

Registration Date:	09-Jul-2025	Application No:	P/20863/000
Officer:	Luke Simpson	Ward:	Herschel Park
Applicant:	Richmond Knights Ltd	Application Type:	Major
		13 Week Date:	8 October 2025
Agent:	Mrs. Maria Requena, Brocklehurst Architects Ltd 15, High Street, High Wycombe, HP14 3AE		
Location:	22-28 Windsor Road, Slough, SL1 2EJ		
Proposal:	Demolition of existing two-storey buildings, construction of a 6-storey building fronting Windsor Road comprising 5 commercial units on ground floor and 23 flats above (10 x 1 bed flats, 11 x 2 bed flats and 2 x 3 bed flats), and construction of a 3-storey building to rear on New Square comprising 6 flats (5 x 1 bed flats and 1 x 2 bed flat) creating 29 flats in total, with associated amenity space, landscaping, refuse and cycle stores.		

Recommendation: Delegate to Planning Manager for Refusal



1.0 **RECOMMENDATION**

1.1 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.

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

1. By reason of its layout, design, scale, and height, the proposed building would represent an overdevelopment of the site, appear obtrusive, and harm the character and appearance of the surrounding area contrary to Policy EN1 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document, the requirements of the National Planning Policy Framework 2024
2. By reason of its layout, design, scale, and height, and failure to assess sunlight/daylight impacts, the proposed development would harm the residential and visual amenities of the occupiers of the neighbouring 2-24 New Square (situated to the west of the site), and fail to comply with Core Policy 8 of the Core Strategy, Local Plan Policy EN1, and the requirements of the National Planning Policy Framework 2024.
3. The site is located within the 5.6 km development impact zone for the Burnham Beeches Special Area of Conservation. No information has been submitted to demonstrate that no likely significant effect would occur as a result of the development or to assist the competent authority in carrying out the appropriate assessment. The development would therefore fail to demonstrate compliance with Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, advice in the National Planning Policy Framework 2024 and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
4. The application fails to demonstrate that it would not result in harm to bats that could occupy the site. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy,

the requirements of the National Planning Policy Framework, and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended).

5. The application fails to demonstrate that the proposed development would achieve a 10% Biodiversity Net Gain, either within the site or through the use of contributions towards habitat creation off-site. It therefore fails to meet the requirements of Schedule 7a of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
6. The application does not propose any onsite affordable housing in accordance with the Slough Developer's Guide Part 2, contrary to Core Policy 4 of the Slough Development Frameworks Core Strategy 2006 – 2026 Development Plan Document 2008, and the requirements of the National Planning Policy Framework 2024.
7. By virtue of the fact that it would not provide any private amenity space for the occupiers of units 1, 6 and 11, any units that meet BS Part M(4) standards for wheelchair suitability, any secure waste storage for the commercial units, or separate access and internal spaces from the commercial units, the proposed development would not provide an appropriate standard of accommodation, contrary to the aims and objectives of Core Policies 4 and 8 of the Slough Core Strategy.
8. The development has not been designed to reduce the potential for criminal activity and anti-social behaviour. The proposal fails to comply with Local Plan Policy EN5, Core Policy 12 of the Core Strategy and the requirements of the National Planning Policy Framework 2024.
9. The proposed development would not provide sufficient cycle storage spaces for future residents, by virtue of the fact that some of the stores would be inaccessible due to being situated behind trees that are proposed as part of the landscaping scheme and being in an exposed location. The development would therefore be contrary to Core Policies 7 and 8 of the Slough Core Strategy.
10. The proposed development has not considered an acceptable approach for the comprehensive development of the neighbouring sites at 30-34 & 12-20 Windsor Road. The proposal could compromise the appropriate redevelopment of these sites and fail to comply with Policy H9 of the Slough Borough Local Plan Saved Policies.
11. No legal agreement has been entered into by the applicant, by way of a Section 106 agreement, for the provision of affordable housing

and funding of off-site infrastructure including education and recreation related matters contrary to Core Policies 4, 7 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.

3.0 **Proposal**

3.1 The application seeks formal planning permission for the demolition of 2 pairs of semi-detached mixed use properties (formerly known as 12-20 Windsor Road) and the construction of a part 5 / part 6 story building in their place, along the Windsor Road frontage containing 5 commercial units at ground floor level and 23 flats (Use Class C3) spread over the upper 5 floors, as well as a three story building to the rear of the site that contains 6 further flats. Refuse storage, cycle storage, landscaping works and service access provisions are also incorporated into the scheme.

3.2 The larger building (fronting Windsor Road) presents a broadly rectangular building that is shown as abutting another development on the adjacent site to the north (12-20 Windsor Road), with a primary 4/5 story frontage and an additional 2 story set back. It has a broadly contemporary design, with horizontal definition clearly outlining the levels of the buildings design features, recessed balconies across the first 4 floors and roof terraces at levels 5 and 6. The Design and Access Statement confirms that it is proposed to construct the building with a combination of red brickwork, metal cladding, blue/green balustrade and composite window units. It is also proposed to install a green living roof, although limited details of this have been submitted.



Proposed front elevation



Proposed rear elevation

3.3 The three-storey building to the rear of the site also features a flat-roofed design and would be constructed with a primary brick façade, with metal cladding on the upper level, dark coloured composite windows and projecting balconies to the rear. The ground floor flats would be served by small rear garden areas.

3.4 The two new buildings would be separated by the turning head at the southern end of New Square, and a new service yard that would essentially be a continuation of the existing highway and some ornamental planting.

3.5 The development would provide the following housing mix:

Type	No of units	%		%
1 bed 1 person	2	7 %	15 x 1 beds	52 %
1 bed 2 person	13	45 %		
2 bed 3 person	7	24 %	13 x 2 beds	41 %
2 bed 4 person	5	17 %		
3 bed 5 person	2	7 %	2 x 3 beds	7%
Total	29	100 %		100%

3.6 The applicant has not demonstrated that any of the units are designed as wheelchair adaptable homes. No onsite affordable housing is provided nor proposed within the development. The flats comply with the internal space

3.7 The larger building also accommodates a lobby that can be accessed from Windsor Road and New Square, a refuse/recycling store adjacent to the rear service area, secure cycle storage (both within the building and outside) and plant and maintenance rooms.

3.8 The scheme is car-free development, meaning no on-site parking is proposed, but one secure cycle store is afforded for each unit.



- 4.1 The application site is currently occupied by 22-28 Windsor Road, which comprises two pairs of semi-detached properties used primarily for commercial purposes, but with some C3 residential use at first floor level. At ground floor there are four commercial units (3 x estate agents & 1 x printing shop all in Class E Use Class). The properties are two story early 20th Century buildings with narrow gardens and courtyards to the rear. They are similar in appearance, scale and layout to the adjacent properties to the south (no's 30-34), although the latter of these is a detached property.
- 4.2 In addition to being accessible from Windsor Road, the existing properties can also be accessed by vehicle and foot from New Square to the rear. Two of the properties (no's 22-24) back directly on to New Square, whilst no's 26-28 sit at the end of this road and have rear curtilages that extend to the rear of the residential properties to the west at Beechwood Gardens.
- 4.3 Further to the south, beyond 34 Windsor Road lies Slough Baptist Church, which forms a red brick Victorian building with a largely symmetrical

principal elevation. This is a prominent and distinctive building within this part of Windsor Road and represents a significant restriction to future development on this side of the highway as it is a key consideration in terms of scale and design and realistically would be barrier to any new proposals beyond no. 34.

