnham Beeches SAC buffer zone within Slough) would comprise improvements towards Upton Court Park near to and overlapping the southern edge of the borough. Council's draft Mitigation Strategy and the Upton Court Park Master Plan identifies a range of biodiversity/natural habitat improvements in Upton Court Park and identifies the Park as a suitable alternative natural greenspace. The Strategy was agreed by the Council on 11 October 2022. The 68 ha. park has the carrying capacity for more residents to use it. Its size, accessibility, substantial areas of existing semi-natural habitat and walking routes mean visitors can enjoy walks amongst nature away from development. It is already used for dog walking providing an alternative to Burnham Beeches. Implementation of some projects in the Mitigation Strategy/Master Plan will enhance its attractiveness to visitors and provide mitigation for the completed and fully occupied development.
- 20.19 The Mitigation Strategy identifies work priorities in Slough to address the Council's duty under the Habitat Regulations regarding reducing visitor pressure on the Burnham Beeches SAC sensitive habitat as a result of new residential developments within the zone of influence. The aim of creating alternative recreation spaces is to attract visitors who might have otherwise travel to Burnham Beeches SAC and to improve biodiversity generally in the area. Section 106 contributions would apply to residential developments within 5.6km of Burnham Beeches SAC with the requirement for a contribution being set in the Mitigation Strategy acting as a planning guidance document prior to incorporation within a future, and subsequently in a Supplementary Planning Document. The Strategy sets out a contribution of £570 per additional dwelling.
- 20.20 In advance of the formally adopting this policy Supplementary Planning Document guidance, and recognising the evidence in place at the time, the applicant has agreed to make s106 contributions towards the above projects. As such, it is considered that the proposal would not adversely affect the integrity of Burnham Beeches SAC.

20.21 Based on the above assessment, it is considered that the proposal would broadly comply with Core Policy 9 of the Core Strategy and the requirements of the National Planning Policy Framework and Habitats Regulations. The net gains in biodiversity result in a benefit which is afforded limited positive weight in the planning balance.

21.0 Air Quality and noise

Air quality impacts:

21.1 The National Planning Policy Framework states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development, it advises, should wherever possible, help to improve local environmental conditions.

21.2 The National Planning Policy Framework requires planning decisions to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified.

21.3 Core Policy 8 (Sustainability and the Environment) sets out that development shall not give rise to unacceptable levels of pollution including air pollution or dust; or be located in areas affected by air pollution unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers or other appropriate receptors. Core Policy 8 also sets out that development shall not be located in noisy environments unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors.

21.4 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. The National Planning Policy Framework clarifies that planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

- 21.5 The site does not fall within an Air Quality Management Area (AQMA), however the following AQMAs are near the site:
- Slough AQMA No.1: Land adjacent to the M4 motorway along the north carriageway between junctions 5 and 7, and along the south carriageway between junction 5 and Sutton Lane. Approx. 1.3km to the south.
 - Slough AQMA No. 3 and extension: Junction 6 of the M4 to Three Tuns and extending into Farnham Lane and Bath Road. Approx. 1.94km to the east.
 - Slough AQMA No. 4: A4 Bath Road from the junction with Ledgers Road/Stoke Poges Lane, in an easterly direction, along Wellington Street, up to Sussex Place junction. Approx. 2.62km to the east.
- 21.6 The Slough Low Emission Strategy sets out mitigation for individual developments based on their size and characteristics such as parking provision. This is the starting point for addressing cumulative impacts, and each relevant application will as a minimum be assessed having regard to the Low Emission Strategy.
- 21.7 An updated Air Quality Assessment (AQA) has been submitted as part of the application to consider the impact of the proposed development on local air quality. The AQA highlights that the development has the potential to cause air quality impacts at sensitive locations during the construction and operational phases, as well as expose future occupants to elevated pollution levels. It determines baseline conditions at the site, considers its suitability for the proposed end-use and assesses potential effects associated with the scheme.
- 21.8 The AQA specifically notes that during the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site and emissions from machinery. These were assessed appropriately in accordance with the Institute of Air Quality Management (IAQM) methodology. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust and emissions generated from equipment arising from demolition, earthworks, construction and trackout are not predicted to be significant. The demolition and construction stages would be managed carefully via a Demolition/Construction Environment Management Plan (D/CEMP), secured by planning condition. The D/CEMP is a comprehensive document setting out measures to mitigate dust and emissions associated with construction work. These include construction vehicle routing restrictions and compliance with Euro VI emission standards, and requirements that non-road mobile machinery (NRMM)

meet controls in line with the Low Emission Strategy, in addition to monitoring arrangements.

21.9 During the operational phase of the development there is the potential for air quality impacts as a result of traffic exhaust emissions associated with vehicles travelling to and from the site and from heating systems. The former were assessed against the screening criteria provided within IAQM guidance. Having regard to the location, size and nature of the proposed development and recommended mitigation, road vehicle exhaust emissions impacts are also not predicted to be significant.

21.10 All developments are expected to support the aims of the Low Emission Strategy through the integration of mitigation outlined within the associated planning guidance. The following mitigation measures have been agreed and would be secured by planning conditions and s106 obligations.

- 30% of car parking spaces with active EV charging and 70% with passive EV charging
- Provision of two car club spaces within the site and financial contribution of £52,659 towards the Slough Car Club
- Financial contribution of £65,000 towards public EV charging infrastructure.
- Financial contribution of £20,000 towards Air Quality Monitoring
- Financial contribution of £12,000 towards On-Street Parking Study and CPZ
- Financial contribution of £49,600 towards Cycle Route Improvement
- Heating systems to meet the emission standards in Table 7 of the LES.
- Travel Plan promoting sustainable means of travel and financial contribution of £3000 towards monitoring.

21.11 The Councils Environmental Services Officers have reviewed the AQA and subject to the proposed mitigation consider the approach satisfactory and the impact on air quality locally would be limited. It should be noted that whilst the AQA has not, as recommended, considered other development sites nearby, namely the Big Yellow Storage facility under construction, Environmental Services Officers do not consider this would cumulatively cause any noticeable additional impact.

21.12 Officers note that in relation specifically to the existing homes behind the site and the proposed access road to the rear of the development, given the nature of this access, neighbouring residential amenities are unlikely to be affected by poor air quality. Similarly, in respect to the front of the proposed development facing Bath Road, the risk of exposure to poor air quality is low. Nitrogen Dioxide (NO₂) concentrations have been modelled in the AQA for 2019 and indicate that concentrations are expected to be

below national Air Quality Strategy and associated standards (34ug/m³ against a 40ug/m³ threshold).

Noise impacts:

- 21.13 A Noise Impact Assessment (NIA) has also been submitted which provides an assessment of internal and external noise levels arising from the proposed development and in the context of noise effects from the surrounding area, including roads and railway.
- 21.14 The NIA highlights that the site is located on Bath Road (A4) in a predominantly commercial and industrial area with residential properties to the north. It notes Bath Road to be relatively busy with the noise climate dominated by road traffic noise along the road and the Great Western Mainline, which is visible from site and carries both passenger and freight trains.
- 21.15 The Assessment is based on the results of a noise measurement survey that has been carried out over a 4-day period at the proposed development site weekday and weekend noise activity with an additional 3-hour measurement in the surrounding area. The proposed development has been modelled using noise modelling in accordance with relevant guidance to predict the future noise climate of the site.
- 21.16 It should be noted that a demolition and construction phase noise assessment has not been undertaken at this stage. It is expected, however, that this would be submitted once details of demolition and construction works are available and prior to any development commencing, outlining the potential impacts and mitigation. This would be secured via planning condition.
- 21.17 The monitoring results from the NIA indicate that overall, noise levels are high across the development site, with the highest noise levels measured at the south-eastern corner of Site A. This data was used to inform a noise model to predict first floor façade noise levels. As expected, due to the proximity of the development to Bath Road, the worst impacted façade of the proposed development is the southern façade.
- 21.18 To mitigate against these noise levels and meet internal noise level requirements, the NIA recommends a specific double-glazing for the facades closest to Bath Road, to achieve a sound reduction index of 38dB Rw. This would be complemented with a mechanical ventilation and heat recovery system, allowing adequate ventilation without the requirement to open windows. Adopting this approach results in an internal noise level of 27dB during the night at the south facing dwellings and ensures sound levels are below the 45dB threshold requirement. All other facades also require a specific, albeit different double-glazing configuration to achieve

an appropriate sound reduction, with either acoustic trickle vents or mechanical ventilation.

- 21.19 In relation to the proposed external amenity areas, in the form of communal gardens, podiums spaces and balconies, the NIA indicates that noise levels on the podiums would appear to meet the required 55dB threshold criteria. Balconies facing Bath Road are not expected to meet this target, with noise levels expected to be 66dB with solid balustrades. This is significantly above the recommended noise level, however as future occupants can control their exposure to this noise level, and access other quieter amenity spaces both on and off-site.
- 21.20 Specific details of the proposed plant to be installed in the development have not yet been determined by the applicant, however providing plant noise is kept to the existing background noise levels, the impact is expected to be low. A plant noise assessment and mitigation package including screening, if necessary, will be required and secured by planning conditions.
- 21.21 The Councils Environmental Services Officers have also reviewed the AQA and subject to the proposed mitigation consider the approach to be acceptable. Details in relation to glazing, ventilation, plant and construction should be obtained by planning conditions.
- 21.22 The application is considered to have adequately addressed air quality and noise-related issues subject to appropriate mitigation and therefore complies with national and local planning policy and guidance. Neutral weight is applied in the planning balance in this regard.

22.0 Contaminated land

- 22.1 The National Planning Policy Framework requires sites to be appropriately decontaminated so that it is suitable for proposed uses.
- 22.2 Core Policy 8 (Sustainability and the Environment) sets out that development shall not cause contamination or a deterioration in land, soil or water quality, or be located on polluted land unless the development incorporates appropriate mitigation measures to limit the adverse effects on occupiers and other appropriate receptors.
- 22.3 The site is located within a Source Protection Zone and a Drinking Water Protection Zone. Much of the site is also listed on the Councils database as being potentially contaminated. A Desk Top Study/ground condition report has been submitted with the application which indicates that there is a high risk of contamination associated with the site and recommends that an intrusive investigation is undertaken assessing the geo-environmental risks identified in detail, and providing information for appropriate remediation and construction to ensure the site is suitable for residential

use. The Council's Contaminated Land Officer has been consulted and has confirmed the findings and recommendations in the report submitted and advises that conditions be included should it be resolved to grant planning consent.