4.4 On the opposite side of Windsor Road, sit a number of large developments, including Slough Borough Council's Offices, which stand at 6 storeys in height, and the 3-4 storey Windsor Crown House and Landmark Place Offices. The Council also has a current planning application for an additional 4 storeys on 31-37 Windsor Road, although this is yet to be determined.

4.5 The site lies towards the western end of the current Town Centre, although historically at its hub, near the meeting of the Windsor and Bath Roads. This part of the town was designated in the 2004 Local Plan as "Old Slough Town" in reflection of the (then) retention of buildings of a variety of ages up to the early 20th century. The site is within the town Centre Shopping Area, and along its Windsor Road frontage a highways widening area has been zoned for the improvement of traffic and pedestrian routes. The land is in Flood Zone 1, and Groundwater Source Protection Zone 2. The land to the immediate west of the site has a medium risk of land contamination, so the site falls within the 150m buffer of this. The site also lies within 5.6km of Burnham Beeches which is a Special Area of Conservation, a protected site under the Conservation of Habitats and Species Regulations 2017. The site is on the Slough Brownfield Land Register 2019.

4.6 In terms of the emerging context, planning permission P/19665/000, which was granted on 9th April 2019 for the demolition of existing buildings at the adjacent site to the north (formerly known as 12-20 Windsor Road) and the construction of part 3, part 4 and part 5 storey building comprising of 3no. ground floor retail units and 9 no. 2 bed flats together with cycle and bin storage and landscaping. A variation of conditions application was approved to this permission through application P/16995/002, granted on 26th March 2021 namely for amendments to the layout of one retail unit and one flat to provide for a plant room. The site has been cleared, however planning permission has lapsed. A current application (P/16995/008) is being considered for the adjacent site which seeks further alterations to the design of the adjacent development, and to retrospectively regularise works that were commenced after the permission had lapsed.

5.0 **Relevant Site History**

5.1 There is no planning history for the application site that is relevant to this application; however, the below planning history for the adjacent development plot to the north is of relevance as it provides a key consideration for the potential future development of this site:

P/16995/000	Demolition of existing buildings and construction of part 3, part 4 and part 5 storey buildings comprising 3 no. ground floor retail units, 12 no. 1 bed flats and 9 no. 2 bed flats together with cycle and bin storage and landscaping.
	Approved with conditions 09 April 2019
P/16995/002	Variation of condition 2 (drawings) of planning permission P/16995/000 dated 09/04/2019 for 3 retail units and 21 bed flats, namely for amendments to the layout of one retail unit and one flat to provide for a plant room.
	Approved with conditions 26 March 2021
P/16995/003	Submission of details pursuant to condition 3 (Details of external surfaces), 4 (Finished floor levels), 6 (Historic Records), 8 (Renewable and low carbon energy), 11 (Surface water), 12 (External Lighting), 14 (Phase 1), 15 (Phase 2), 16 (Phase 3), 18 (Noise), 19 (Vib), 20 (Crime), 21 (Landscaping), 22 (No Windows) & 23 (Pedestrian Access) of planning permission P/16995/002 dated 26/03/2021
	Conditions 3, 4, 6, 8, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22 & 23 discharged on 14/06/2022 following receipt of a deemed discharge notice on 31/05/2022.
P/16995/004	Variation of condition 19 (ventilation) of planning permission P/16995/002 dated 26/03/2021, for demolition of existing buildings and construction of part 3, part 4 and part 5 storey building comprising 3 no. ground floor retail units, 12 no. 1 bed flats and 9 no. 2 bed flats together with cycle and bin storage and landscaping, namely for changes to the wording from a pre commencement of development condition to a pre occupation condition.
	Approved with conditions 19 October 2021
P/16995/005	Non material amendment to planning permission P/16995/002 dated 26/03/2021, under s96A of the Town and Country Planning Act (1990) for the amendments to the fenestration on the third floor rear elevation
	Approved with conditions 04 March 2022

P/16995/006 Submission of details pursuant to condition 7 (Contractor details) & 13 (Construction Management Plan) of planning permission P/16995/002 dated 26/03/2021

Approved 04 March 2022

P/16995/007 Lawful development certificate to confirm that the development commenced within three years in compliance with condition 1 of planning permission P/16995/002 dated 26th March 2021

Not lawful 24 January 2023

Reason for refusal:

The development has not been commenced within three years of Condition 1 of planning permission P/16995/0020 dated 9th April 2019 - 'The development hereby permitted shall be commenced within three years from the date of this permission' and would therefore be in conflict with the provisions of 91 (3ZA) and (3ZB), Part III of The Town and Country Planning Act 1990.

P/16995/008 Demolition of existing buildings (retrospective) and construction of building to provide 3 ground floor retail units and 21 flats together with cycle and bin storage and landscaping.

Undetermined

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) seven site notices were displayed within the vicinity site on 30/07/2025. The application was advertised via a press notice as a Major application in the 25/07/2025 edition of The Slough Express.

6.2 No public representations have been received.

7.0 Consultations

Archaeology:

The site lies in the archaeologically rich Thames Valley, on gravels which, has been a focus of settlement, agriculture and burial from the earlier prehistoric period on the present day, and geologically similar sites in the

wider area of Slough have evidenced paleolithic activity. The nearest find to the site was a late spear c16m east of the site, found during excavations at the Crown Hotel in the 1930s. However, medieval settlement and industrial activity has also been evidenced in the wider area.

Whilst there have been few investigations in the immediate vicinity to inform a clear assessment of the site itself, there is clearly significant archaeology present in the wider local area, furthermore historic mapping suggest much of the application plot has never previously been developed and therefore any archaeology may remain undisturbed.

As shown, the application site falls within an area of archaeological significant and archaeological remains may be damaged by ground disturbance for the proposed development. It is therefore recommended that conditions should be applied to secure a programme of archaeological work, including a written scheme of investigation (WSI) and to ensure that the development shall take place in accordance with the agreed WSI, should permission be granted. This is in accordance with Paragraph 218 of the NPPF, which states that local planning authorities should 'require developers to record and advance understanding of the significant of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

Drainage and Flood Risk:

I have reviewed the documents including the proposed drainage plan and supporting calculations. Also included were the construction detail sections. Permeable paving for storage and treatment. Discharge is 2.5l/s for all storms inc: 100+40cc.

The information provided is sufficient to construction providing a condition for as built information.

Natural England:

Objection:

Further information required. This development site is within the zone of influence (Zol) for recreational impacts to Burnham Beeches Special Area of Conservation (SAC). Within this Zol, proposals for any net increase in residential units may have a likely significant effect on the qualifying features of the SAC through increased recreational pressure. Natural England advises that such developments require a Habitats Regulations Assessment (HRA) to consider the impacts, alone and in combination with other plans/projects, proceeding to appropriate assessment stage where likely significant effects cannot be ruled out.