- 22.4 Based on the above assessment in relation to the potential risks associated with land contamination, it is considered that subject to appropriate conditions, the proposals comply with Core Policy 8 of The Core Strategy and the requirements of the National Planning Policy Framework. Neutral weight is applied in the planning balance in relation to this matter.

23.0 Flooding and surface water drainage

- 23.1 The National Planning Policy Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, development should be made safe for its lifetime without increasing flood risk elsewhere and that the surface run-off from sites cannot lead to an increase from that existing.
- 23.2 The NPPF advises that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding. It goes onto advise that having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied.
- 23.2 Core Policy 8 of The Slough Local Development Framework, Core Strategy, Development Plan Document states that development will only be permitted where it is safe, and it can be demonstrated that there is minimal risk of flooding, and it will not increase the risk of flooding elsewhere. The policy also requires development to manage surface water from the site in a sustainable manner and Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates. Similarly, the site allocation SLK 1 requires the design and layout of any development to take account of flooding and drainage issues
- 23.3 The site is in Flood Zones 1, 2 and 3a which indicates it is at a medium - high risk of river flooding. Part of the site is also at risk of surface water flooding due to an underground drainage culvert. It should be noted that there have been no recorded incidents of flooding.
- 23.4 The flood risk categories associated with the site as existing are as follows:

Source	Risk Category
Fluvial (Rivers and Sea)	High
Coastal and tidal	Negligible
Groundwater	Low
Surface water	Medium
Sewers	Medium
Reservoirs	Very Low

- 23.5 It should be noted that there have been no recorded incidents of flooding on the site.
- 23.4 Given the location and size of the site, the application is supported by a Flood Risk Assessment (FRA) and drainage strategy as required by policy guidance. Sequential and Exceptions Tests are also provided as part of the FRA, following the methodology set out in the NPPF.
- 23.5 Having regard to planning policy and associated guidance, the Sequential Test submitted is considered satisfactory. It demonstrates that there are no other sites within the identified catchment area which are suitable or feasible to deliver the type and scale of development proposed, and that the site may be suitable for residential development subject to the Exceptions Test and FRA setting out an appropriate strategy to overcome flooding and drainage issues.
- 23.6 The NPPF explains that to pass the exception test it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk;
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 23.7 The first part of the Exception Test is considered to have been addressed having regard to relevant planning policy and guidance, given the significant benefits that would be delivered by the new development:
- Substantial number of new dwellings at a time where the Local Planning Authority cannot demonstrate a Five-Year Land Supply.
 - Re-use of vacant brownfield land, designated in part as a key location for comprehensive redevelopment.
 - Improvements to Brook Path and the provision of a pedestrian crossing on Bath Road providing better local connectivity.
 - Significant net gains in biodiversity.

- Reduction in surface water run-off due to restricted discharge and attenuation.
- Increase in flood storage volume due to flood compensation provided (68 cubic metres) reducing flood risk elsewhere.
- Financial contributions towards education, recreation and public EV charging infrastructure.

23.8 Subject therefore to the proposed development not increasing flood risk elsewhere, the wider sustainability benefits to the community are considered to outweigh the flood risk.

23.9 The FRA and associated drainage strategy accompanying the application have sought to address the second part of the Exception Test and demonstrate that the site is safe for its lifetime and reduces flood risk elsewhere and overall. As detailed in the document, the proposed development would ensure that the flood risk to occupants is minimised, and reduced generally through a comprehensive range of measures including:

- the use of raised floor levels with all dwellings at first floor level and above. The ground floor, including commercial units and have the floor level set more than 300mm above the expected 100-year flood level to ensure the buildings are protected from any flooding and overland flows in an extreme rainfall event.
- safe access/egress arrangements to ensure the users/occupants of the development are safe in times of flooding. A pathway is proposed along the site frontage which will be set above the 100-year plus climate change level. This path will provide access to the dwelling entrances to all buildings and be designed in such a way as to allow overland flow to pass through. Information regarding safe access and refuge will be compiled into a 'welcome pack' to be provided to all site owner(s), residents and users.
- flood resistant measures will be incorporated in the construction of the development in line with the current recommendations from the Defra/EA. These measures aim to keep flood water out of the building by providing barriers and incorporating low permeability measures in the wall and floors.
- a robust flood warning system. The site is located within an EA Flood Alert Service Area, and it is recommended that the site users (including owner(s), residents and occupiers) sign up to this service.
- surface water management and use of extensive sustainable drainage systems (SUDS) including permeable paved attenuation and reduced discharge, provision of an attenuation pond and swales and green roofs.
- flood compensation provision through increased site flood storage.

- building footprints have been minimised to ensure overland flow is maintained and the risk of flooding upstream and downstream is minimised.

23.10 Where possible, infiltration will be used, and this will be confirmed upon completion of soakaway tests and confirmation from the Environment Agency. Due, however to the urban nature of the site, the presence of surface water sewers and the highly vulnerable ground, the worst case is assumed and the preliminary design presented assumes discharge to sewers.