Thames Water:

Waste Comments:

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission:

No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1 metre of a public lateral drain. This is to prevent damage to the sewer network and ensures we have suitable and safe access to carry out maintenance and repairs.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like an informative attached to the planning permission, instructing the applicant to secure a groundwater Risk Management Permit from Thames Water.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

With regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments:

Water Comments: The proposed development is located within 15m of a strategic water main. Thames Water request that the following condition be added to any planning permission: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) and piling layout plan including all Thames Water clean water assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

Please submit a foundation/piling layout plan clearly indicating the locations of all foundation/piles to be installed on the development site. This plan should show the positions of the foundation/piles in relation to Thames Water clean water mains and sewers and local topography such as roads (please include road names), existing buildings and/or any other notable features. Thames Water require drawings indicating the location of all piling and the clearance between the face of the pile to the face of a pipe. If any basements intended to be constructed as part of the development, please clearly indicate the location and footprint. Without these drawings and cross-sectional details Thames Water will not be able to review your proposals and discharge your planning condition.

Thames Valley Police:

Objection:

The proposed scheme raises a number of concerns from a designing out crime perspective. I therefore submit a holding objection and request that the following matters are addressed through the submission of revised plans/information prior to the determination of the planning application:

Rear Access for Residential and Commercial Uses

The proposed ground floor layout shows that the residential and commercial uses will share rear access into the building. The two uses need to be kept separate to ensure that access from one use does not compromise the security of another. At present, someone with access into the residential element of the scheme could also gain access to the internal rear doors of commercial units, and vice versa. This cannot be addressed through access controls as both currently appear to need

access to the same refuse and cycle stores. A revision of the ground floor layout is therefore required, which provides separate exits, refuse and cycling areas for the residential and commercial uses.

Main Entrance Doorset

The main entrance door to the residential apartments on the larger building is shown as double leaf. Double leaf doors can be difficult to secure effectively, requiring one leaf to lock into the other. This is a particular issue with the amount of use the doorset is likely to get. It is therefore suggested that a single leaf door is provided at the entrance which can be appropriately secured.

It is also noted that the doorset is proposed to be recessed, which could reduce its visibility from public view. Secured by Design Guidance recommends that no doorset should be recessed more than 1000mm.

Bin and Cycle Storage

The separate building to the rear of the site should have its own secure refuse and cycle stores. The requirement to use the cycle and bin store in the adjacent building could undermine access controls, or make it more difficult for the larger building to be secured. The external entrance to the bin store on the larger building should be for refuse collection only. Double leaf doors can be difficult to secure and with many people using them can be accidentally left unsecure. Secure, access controlled entry for residents should be from within the building. With regards to cycle storage, it is noted that there are some external bike "cages" proposed. I cannot find any detail for the bike cages and therefore can make no assessment of whether they will provide secure, covered cycle parking for users. However, it would be more appropriate for all cycle storage to be provided within the building, or, if necessary, a separate secure store which is covered by natural surveillance and CCTV.

Defensive Planting and Boundary Treatment

Planting is indicated in front of ground floor residential windows on the submitted plans. However, from the details submitted I am not clear on the species or density proposed. To provide an additional layer of security for ground floor residential units, defensive planting should be provided in front of ground floor windows. This should be at least 1m deep and a thorny species, such as hawthorn. I am also not clear on the relationship between the proposed smaller block of apartments and the existing surrounding development. This should be made clearer on submitted plans, with details of boundary treatment provided.

Access and Security Strategy

An Access and Security Strategy to cover the whole development should be provided to confirm security arrangements for the scheme. This could be provided via a condition on any planning permission and should cover the following elements:

- Access Control: Access control measures for residents and visitors: Unrestricted access to apartment blocks must not be possible, and residential access should be controlled by a two-way audio visual system with remote access controls. No trade buttons should be present.
- Postage and Deliveries Postal services must not have unrestricted access to private communal areas, and mail delivery should be provided within a secure lobby at the entrance to the building, or via a secure external letter box or delivery 'through the wall' into a secure area.
- Compartmentation Proposals for compartmentation of the building so that residents only have access to parts of the building that they need to, as offenders have the potential to be both external and internal to the development. Secure lobbies should also be extended to each floor to enable effective compartmentation
- Bin and Cycle Store Access Security
- Window and Door Security Specification: Communal doorsets (such as external entrance doors, cycle store, bin store) will need to be robust given the amount of use they will get. It is therefore recommended that they should be to LPS 1175 Issues 8 A3 or equivalent.
- CCTV
- Lighting

Ecology:

Objection:

Validity of ecological information

Ecological information reviewed as provided by the Applicant details a Preliminary Ecological Appraisal (PEA) survey undertaken in June 2025, supplemented by a Biodiversity Net Gain (BNG) report undertaken in July 2025. The data is considered to remain valid, i.e. in-date according to relevant guidance (12-18 months). The surveys undertaken followed accepted methodologies and guidance, as referenced within the ecological reports.

Designated sites

An online Public Records Search revealed one Statutory Designated Site being present within a 2km radius. This was Herschel Park Local Nature Reserve (LNR), located 630m south of the development area. It was assessed as not being impacted by the proposed development, which is proportionate to the nature and scale of development proposed.

Habitats and Flora

The following habitats were recorded: developed land sealed surface and buildings, vegetated garden, vacant or derelict land and one individual broadleaved tree. No degradation of habitats on Site appears to have occurred post 2020.

It is unclear the number of trees which are present on site. The map refers to one tree being present and the Biodiversity Metric also details only one tree within the baseline. However, the PEA references three trees onsite having potential for a variety of species. This needs establishing to understand how many trees are on site or are they bordering the site boundary and so will not be affected by the development.

Any vegetation works occurring outside the designated planning boundary must be carefully assessed, particularly where trees may be affected. If such trees are likely to be impacted, consideration should be given to whether they ought to be incorporated within the planning boundary. If so, they must also be included in the baseline calculations to ensure accurate environmental assessment.

The tree trunks and root networks of all trees to be retained will need to be protected by a minimum 2 metre buffer strip during both clearance and construction activities. Nowhere within the buffer strips should be used for the storage of machinery or materials.

Bats

A Day Time Bat Assessment was undertaken by Betts which found buildings 26-28 to have low potential for roosting bats particularly on the southwestern window. Also, trees bordering the southwest garden are covered in dense ivy. Therefore, the tree which is within the red line boundary is also assessed as needing a survey. Both these features are assessed as having low bat roosting potential so require a single emergence survey, to establish if further surveys are needed.

No bat survey evidence has been provided. Bat Conservation Trust guidelines (BCT 2024) indicate that a single activity survey should typically be undertaken for low potential buildings. Deviations from standard methods are acceptable if the ecological rationale is clear, as such the applicant should justify why further survey was not undertaken.

No key foraging or commuting habitats were identified by Betts and the value of Site to foraging and commuting bats is likely to be limited due to levels of lighting and lack of on-site habitat and urban location.

Any external lighting to be included as part of the new proposed structures should be appropriately cowed to reduce light spill and avoid disturbance to both bats as well as other nocturnal species. Use of suitable low-impact UV lighting can similarly further minimise overall light disturbance within the property's surroundings. A low impact lighting strategy should be prepared prior to commencement to be secured by condition.