23.11 The proposed arrangements will significantly improve surface run-off rates as indicated in the table below:

Parameter	Greenfield (l/s)	Existing (l/s)	Proposed (l/s)
Q1	1.80	171	85
Q30	4.87	426	85
Q100	6.75	631	85
Q100+40%CC	NA	NA	85

23.12 The drainage system has been designed to cater for the 1 in 100 year + 40% climate change storm, in accordance with guidance i.e. in this storm event all surface water will be collected on site and slowly released. Thus, the overland flow route for the site drainage will only be in use in the event of drainage network failure, storms in excess of the 1 in 100 year + 40% climate change storm or flows from off-site flowing through the site.

23.13 Due to the site levels being revised to include sufficient flood storage compensation (i.e. site levels have been lowered in places to compensate for the new buildings), all overland flow will move towards the low points within the car parking areas where it can pond and slowly discharge into the surface water drainage system.

23.14 In extreme flood events, the overland flow will run through the site and away to the south and onto Bath Road. This is possible by designing the levels to ensure the overland flow will be towards the south and over the new footpath and cycle lane.

23.15 The management/maintenance of all on-site drainage infrastructure has been considered, and an appropriate management/maintenance plan would be secured via planning conditions, as necessary.

23.16 The sources of flooding assessed and proposed mitigation measures are summarised in the table below, highlighting that all flood risk is able to be managed on-site to ensure proposals are acceptable in flood risk terms.

Source	Risk Category (as proposed)	Mitigation
Fluvial (Rivers and Sea)	Medium	Floor levels raised 300mm above modelled 100 year + climate change flood level. Residential areas on upper levels only.
Surface water	Low	Site is within an existing medium-high risk overland flow route. Layout, level design and SuDs reduces risk significantly.
Groundwater	Low	Proposed finished floor levels are at least 150mm above external ground levels and falls designed away from buildings and towards Bath Road. SuDs.
Sewers	Low	Low due to natural topography and raised floor level.
Reservoirs	Negligible	Minimal risk of reservoir flooding given location
Coastal and Tidal	Negligible	Not near coast or tidal waterbody

23.17 Based on the approach and measures outlined, it is considered that the Exceptions Test is met. Overall, the proposals provide a high level of water management, run-off reduction and flooding protection which will safeguard the site for residential led mixed-use development and provide betterment in relation to flood risk elsewhere and generally.

23.18 The Applicant and Planning Officers have engaged extensively with the Environment Agency in seeking to agree an appropriate strategy to address flood risk and drainage issues. The Environment Agency has carefully considered the latest proposals and are now content with the approach subject to the imposition of planning conditions. Thames Water has also confirmed they have no objections subject to conditions, as has the Council's Lead Local Flood Authority Officer.

23.19 The proposed flood risk alleviation and drainage arrangements are considered satisfactory and generally compliant with relevant national and local planning policy and guidance. Limited positive weight is therefore afforded to this matter in the planning balance.

24.0 Interference with telecommunication signals

24.1 The National Planning Policy Framework advises that development proposals should consider the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.

24.2 Local Plan Policy EN6 states: “All large buildings or structures will only be permitted if they are designed in such a way so as to reduce the potential for interference with telecommunications signals. Where it is anticipated that disruption to television services and other telecommunications services will be a problem either because of:

- a) the proposed development’s height or mass, or
- b) the materials selected,

planning permission will only be granted subject to a condition requiring the applicant to take appropriate measures to restore any loss of quality of reception”.

24.3 A Broadcast and Telecommunications Impact Assessment has been submitted alongside the application. The assessment concludes that VHF (FM) radio signal would not be affected. Digital Terrestrial Television and / or Digital Satellite Television could be affected either by use of tower cranes or the proposed development itself. The affected areas are predicted to be within 103m to the north and north-west of the site.

24.4 To mitigate this, the assessment recommends antenna betterment should restore the Digital Terrestrial Television reception. For Digital Satellite Television, repositioning satellite dishes is recommended. If this is not successful, then transferring to Digital Terrestrial Television is suggested.

24.5 These recommendations require off-site mitigation and fall outside the scope of planning conditions/obligations. As such, there may be some adverse impact on Digital Terrestrial Television and / or Digital Satellite Television signals. The report does not highlight the specific area affected (shadow area), nor the degree of the impact. A survey could then be undertaken in this area to understand how many residents in this area are using Digital Terrestrial Television and / or Digital Satellite Television who may therefore be affected.

24.6 The Assessment also considers mobile phone reception and concludes that due to the evolution of mobile phone technology, data and bandwidth requirements, it isn’t possible to verify or determine at this stage what impact the proposed development may have on mobile networks. The Assessment advises however that should any adverse impact occur; mobile network operators will be able to provide suitable mitigation to enhance coverage.

Planning Officers accept that the impacts cannot be fully determined at this stage given the ongoing roll-out of network upgrades. Any significant impacts would therefore likely be mitigated by the operators. Officers consider it would be unreasonable to withhold planning permission on this basis but acknowledge that some adverse impact on telecommunications

signals may occur. Limited negative weight is applied to this matter in the planning balance.

25.0 Fire safety

25.1 The development will consist of new buildings, hence, will be undergoing building works as defined in Regulation 3 of The Building Regulations 2010. All buildings will therefore have to comply with the requirements of Schedule 1 of the Regulations.