Birds

As part of the PEA assessment a survey for nesting bird potential was undertaken. The following species were listed on / flying over the site, robin, jackdaw and pigeon. There is the potential for nesting birds within the three trees listed on site and the southern boundaries.

A pre-clearance inspection by a suitably experienced ornithologist of all trees, shrubs and areas of scrub to be removed will be required to identify whether any nests are present, and ensure appropriate action is taken. If any year-round, urban nesting birds (most notably feral pigeons) are found at any stage within the building or trees to be cleared/cut back, works should immediately halt and advice from a qualified ecologist sought.

Biodiversity Net Gain

The site qualifies as needing a 10% BNG. The applicant has submitted a BNG report and Statutory metric. The metric shows a net loss of -54.52%. The metric also shows an error message as the areas created do not match the area lost. There is no clear indication the mitigation hierarchy has been applied.

While the report commits to delivering BNG through the purchase of offsite units, either via a habitat bank or the Statutory Credit scheme, it does not provide any evidence that communications or arrangements have commenced to secure these units. This lack of detail raises uncertainty around the deliverability of the proposed offsite solutions.

The BNG report incorrectly states that 0.22 units are required to achieve Biodiversity Net Gain (BNG). In fact, only 0.11 units are needed to meet the BNG requirement. The figure of 0.22 refers to the number of statutory biodiversity credits required to achieve BNG. This discrepancy should be addressed to ensure accurate reporting.

Highways:

Verbal comments received confirming no objections subject to cycle and bin store amendments.

8.0 **Planning Policy Context**

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

- 8.1 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).

8.2 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.

8.3 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.

8.4 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.

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

- Limited
- Moderate
- Considerable
- Substantial

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
- T2 – Parking
- T8 – Cycling Network and facilities

8.10 Supplementary Planning Documents and Guidance

- National Planning Practice Guidance
- 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

8.11 National Planning Practice Guidance (NPPG)

The NPPG was first published in 2014 and is an iterative web-based guidance that is designed to complement the NPPF.

8.12 The Proposed Spatial Strategy (Nov 2020)

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

- 8.13 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."
- 8.14 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.

8.15 Equality Act

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

Habitats Regulations Assessment of Projects, Natura 2000 and European Sites

- 8.16 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.
- 8.17 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.
- 8.18 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.

- 8.19 The development 'project' has been screened (as part of the Habitat Regulations Assessment) and it has been identified that the site falls within the 5.6km catchment area from this site and therefore associated impacts are likely on this area.

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
- Living conditions for future occupiers of the development
- Impact of the amenity of the adjoining occupiers
- Highways, access and parking
- Energy and sustainability
- Crime Prevention
- Ecology and Biodiversity Net Gain
- Air quality
- Contaminated land
- Flooding and surface water drainage
- Affordable housing
- Infrastructure
- Equalities considerations
- 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 (low risk of flooding). The application seeks permission for a residential development of two multi-storey blocks providing a total of 29 flats with associated landscaping.
- 10.2 The site currently accommodates 2 pairs of semi-detached mixed-use properties. The application seeks to demolish these properties, but the proposed development would provide a mix of the same commercial and residential uses but on a larger scale.
- 10.3 Core Policy 1 of the Core Strategy requires all development to take place within the built-up area, predominantly on previously developed land. The site is located within a built-up area, however part of the site incorporates a

residential garden that comprises undeveloped land. Core Policy 4 states that high density housing should be located within Slough Town Centre; however. The site is located within the town Centre boundary and therefore flatted development is an appropriate housing type in this location.

- 10.4 The provision of commercial units at ground floor would be acceptable in principle subject to refining the Use Class to an appropriate main town Centre use (as defined by the NPPF) and as further required to mitigate any local impacts highlighted in this report.
- 10.5 Paragraph 71 of the National Planning Policy Framework states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area; however, there are no specific development policies which resist inappropriate development of residential gardens as a result of larger scale redevelopment. In addition, the undeveloped land within this site does not fall within any specific designations to retain it as undeveloped land or any other use. However, Development Plan Policies are in place to ensure the undeveloped parts of the site can be appropriately developed and this is assessed further in the report within the relevant sections.

- 10.6 Further to the above, Paragraph 69 of the National Planning Policy Framework states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. To promote the development of a good mix of sites, local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.

Based on the above, the proposal for mixed but heavily weighted residential use on this windfall site would result in an acceptable use of the land in principle.

11.0 **Housing need/supply**

- 11.1 Core Policy 3 (Housing Distribution) sets out the housing requirement for Slough as it was in 2008. This states that: 'A minimum of 6,250 new dwellings will be provided in Slough between 2006 and 2026'. This minimum number has been exceeded already. But the 6,250 requirement has been superseded by the subsequently introduced requirement to use Local Housing Need for housing figures. This results in approximately 11,400 as a housing need figure for the Core Strategy plan period. By April 2026 it is currently estimated that there will be a 1,600 home shortfall. And current estimates based on preparation for the proposed new Local Plan indicate a shortfall of at least 5,000 over a new plan period.

- 11.2 As a result 11,400 is the housing target that the application should be considered against rather than the published Core Strategy target of 6,250.
- 11.3 The Local Planning Authority cannot demonstrate a Five Year Housing Land Supply. As at April 2025 the Council had a 2.5 year supply inclusive of a 20% buffer applied as a result of the latest Housing Delivery Test. As such, the policies in the Adopted Development Plan which relate to housing supply are treated as out of date. In accordance with Paragraph 11 of the National Planning Policy Framework (inc. footnote 8), the most important policies for determining the application are out-of-date. While an assessment based on the relevant development plan policies and development plan as a whole will be carried out, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (tilted in favour of housing), when assessed against the policies in the Framework taken as a whole.
- 11.4 The proposal for 29 residential units would make a relatively small contribution to the supply of housing, which could be built out relatively quickly. Given that that the tilted balance is engaged, this contribution would in principle attract positive weight in the planning balance.

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 %

- 12.2 The development provides the following mix of homes:

Type	No of units	%		%
1 bed 1 person	2	7 %	15 x 1 beds	52 %
1 bed 2 person	13	45 %		
2 bed 3 person	7	24 %	13 x 2 beds	41 %
2 bed 4 person	5	17 %		
3 bed 5 person	2	7 %	2 x 3 beds	7 %
Total	29	100 %		100%

- 12.3 The Berkshire Strategic Housing Market Assessment has identified the need for family housing, which reflects the disproportionate number of flats that have been completed within the Borough in recent years. The development only includes the provision of 2 x 3-bedroom homes, with the rest made up of 1 and 2 bed properties. It is acknowledged 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 surroundings.

The proposal would provide accommodation to respond to the demand for smaller units in the Borough. There are flatted blocks at a similar density to the proposed development within the area so the proposed flatted accommodation is consistent with the character of the area and would respond to the need for this type of housing within Slough. The limited provision of family sized units means the most pressing housing need will not be addressed by the proposed development, and therefore the type and mix would conflict with the requirements in Core Policies 1 and 4; however, limited weight is applied to the conflict, due to the Policies being out of date and the Council not being able to demonstrate a five year supply of deliverable housing sites.