The requirements of the Schedule relating to fire safety are:

- B1 – Means of warning and escape
- B2 – Internal fire spread (linings)
- B3 – Internal fire spread (structure)
- B4 – External fire spread
- B5 – Access and facilities for the fire service

25.2 The principal aim of the Building Regulations is to ensure the health and safety of people in and around a building. The 'requirements' set out broad objectives or functions, which the individual aspects of the building design and construction must set out to achieve. They are therefore often referred to as 'functional requirements' and are expressed in terms of what is 'reasonable', 'adequate' or 'appropriate'

25.3 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").

25.2 The Government made a commitment in a document '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

- 25.3 During the Building Regulations application process, the building control body is required to formally consult with the local fire authority. The purpose of this consultation is to give to fire authority the opportunity to make observations with respect to the Building Regulations and to provide an opportunity to make the applicant aware of action that may have to be taken to meet the requirements of the Fire Safety Order.
- 25.4 The consultation should allow both parties to reach mutually compatible views on whether the building meets the requirements of both pieces of legislation. In the exceptional event that the fire authority requires physical changes to the building to meet the requirements of the Fire Safety Order, the building control representative should make the Applicant aware.
- 25.5 In accordance with the guidance and regulations, the applicant has submitted an updated Fire Strategy and a Gateway 1 proforma. The Local Planning Authority has consulted HSE (Planning Gateway One). Following revisions to the proposals (following an initial objection from HSE), HSE are satisfied with the fire safety design in relation to land use planning.
- 25.6 The Fire Strategy and Gateway 1 proforma seek to demonstrate compliance with the Building Regulations. The following elements have been included as part of the strategy:
- Provision of a second stair core within each block (apart from building B2 which is below 18m in height).
 - The travel distances within the blocks are over 7.5m and will be provided with a mechanical smoke venting system in the common corridors.
 - An automatic opening vent will be provided at the head of each staircase to provide make-up air to the system.
 - Elements of structure will achieve varying levels of fire resistance dependent on the height of each core although since the cores are likely to share elements of structure depending on the structural design, the fire resistance should be the more onerous of the two.
 - Each core will be provided with a firefighting shaft (apart from building B2 which is below 18m in height). The shaft will incorporate a firefighting stair, smoke clearance and a dry or wet main. A firefighting lift will also be provided.
 - Building B2 will not be provided with a firefighting shaft, however it will be provided with a dry riser in the escape stair.
- 25.8 Subject to detailed technical/structural design, Planning Officers consider that the approach set out is acceptable in relation to fire safety and adheres to national planning policy guidance and regulations. Neutral weight is applied in the planning balance in this regard.

26.0 Affordable housing

25.1 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.

25.3 The development accommodates 231 residential dwellings and is therefore required to provide at least 30% of these as affordable on-site i.e. 69 affordable homes (40% - 92 homes).

25.4 The Applicant has included provision for some affordable housing on-site and has submitted a Financial Viability Assessment with the application in support of the approach. This is currently being reviewed by Planning Officers with the assistance of specialist consultant surveyors. Subject to further detailed assessment, a decision will be made under delegated powers in relation to whether the proposed provision of affordable housing is acceptable.

26.0 Infrastructure

26.1 Core Policy 10 states that where existing infrastructure is insufficient to serve the needs of new development, the developer will be required to supply all reasonable and necessary on-site and off-site infrastructure improvements.

26.2 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 table below outlines each of the obligations associated with the development which meet the three tests highlighted above and relevant legislation and policies.

26.3 Given the number of new homes proposed, the development is required to contribute towards educational facilities in the Borough under the Council's policies, as set out in the Developer's Guide. Following consultation with SBC Education Officers, contributions are required specifically for secondary, post-16, SEND and Early Year cohorts, but not in respect to primary places.

- 26.4 The Developer's Guide also requires residential developments over a certain size to make a financial contribution of £300 per dwelling for the enhancement of existing nearby public open space.
- 24.5 A number of transport and environmental-related obligations are also sought, as indicated previously, including Car Club, parking, sustainable transport and air quality monitoring contributions.
- 24.6 There are no tariff-based contributions required for health facilities set out in the Local Development Plan or Supplementary Planning Guidance. There is no definitive evidence to suggest the scheme would have an unacceptable impact on the health services in the locality. It should be noted however the Local Planning Authority is currently working with the NHS/Public Health in preparing a strategy to establish a mitigation package for residential developments where required across the Borough.
- 24.7 The following Section 106 financial contributions are therefore required, should the development be approved, and subject to agreement of a S106 agreement:

Financial Contributions	
Education	£271,837
Recreation	£130,350
Burnham Beeches	£131,670
Air quality monitoring	£20,000
Transport:	£182,259
– Slough Car Club (£52,659)	
– Cycle Route Improvement (£49,600)	
– On-Street Parking Study and CPZ (£12,000)	
– Public EV Charging (£65,000)	
– Travel Plan Monitoring (£3,000)	
Total	£736,116

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

- 24.8 In addition to financial contributions, the Applicant has also agreed to deliver a number of off-site highway works within/adjacent the site including:
- The relocation of the Bath Road signalised pedestrian crossing to align as close as possible with Brook Path without impacting the Big Yellow Storage proposals [funded by the Applicant];
 - New public realm along Bath Road including new footway, landscaping, improvements to cycle route;
 - Remodelled bus stop; and
 - New vehicular access points with raised tables.