Overall, it is therefore considered that having regard to the provision of new housing, the proposal would provide 29 new flats and make a modest but positive contribution to the Council's housing targets. Accordingly, moderative positive weight is afforded to this in the overall planning balance.

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

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

- 13.2 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.*

- 13.3 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.

- 13.4 The application site lies within the Slough Old Town Area, at the western end of the Town Centre. The area has been identified as an area of Special Character within the Local Plan, as a result of the number of traditionally designed buildings within the area, particularly at the crossroads to the north of the site, heading into Slough. This forms part of the historical road pattern that adds to the character of the area. This opportunity provided the opportunity to protect and preserve the character of the buildings that existed in the Old Town area, which represent a more traditional style than in the rest of the town Centre. It is however noted that within the surrounding area, there are a number of buildings of different scales, varying from 2-10 stories (the largest of these lies to the north on the opposite side of New Square and the adjacent development site). Notwithstanding this, the majority of buildings in immediate vicinity are 3-4 stories in height and are of various design styles and character.
- 13.5

Policy TC2 of the Slough Borough Local Plan requires that development proposals within the Slough Old Town Centre Area of Special Character should comply with a list of criteria, including the following criteria:

- Proposals for the redevelopment or alteration of buildings will be required to be designed in a traditional style, using predominantly traditional materials and be in keeping with the scale of existing buildings. They will also be required to retain the historical road pattern and respect the space between buildings;
- Proposals for new shop fronts or alterations or replacements to existing ones will be required to respect the scale, proportions, character, materials and features of the buildings of which they form part. They will be expected to be of traditional style and only use externally illuminated fascia's.

- 13.6 The site comprises an L shaped piece of land sandwiched between Windsor Road and New Square. As noted above, it is currently occupied by two pairs of semi-detached two-storey 20th century properties that are currently in mixed residential and commercial use. These properties are similar in scale and appearance to the nearest three properties to the south (30-34 Windsor Road), but when considered within the context of the overall street-scene, these 7 consecutive buildings are the only remaining examples of traditional two-story 20th Century design within this part of Windsor Road. The proposed development would result in the removal of four of these properties, and the construction of a six-story building fronting onto Windsor Road, and a three-story building behind on the western side

of New Square. Both of these buildings would be of a contemporary design and represent an incomparably larger scale of development to the existing structures.

- 13.7 The residential accommodation on the upper floors would be stacked around a central core, meaning the majority of units (with the exception of 3, 8, 13, 17 and 21) would be single aspect. This creates demand for balconies or terraces to be positioned on both the front and rear elevations of the building; however, by choosing not to provide balconies for every unit, only three inset balconies would be provided on the front elevation. This ensures that oversailing of the public footway would not occur and that the elevation would not appear overly cluttered. As viewed from Windsor Road, the 5th and 6th stories of the building would be served by roof terraces as these floors would sit back from the primary front elevation, although when viewed from the rear, the main façade would extend up to 5th story level, meaning terraces would only serve the top floor and the rear elevation has to accommodate 12 balconies over 4 levels. This in addition to the stepped rear building line provides a 'busy' elevation in general, and officers have significant concerns that this coupled with the scale of the building would create an overly dominant structure that would not respond sympathetically to the more simple design and form of 2-24 New Square, the development that has been granted consent on the neighbouring development site to the north, or the more traditional 20th C two story properties to the south.
- 13.8 With regards to scale and massing, the 6-story building would provide an imposing structure when viewed within the context of the street-scene, particularly given that it would erode any possibility of a consistent roof line that coordinates to the north to south sloping topography of Windsor Road.
- 13.9 With the existing 4-5 story developments of 12-20 Windsor Road, on the western side of New Square, and the previously agreed 4 storey building with a setback 5th story on the adjacent development site (to the north), a much more considered roofscape that tapers down towards the roof of Slough Baptist Church, taking into account the intervening two story buildings of no's 30-34 would be required. The proposed development in creating a principal elevation that extends up to 5 stories, with a 6th story set back, would not only greatly exceed the heights of the neighbouring buildings to the south (including the Church), but would also stand taller than what has been considered as acceptable on the neighbouring site to the north. The application presents no rational for this, and insufficient information has been provided in respect of how the development has considered and would impact the properties that make up the existing streetscene. For this reason, it is considered that this building would visually dominate this part of Windsor Road, to the extent that it would have a detrimental impact on its overall character and appearance.
- 13.10 With regards to the three-story building to the rear, again, no rational has been provided to support the design and scale of this building. Its overall

appearance is somewhat utilitarian, with little architectural detailing aside from the use of contrasting cladding for the upper level. This appears to adopt the same approach as the taller building, but given the lack of set back for the upper floor, officers have concerns that this attempt at providing some definition would appear somewhat contrived rather than being an integral part of an informed design approach. The inclusion of a large projecting balcony that extends the entire width of the building is also deemed to represent an indelicate and utilitarian solution to providing the required amenity space.

13.11 Further to the above, it is deemed that the inclusion of the three-story building to the rear would appear cramped in leaving insufficient space for a meaningful and effective landscaping scheme that can soften the impact of the proposal, maintain some of verdant character at the rear of the site, and provide amenity opportunities for the occupiers of the proposed development, some of which would not have access to private amenity space. Whilst it is acknowledged that some planting would be provided between the two proposed buildings, there are concerns that the proposal would provide a relatively hard and harsh environment when viewed from New Square, particularly when compared to the current situation. The cramped nature of the scheme is also deemed to be reflected in the lack of any identified waste storage provision for the commercial units and the impractical positioning of bike stores along the highway, which would appear poorly located and cluttered, and which would not be fully accessible due to the planting of trees directly in front of them.

13.12 Overall, it is therefore considered that the proposal by virtue of its layout, scale and design would create an imposing, cramped and inconsiderate form of development that would dominate and have an overbearing impact upon neighbouring properties, whilst appearing incongruous when viewed within the context of the local street-scene. As such, it would be in conflict with the requirements Policy EN1 and of the Local Plan for Slough March 2004, Core Policy 8 of Core Strategy and the requirements of the National Planning Policy Framework 2024. This will be weighed negatively when assessing the impact on the character and appearance of the area in the concluding section below.

Comprehensive development:

13.13 In addition to the above, Policy H9 of the Slough Borough Local Plan Saved Policies, established that a comprehensive approach should be taken in any residential development scheme to ensure that adjoining land which is capable of development is not sterilised, and that commercial schemes which sterilize residential land or prejudice the ability of potential residential units being provided or brought into use will not be permitted.

13.14 In failing to consider the implications of the proposed development on the neighbouring properties of 30-34 Windsor Road and their ability to be

developed in the future and having proper regard to 12-10 Windsor Road. The proposal could also compromise the potential optimal development site, failing to comply with Policy H9.

14.0 Living conditions for future occupiers of the development

14.1 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.

14.2 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.

14.3 The flats proposed within the development scheme all meet the minimum space standards set out within the Governments Technical Housing Standards – nationally described space standards document, and all of the main habitable rooms would benefit from appropriately sized windows and an east or west facing principal aspect. A Daylight and Sunlight Study (carried out by Fortress Assessments) has been submitted, which confirms that the results of an ADF assessment show that 57 of 57 (100%) of all habitable rooms would surpass the BRE and British Standards guidance criteria.