The delivery of these works will require the Applicant to enter into a s.278 highway agreement with the Council.

- 24.9 Based on the approach set out above, the proposed development is considered to comply with local planning policy and guidance. Neutral planning weight is given in the planning balance.
- 25.0 **Equalities considerations**
- 25.1 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 who 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, consideration has been given 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).
- 25.2 The proposed development supports a number of important aspects relevant to these considerations. It would, for instance, provide a range of new dwellings in seeking to meet local housing needs and create local employment opportunities during the construction and operational phases.
- 25.3 The development would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access. In accordance with policy, the development proposes that 5% of the dwellings are Wheelchair Adaptable Homes and includes provision for wheelchair accessible car parking spaces and EV charging points. Access within and around the proposed buildings would therefore be safe and suitable for all users.
- 25.4 There may 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 particularly disadvantaged as a result of construction work associated with the

development e.g. people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisance to people sensitive to such pollution. However, measures can be incorporated into a construction management plan, which could be conditioned to mitigate the impact and minimise the extent of the effects.

25.2 Based on this assessment, the application addresses equalities related considerations and the needs of individuals with Protected Characteristics have been appropriately considered by the Local Planning Authority exercising its public duty of care, in accordance with the 2010 Equality Act. Neutral planning weight is applied in the planning balance.

26.0 **Making effective use of land**

26.1 The National Planning Policy Framework states 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.

26.2 It goes onto to highlight that planning policies and decisions should promote and support the development of underutilised 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)

26.3 The proposed development would provide 231 new flats on a partially vacant site and following the demolition of a parade of shops and other commercial structures. Whilst it would meet some of the aims set out in the NPPF, by reason of its scale, height and design, it would have an unacceptable impact on the character and appearance of the area and visual and residential amenities of the neighbouring occupiers.

26.4 Based on this assessment, it is considered that the proposed development would cause harm and would not result in the effective use of land, failing to comply with relevant national and local planning policy and guidance. Negative weight is therefore applied in the planning balance.

27.0 **Planning balance**

27.1 The application has been evaluated against the Local Development Plan and the National Planning Policy Framework 2024 (NPPF) and the Local Planning Authority (LPA) has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.”

27.2 The report identifies that the proposal would not comply with Core Policies 1, 4 and 8 of the Core Strategy and Local Plan Policies EN1 and H14 relevant policies in determining this application. On this basis the proposal would not comply with the local development plan.

27.3 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.

27.4 In the application of the appropriate balance, the scheme would deliver 231 new dwellings on brownfield land which identified, in part, for major redevelopment and this is afforded positive weight.

27.5 Notwithstanding this approach which weighs in favour of the application in the planning balance, having regard to the adverse impacts identified in relation to the scale, height and design of the proposed development on the character and appearance of the area, and neighbouring amenity, these negative factors are considered to demonstrably outweigh the benefits of the scheme.

27.6 In summary therefore, the disbenefits of the proposals collectively outweigh the benefits in the planning balance when assessed against the policies in the Local Development Plan and the National Planning Policy Framework taken as a whole. Therefore, the proposal would not constitute sustainable development in relation to paragraph 11 d ii) of the Framework.

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

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

1. The proposed development represents an overdevelopment of the site, and its scale, height, massing and design would be detrimental to the character and appearance of the surrounding area contrary to Core Policies 1 and 8 of the Slough Development Framework Core Strategy 2006 – 2026 Development Plan

Document 2008, Policy EN1 of the Adopted Local Plan for Slough 2004 (Saved policies) and the National Planning Policy Framework 2024

2. The scale, height, massing and design of the proposed development would be detrimental to the residential and visual amenities of neighbouring residents, contrary to Core Policies 1, 4 and 8 of the Slough Development Framework Core Strategy 2006 – 2026 Development Plan Document 2008, Policies EN1 and H14 of the Adopted Local Plan for Slough 2004 (Saved policies) and the National Planning Policy Framework 2024
3. No legal agreement has been entered into by the applicant, by way of a Section 106 agreement, for the funding of infrastructure and local facilities made necessary by the development including education, recreation, air-quality monitoring, Slough Car Club, Cycle Route Improvement, On-Street Parking Study and Controlled Parking Zone (CPZ), Public Electrical Vehicle (EV) Charging, Travel Plan Monitoring and Burham Beeches Special Area of Conservation contrary to Core Policies 4, 7, 9 and 10 of the Slough Local Development Framework Core Strategy 2006 – 2026, Development Plan Document, 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 2024.
2. The application has been refused in line with the following drawings and documents:
 - a) Covering Letter prepared by Turley;
 - b) Updated Planning Application Form;
 - c) Site Location Plan - E1257D6000 - P2 Dated 08/03/2024
 - d) Application Boundary Plan - E1257D6001 - P2 Dated 08/03/2024
 - e) Site Topographical Survey - E1257D6002 - P2 Dated 08/03/2024
 - f) Proposed Demolition Plan - E1257D6003 - P2 Dated 08/03/2024
 - g) Ground Floor Plan - E1257D6100 - P4 Dated 08/03/2024
 - h) First Floor Plan - E1257D6101 - P5 Dated 08/03/2024
 - i) Second Floor Plan - E1257D6102 - P5 Dated 08/03/2024

- j) Third Floor Plan - E1257D6103 - P4 Dated 08/03/2024
- k) Fourth Floor Plan - E1257D6104 - P4 Dated 08/03/2024
- l) Fifth Floor Plan - E1257D6105 - P4 Dated 08/03/2024
- m) Sixth Floor Plan - E1257D6106 - P4 Dated 08/03/2024
- n) Seventh Floor Plan - E1257D6107 - P4 Dated 08/03/2024
- o) Eighth Floor Plan - E1257D6108 - P4 Dated 08/03/2024
- p) Ninth Floor Plan - E1257D6109 - P3 Dated 11/11/2022
- q) Tenth Floor Plan - E1257D6110 - P3 Dated 11/11/2022
- r) Eleventh Floor Plan - E1257D6112 - P2 Dated 11/11/2022
- s) Twelfth Floor Plans - E1257D6113 - P2 Dated 11/11/2022
- t) Thirteenth Floor Plan - E1257D6114 - P2 Dated 11/11/2022
- u) Roof Plan - E1257D6111 - P3 Dated 08/03/2024
- v) Proposed GA Site Plan Roof Floor PLUS SKL1 Boundary - E1257D6115 - P2 Dated 08/03/2024
- w) Buildings A1, A2, & A3 Ground Floor Plans - E1257D1100 - P4 Dated 08/03/2024
- x) Buildings A1, A2, & A3 First Floor Plans - E1257D1101 - P4 Dated 08/03/2024
- y) Buildings A1, A2, & A3 Second Floor Plans - E1257D1102 - P4 Dated 08/03/2024
- z) Buildings A1, A2, & A3 Third Floor Plans - E1257D1103 - P4 Dated 08/03/2024
- aa) Buildings A1, A2, & A3 Fourth Floor Plans - E1257D1104 - P4 Dated 08/03/2024
- bb) Buildings A1, A2, & A3 Fifth Floor Plans - E1257D1105 - P4 Dated 08/03/2024
- cc) Buildings A1, A2, & A3 Sixth Floor Plans - E1257D1106 - P4 Dated 08/03/2024
- dd) Buildings A1, A2, & A3 Seventh Floor Plans - E1257D1107 - P4 Dated 08/03/2024
- ee) Buildings A1, A2, & A3 Eighth Floor Plans - E1257D1108 - P2 Dated 08/03/2024
- ff) Buildings A1, A2, & A3 Ninth Floor Plans - E1257D1109 - P1 Dated 25/11/2021
- gg) Buildings A1, A2, & A3 Roof Plans - E1257D1110 - P4 Dated 08/03/2024
- hh) Buildings B1, B2 & B3 Ground Floor Plans - E1257D2100 - P4 Dated 08/03/2024
- ii) Buildings B1, B2 & B3 First Floor Plans - E1257D2101 - P4 Dated 08/03/2024
- jj) Buildings B1, B2 & B3 Second Floor Plans - E1257D2102 - P4 Dated 08/03/2024
- kk) Buildings B1, B2 & B3 Third Floor Plans - E1257D2103 - P3 Dated 08/03/2024
- ll) Buildings B1, B2 & B3 Fourth Floor Plans - E1257D2104 - P3 Dated 08/03/2024
- mm) Buildings B1, B2 & B3 Fifth Floor Plans - E1257D2105 - P3 Dated 08/03/2024

- nn) Buildings B1, B2 & B3 Sixth Floor Plans - E1257D2106 - P3 Dated 08/03/2024
- oo) Buildings B1, B2 & B3 Seventh Floor Plans - E1257D2107 - P3 Dated 08/03/2024
- pp) Buildings B1, B2 & B3 Eighth Floor Plans - E1257D2108 - P3 Dated 08/03/2024
- qq) Buildings B1, B2 & B3 Ninth Floor Plans - E1257D2109 - P2 Dated 09/09/2022
- rr) Buildings B1, B2 & B3 Tenth Floor Plans - E1257D2110 - P2 Dated 09/09/2022
- ss) Buildings B1, B2 & B3 Eleventh Floor Plans - E1257D2112 - P1 Dated 09/09/2022
- tt) Buildings B1, B2 & B3 Twelfth Floor Plans - E1257D2113 - P1 Dated 09/09/2022
- uu) Buildings B1, B2 & B3 Thirteenth Floor Plans - E1257D2114 - P1 Dated 09/09/2022
- vv) Buildings B1, B2 & B3 Roof Plans - E1257D2111 - P3 Dated 08/03/2024
- ww) Bath Road Street Elevations - E1257D6200 - P4 Dated 08/03/2024
- xx) Proposed Elevations Buildings A1, A2, & A3 - E1257D1200 - P4 Dated 08/03/2024
- yy) Proposed Elevations Building A1 - E1257D1201 - P4 Dated 08/03/2024
- zz) Proposed Elevations Building A2 - E1257D1202 - P3
- aaa) Proposed Elevations Building A3 - E1257D1203 - P3 Dated 08/03/2024
- bbb) Proposed Elevations Buildings B1, B2, & B3 (Sheet 1 of 2) – E1257D1204 - P4 Dated 08/03/2024
- ccc) Proposed Elevations Building B1 - E1257D1205 - P4 Dated 08/03/2024
- ddd) Proposed Elevations Building B2 - E1257D1206 - P4 Dated 08/03/2024
- eee) Proposed Elevations Building B3 - E1257D1207 - P3 Dated 08/03/2024
- fff) Proposed Elevations Buildings B1, B2, & B3 (Sheet 2 of 2) – E1257D1208 - P4 Dated 08/03/2024
- ggg) Proposed Elevations Building Site A - South & North - E1257D1300 - P3 Dated 08/03/2024
- hhh) Proposed Elevations Building A1 - East & West - E1257D1301 - P3 Dated 08/03/2024
- iii) Proposed Elevations Building A2 - East & West - E1257D1302 - P3 Dated 08/03/2024
- jjj) Proposed Elevations Building A3 - East & West- E1257D1303 Dated 08/03/2024
- kkk) Proposed Elevations Building Site B - South & North (Sheet 1 of 2) - E1257D1304 - P3 Dated 08/03/2024
- lll) Proposed Elevations Building B1 - East & West - E1257D1305 - P3 Dated 08/03/2024