14.7 Core Policy 8 specifically 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.

14.8 The site is bordered in part by Windsor Road to the front, which is a primary route through Slough Town Centre, and New Square to the rear, which serves as the main access to the existing flats to the rear of the site at 2-24 New Square, and a service access to the existing commercial units. As noted in the Noise section of this report below, the application has provided a Noise Impact Assessment, which highlights that the site is exposed to noise levels ranging from medium to high-risk based on established guidance, but that acceptable internal ambient noise level targets can be met with closed windows, high level acoustic performance glazing and a well-designed ventilation system. Furthermore, it is noted that whilst the balconies fronting onto Windsor Road are likely to be exposed to higher levels of noise during the daytime (up to 63dB) than established guidance sets out (at 55dB), the applicant has incorporated appropriate mitigation in the form of solid balustrading and acoustic

absorption on their underside. The WHO, Building Standard 8233 and the ProPG all recognise that the benefits of providing external amenity outweigh the exceedance of the recommended noise criteria, and the advice set out in Building Standard 8233:2014 states that the resulting noise levels outside are never a reason for refusal as long as levels are designed to be as low as practicable.

- 14.9 Mindful of the above, and the fact that the design of the balconies as shown on the submitted plans align with the mitigation recommendations set out within the Noise Impact Assessment, it is considered that the scheme is designed to provide the optimum overall acoustic environment.
- 14.10 However, notwithstanding the above, whilst the design and access statement confirms that all of the proposed units are designed to Building Regulations 'Part M4(1) Visitable Dwellings' standards with step-free access, the application does not provide for adaptable standards in accordance with Building Regulations 'Part M4(3) Wheelchair User Dwellings'. This is contrary to the requirements of the Slough Developers Guide (Developer Contributions and Affordable Housing page 11), which establishes that multi-dwelling proposals such as this should provide 5% of all units as Part M4(3) compliant. In not achieving this, the development would fail to provide a comprehensive range of amenity provisions for all potential occupiers.
- 14.11 In addition, whilst the majority of the proposed flats would benefit from their own private amenity space, the occupiers of units 1, 6 and 11 would not have access to their own private balcony or garden area. Mindful of this and the fact that no communal amenity space is to be provided within the scheme, it is deemed that the standards of amenity provisions for the occupiers of these units would be insufficient and not conducive to contemporary living standards.
- 14.12 Further to the above, the plans show that not all of the proposed bike stores would be accessible due to some of them being restricted by trees planted directly in front of them, and there are additional concerns related to the undesirable situation of the occupiers of the residential and retail units having to share an access and internal spaces, which could compromise privacy and security.
- 14.13 With regards to waste, the submitted plans show a secure bin store for the residential element of the scheme, but despite the Design and Access Statement setting out that commercial waste would be collected from New Square, no details of where this waste would be stored have been provided. Accordingly, there are significant concerns, particularly given the cramped nature of the site, that a lack of space for effective storage (that is not unsightly, and which does not interfere with the highway), would create potential for the scheme to result in a messy and unsanitary environment for future occupiers.

14.15 Based on the assessment outlined above in relation to the quality and residential amenity of the accommodation provided, the proposed development does not comply with national and local planning policy and guidance. Negative weight is therefore given to these matters in the planning balance.

15.0 **Impact on amenity of neighbouring occupiers**

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

15.2 Core Policy 4 of the Core Strategy also states that high density residential development should seek to achieve “a high standard of design which creates attractive living conditions”, whilst 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.

15.3 The application site is enclosed to the north by the development plot of 12-20 Windsor Road, which as previously approved has a similar building line to that of the 6-storey building proposed under this application, to the south by the mixed Class E / Class C3 properties of 30 – 32 Windsor Road, and to the west by the rear gardens of dwellings on Beechwood Gardens, and the three-story block of flats at 2-24 New Square. These properties form the main considerations when assessing the proposal’s impact upon neighbouring privacy and amenity.

15.4 Firstly, with regards to impacts upon private external amenity areas, it is noted that despite its scale and massing, the main 6-storey building will maintain a depth that is broadly consistent with that of the neighbouring properties to the south and as such, it would not result in the enclosure of any amenity areas in this direction. Furthermore, no windows are proposed within the southern-flank elevation of this building, meaning that no opportunities will be created for direct views into these neighbouring properties. The three-storey building proposed to the rear would enclose the rear portion of the garden associated with 30 Windsor Road, but as it would be set 17m back from the rear elevation of this property, it is considered that its occupiers would still benefit from a relatively large garden area that would not be enclosed.

15.5 Balconies from both proposed buildings would provide oblique views of the neighbouring garden to the south, but the most harmful of these could be mitigated through the inclusion of privacy screens to prevent direct overlooking.

15.6

However, the balconies at the rear of the proposed three-story building would provide views towards and over the rear gardens of the neighbouring properties to the west (at Beechwood Gardens). Whilst these balconies would maintain a distance of 18m to these neighbouring dwellings, they would provide relatively close range and intrusive views into the private garden areas and would therefore compromise the ability of their occupiers to enjoy their private amenity space.

15.7

An approximately 17m gap would be maintained between the rear elevation of the 6-story block and the flats at 2-24 New Square; which is considered to be sufficient to ensure that no harmful intervisibility between the two buildings would be created, and whilst the three story-building would result in some overshadowing of the amenity area to the rear of 2-24 New Square, given that the properties share one large area that spans approximately 35m in width, it is deemed that opportunities for receiving sunlight and daylight will be maintained.

15.8

With regards to the scheme's potential impacts on light levels, the applicant has submitted a daylight and sunlight assessment of the proposed development, but no assessment has been submitted for its potential impacts on neighbouring properties. Given the proximity of the scheme to the flats at 2-24 New Square (to the rear of the site), and that the main building would be positioned due east of their principal elevations, it is considered that this information is required in order to enable the Council to conclude that the scheme will not result in a significantly detrimental loss of sunlight and daylight to these properties.

15.9

Overall, based on the above assessment, it is considered that the proposal would create a situation that would result in harm to the privacy of the occupiers of neighbouring properties at Beechwood Gardens, and that it cannot be concluded that the scheme would not create a significantly detrimental loss of light to the flats at 2-24 New Square. Therefore, the development is deemed to be contrary to Core Policies 4 and 8 of The Core Strategy, Policy EN1 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework 2024. Negative weight is therefore applied in the planning balance.

16.0

Highways, access and parking

16.1

Paragraph 114 of the NPPF states that applications for development should ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location and that safe and suitable access to the site can be achieved for all users. Core Policy 11 of the Local Plan states that all development should be easily accessible to all and everyone should

have the same opportunities. The proposed scheme shows access for vehicles, cycles and pedestrians through New Square, which also acts as the access point to the existing buildings on site from the rear, in addition to the three story block of flats to the west. Level access for pedestrians and cyclists can be achieved from the courtyard entrance at the rear of the proposed development. Details in relation to surface finish and gradients of any access can be secured by condition. Level access from the public footway on Windsor Road can also to be secured and detailed by condition. On both counts the proposed details can be assessed to ensure compliance with the Equalities Act in relation to the provision of safe and convenient access for all users.