mmm) Proposed Elevations Building B2 - East & West –
E1257D1306 - P3 Dated 08/03/2024

nnn) Proposed Elevations Building B3 - East & West - E1257D1307 - P3
Dated 08/03/2024

ooo) Proposed Elevations Building Site B - South & North (Sheet 2 of 2)
- E1257D1308 - P2 Dated 08/03/2024

ppp) Proposed Part Elevation Building A1 - South Elevation –
E1257D3100 - P3 Dated 08/03/2024

qqq) Proposed Part Elevation Building A1 - South Elevation –
E1257D3101 - P3 Dated 08/03/2024

rrr) Proposed Part Elevation Building A1 - West Elevation –
E1257D3102 - P3 Dated 08/03/2024

sss) Proposed Part Elevation Building B1 - West Elevation –
E1257D3103 - P3 Dated 08/03/2024

ttt) Proposed Part Elevation Building B3 - South Elevation –
E1257D3104 - P3 Dated 08/03/2024

uuu) Proposed Part Elevation Building B3 - South Elevation –
E1257D3105 - P3 Dated 08/03/2024

vvv) Transport Assessment Addendum (dated March 2024) prepared
by Caneparo;

www) Proposed Sections AA & BB (Buildings A1, A2 & A3) –
E1257D6300 - P4 Dated 08/03/2024

xxx) Proposed Sections CC & D-D (Buildings A2 & A3) - E1257D6301 –
P4 Dated 08/03/2024

yyy) Proposed Sections EE & FF (Buildings B1, B2 & B3) –
E1257D6302 - P4 Dated 08/03/2024

zzz) Proposed Sections GG & HH (Buildings B2 & B3) –
E1257D6303 – P4 Dated 08/03/2024

aaaa) Proposed Elevation Bath Road Raised Walkway –
E1257D6400 - P2 Dated 08/03/2024

bbbb) Proposed Raised Walkway Site A Section A-A, B-B and C-
C - E1257D6401 - P2 Dated 08/03/2024

cccc) Proposed Raised Walkway Site B Section F-F, G-G and H-
H - E1257D6402 - P2 Dated 08/03/2024

dddd) Design & Access Statement Addendum (March 2024)
prepared by tp bennett and WSP;

eeee) Planning Statement (Rev. C) prepared by Turley;

ffff) Energy and Sustainability and Thermal Comfort Assessment
covering letters prepared by CPW

gggg) Townscape and Visual Impact Appraisal (TVIA) Addendum
Note (March 2024) prepared by Turley;

hhhh) Landscape General Arrangement Plan (ref.
70086320_DR_LA_001 P08) prepared by WSP;

iiii) Flood Risk and Drainage Strategy (Rev 10) prepared by Jomas
Associates;

jjjj) Transport Assessment Addendum (dated March 2024)
prepared by Caneparo;

kkkk) Highways Plans prepared by Caneparo:

llll) CA_4604_001 - SBC Cycleway Proposal prepared by Caneparo;
mmm) CA_4604_002 - General Highway Arrangement prepared
By Caneparo;
nnnn) CA_4604_003 - Proposed Spot Levels & Gradients
prepared by Caneparo;
oooo) CA_4604_004 - Highway Adoption Plan prepared by
Caneparo;
pppp) CA_4604_005 - Existing Services and Utilities Plan
prepared by Caneparo;
qqqq) CA_4604_006 - Junction Visibility Splays prepared by
Caneparo;
rrrr) CA_4604_TR001 - Vehicle Swept Path Analysis - Proposed
Servicing Arrangement prepared by Caneparo;
ssss) Gateway 1 Report and Proforma completed by Introba;
tttt) Wind Assessment Addendum prepared by WSP (to be submitted
under separate cover);
uuuu) Built Heritage Statement V3 prepared by RPS;
vvvv) Daylight, Sunlight and Overshadowing Assessment (19th
February 2024) prepared by Waldrams;
wwww) Noise Assessment (Rev C) prepared by Syntegra;