- 16.2 The route and vehicle maneuvering space available within “New Square” would appear to be adequate for a refuse vehicle to collect waste from the proposed development, as it does for existing developments on this cul-de-sac. No car parking is proposed for this scheme, which accords with the Council’s standards for this town Centre location. The site is located within a sustainable location for public transport, with bus routes passing along Windsor Road, and the Train Station, Bus Station and cycle hub within easy walking and cycling distance. Secure and covered cycle spaces are provided to the rear of the development for residents (one space per flat).
- 16.3 SBC Highways have commented that no objections are raised. This view is given, subject to conditions to secure an up-to-date Construction Management Plan, prior to the commencement of development.
- 16.4 The provision of nil car parking is acceptable as it would be in line with the previous permission and the site is located within a defined Town Centre area for residential developments. It is also noted that there are nearby public car parks which can provide parking for the commercial units including Herschel Street, Buckingham Gardens and Burlington Road.
- 16.5 However, notwithstanding the above, it is noted that some of the secure cycle stores would not be accessible due to planting being shown on the submitted plans as being directly in front of them. These stores would also be sited externally and not in an appropriate secure location. This would likely lead to an impractical arrangement that would result in a shortage of cycle parking, which is contrary to the sustainability aims of Core Policy 11 and Paragraph 114 of the NPPF.
- 16.6 It is therefore deemed that whilst the scheme is not considered to have an adverse impact on highway safety and convenience, it would provide insufficient cycle storage for future occupiers, contrary to Core Policies 7 and 8 of the Core Strategy and Policies EN1 and T8 of the Local Plan, The Slough Developers’ Guide – Part 3: Highways and Transport (2008) and the NPPF.

17.0 Energy use and sustainability

- 17.1 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.
- 17.2 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.
- 17.3 However, The Slough Developers Guide sets out that only for schemes of 50 dwelling units or more are applicants required to demonstrate that design and construction will be better than Building Regulations (Part L1a 2013) in terms of carbon emissions, with a specific requirement to achieve 15% lower than the Target Emission Rate (TER) of Building Regs in terms of carbon emissions. Therefore, as this scheme only proposes 29 units, the applicant is not required to meet specific sustainability standards.

18.0 Crime Prevention and Design

- 18.1 Policy EN5 of the adopted Local Plan states all development schemes should be designed to reduce the potential for criminal activity and anti-social behavior.
- 18.2 The application has been reviewed by the Crime Prevention and Design Advisor (CPDA) at Thames Valley Police who has raised concerns as outlined in the consultation section above, in relation to the security of the entrance lobby, access controls into the building and boundary security. Mindful of this and the fact that the application is silent on measures to mitigate against potential criminal activity and anti-social behaviour, the application raises several concerns. The submission has therefore not demonstrated compliance with Local Plan Policy EN5 and negative weight is applied in the planning balance.

19.0 Ecology and Biodiversity Net Gain

- 19.1 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.

- 19.2 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.
- 19.3 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.
- 19.4 The site is located beyond the 5.6km 'catchment area' in respect to the Burnham Beeches Special Area of Conservation (SAC). The application has not been submitted with a Habitats Regulation Assessment. The development would likely have a significant adverse effect on the Burnham Beeches Special Area of Conservation. The development would therefore be contrary to Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, advice in the National Planning Policy Framework 2024 and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Therefore.
- 19.5 The application has been accompanied by a Preliminary Ecological Assessment, which states that the south-western portion of the site provides some habitat value as it is occupied by a small garden with moderate sized trees, shrubbery and hedging. The assessment details the findings of a site survey and sets out that there were no observed signs of reptiles/invertebrates, badgers, hedgehogs or other large mammals. Birds flying overhead were noted and therefore it should be assumed that the trees have nesting potential. With regards to bats, it is concluded that overall, the site has a low potential for supporting roosting bats, but as it was not possible to carry out thorough observation of the loft are of 26-28 Windsor Road, or the trees along the boundaries of the south-west garden, it is deemed necessary for single bat emergency survey to be carried out to confirm the absence of bats in these areas, in line with current recommendations outlined in the Bat Conservation Trust Guidelines (2016).
- 19.6 A follow-up bat emergence survey has not been carried out, and as such, it is not possible to conclude that the proposal will not result in harm to any specimens of this protected species.
- 19.7 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 in all instances where 25smq or more of priority habitat is affected.

19.8 The applicant has submitted a BNG report and metric, which shows that the scheme will result in a net loss of 54.52%; however, there are errors in the metric and there is no clear indication that the mitigation hierarchy has been applied. The report sets out that 10% BNG will be delivered through the purchase of off-site units, either through a habitat bank or the statutory credit scheme but no evidence of communications or arrangements for these has been provided.

19.9 The Council's Biodiversity Consultant has reviewed the BNG information and has raised concerns that report incorrectly states that 0.22 units are required to achieve the 10% uplift in ecological value, and the baseline survey map only notes one tree as being present on the site, whereas the PEA states that there are 3.

19.10 Overall, it is therefore considered that insufficient information has been provided to enable the local planning authority to conclude that the scheme would not result in harm to or the loss of protected wildlife, and that the BNG information provided is ambiguous and insufficiently detailed to demonstrate that a 10% net gain would be provided. Based on the above assessment, the proposal therefore fails to comply with Core Policy 9 of the Core Strategy and the requirements of the National Planning Policy Framework. As such, negative weight is applied to the planning balance.

20.0 **Air Quality**

20.1 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.

20.2 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.

20.3 No information on air quality impacts has been submitted; however, as the application site does not lie within an air quality management area, and the scheme would be car free, it is not considered that it would have a significantly detrimental impact upon local air quality, or that health of

potential future residents would be put at risk. Notwithstanding this, were the application to be approved, further details on what measures would be taken during construction to manage potential pollutants, such as dust, and provide mitigation in line with the low emission strategy would be secured through the use of appropriately worded conditions.

- 20.4 It is therefore not considered that the proposal would fail to comply with Core Policy 4 of The Core Strategy, Policy EN1 of The Local Plan for Slough, and the requirements of the National Planning Policy Framework, in respect of air quality impacts.

21.0 **Contaminated Land**

- 21.1 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.

- 21.2 The applicant has not submitted any details related to contamination, but the site is not located within a known area of potential contamination, and no comments have been received from the Council's Environmental Protection team that raise concerns over potential contaminants on or within the site. Notwithstanding this, it is standard for a Contamination Risk Assessment and Method Statement to be sought prior to the commencement of development, and were the application to be approved, these details would be secured through the use of carefully worded conditions to ensure that the development does not result in risk to human health, ground water, building structures or services, and a Main Investigation Report has been submitted which was previously sent to the Council pursuant to Conditions 7 and 8 of the original permission.

- 21.5 Mindful of the above, whilst the application has not addressed demonstrated the development proposal poses no risks with regards to land contamination, it is not deemed necessary to include this as a reason for the refusal of this application as details can be secured by condition.

22.0 **Flooding and Surface Water Drainage**

- 22.1 The site is located within Flood Zone 1 and therefore considered to have minimal flood risk.
- 22.2 The National Planning Policy Framework (2024) states within that the surface run-off from site cannot lead to an increase from that existing. Slough's Strategic Flood Risk Assessment states that surface water should be attenuated to Greenfield run-off rates.

- 22.3 Core Policy 8 of The Slough Local Development Framework, Core Strategy, Development Plan Document states that development must manage surface water arising from the site in a sustainable manner which will also reduce the risk of flooding and improve water quality.
- 22.4 Drainage, including Sustainable Urban Drainage (SuDs) details have been submitted outlining the drainage arrangements proposed for the development. The drainage strategy states that surface water will be directed to underground attenuation tanks via permeable surfaced areas, before being discharged at a controlled rate to the mains surface water sewer / drain in accordance with planning policy guidance and Thames Water requirements.
- 22.4 The Council's Lead Local Flood Authority Officer has raised no concerns with the approach set out, subject to a condition requiring details of what has been implemented to be submitted. The Inspector, in allowing the previous scheme, acknowledged concerns regarding flooding, however, stated that as the site lies within Flood Zone 1 saw no reason why a suitably worded condition regarding surface drainage could not mitigate any risk in this regard.
- 22.5 Given that the site lies within an area that has a low risk of flooding, the Local Planning Authority is satisfied with the drainage strategy and considers that as set out, it complies with relevant planning policy and guidance. Neutral weight is therefore afforded to this matter in the planning balance.
- 23.0 **Affordable Housing**
- 23.1 Core Policy 4 of the Slough Core Strategy sets out that 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.
- 23.2 As set out in the Slough Developer's Guide Part 2 (2017), other than for developments of 15 to 24 homes referred to above, financial payments in lieu of building new affordable homes will not normally be accepted. Payments (also known as commuted sums) will only be accepted in exceptional circumstances i.e. when the Council considers it will be a benefit compared to new homes being built by a developer. The amount of any financial contribution will be negotiated and based upon a figure considered equivalent to affordable housing on site.
- 23.3 The development accommodates 29 residential dwellings and is therefore required to provide at least 30% of these as affordable on-site i.e. 9 (rounded up from 8.7) affordable homes.
- 23.4 The applicant has stated within their Design and Access Statement that they are seeking to provide a financial contribution for the creation of

affordable homes elsewhere within the Borough in accordance with the Slough Developers Guide, as the scheme represents marginal increase above the threshold of 24 units. Whilst the applicant has assumed that the net increase of dwellings across the site means the scheme would only exceed this threshold by 2 dwellings, the Guidance clearly states that contributions whether for affordable housing or financial will be assessed on the gross number of dwellings, meaning the scheme exceeds the threshold by 5 units. The Local Planning Authority acknowledged that it could potentially be impractical or unachievable for an affordable housing provider to take on a small provision of housing within a constrained scheme and mindful of this and the Council's inability to provide a 5 year housing land supply; however, the applicant has not provided any justification for not seeking to provide affordable housing on site, such as evidence that providers would be unwilling to deliver the units. The applicant has also failed to make a financial offer to the Council for the contribution towards affordable housing off-site.

- 23.5 Mindful of the above, and the fact that no formal legal agreement to secure the provision of affordable housing or contributions has been entered into, the application fails to comply with national and local planning policy and guidance with respect to affordable housing and negative weight is therefore applied in the planning balance.

24.0 **Infrastructure**

- 24.1 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.
- 24.2 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.
- 24.3 The tables below outline how each of the obligations would meet the three tests listed above and relevant legislation and policies.
- 24.4 The development provides 29 new residential units. The scheme would therefore trigger the need for a contribution towards educational facilities under the Council's policies, as set out in the Developer's Guide.

- 24.5 Whilst the development would provide private external amenity space for the new homes through balconies and small gardens, the units will not have any functional outdoor amenity space for recreation and / or play. The Developer's Guide states that for high density residential schemes in or near the town Centre that have inadequate private amenity space, a financial contribution of £300 per dwelling or the enhancement of existing nearby public open space.
- 24.6 No contributions have been sought by the Council's Highways Officer. Mindful of this and the fact that the scheme is a car free development, it is not considered that contributions for highway safety and sustainability are required.
- 24.7 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.
- 24.8 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	£81,137
Recreation	£8,700
Total	£89,837

- 24.9 It is noted that the agent has agreed to the above contributions and heads of terms in writing with the Local Planning Authority, but no contributions have been secured or formally agreed.

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 proposal would be required to meet with Part M of the Building Regulations in relation to space standards and occupation by those needing wheelchair access; however, as noted above, the development does not make any provision for dwellings that meet Part M of Building Regulations requirements in this regard. Accordingly, this weighs against the proposal when applied in the planning balance.

25.3 S149 of the Equalities Act 2010 requires public authority decision makers to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those with a protected characteristic and other parts of the community.

26.0 **Planning balance and presumption in favour of sustainable development**

26.1 The report identifies that the proposal complies with ‘the type of housing’ part of Core Policies 1 and 4 of the Core Strategy and would be broadly acceptable in policy terms in relation to highways impact (Policies CP7, CP8, EN1 and T2), air quality (Policy CP8), energy use and sustainability (Policy CP8), contaminated land (Policy CP8) and flood risk / drainage (Policy CP8) terms. However, the proposal fails to comply with local plan policies in relation to scale and design (Policies EN1 and CP8), neighbouring residential amenities (Policies C4, C8 and EN1), the amenity provisions and living conditions of future occupiers (Policies C8, H14 and Part 6 of the Slough Developers Guide), ecology and biodiversity (Policies C9, para. 187, 194 & 195 of the NPPF and 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)), highways (Policies C7, C8, EN1 and T8), affordable housing and infrastructure provision (Policies CP4, C10 and Part 7 of the Slough Developers Guide). These policies are relevant up to date and important saved policies in the Local Plan and Core Strategy. On balance, the proposal would fail to comply with the development plan as whole.

26.3 The application has been evaluated against the Development Plan, the NPPF and other relevant material planning considerations. The Authority has assessed the application against the planning principles of the NPPF and whether the proposals deliver “sustainable development.” The Local Planning Authority 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 National

26.4 Planning Policy Framework 2024 and refined in case law should be applied.

26.5 The proposal for 29 residential units would make a contribution to the supply of housing, and given that the tilted balance is engaged, this contribution could in principle attract significant positive weight in the planning balance. As the proposed mix of housing does not include any affordable housing, and a limited provision of three-bedroom units which is where the need is most, the weight allocated to the benefit of providing housing is significantly tempered. Moderate positive weight would therefore be tilted in favour of the supply of housing.

However, notwithstanding the above, the report identifies there are numerous conflicts with the saved policies in the Local Plan, Core Strategy, and the National Planning Policy Framework, namely:

- The proposal would have a substantial adverse impact on the character and appearance of the surrounding area and would fail to comply with Policy EN1 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Core Strategy, and the requirements of the National Planning Policy Framework 2024. Substantial negative weight is therefore applied to the planning balance.
- The proposal would result in poor standard of accommodation due to insufficient external amenity space, waste storage for the commercial units, an absence of Part M(4) units for wheelchair users and insufficient secure and private access. It would therefore fail to meet the requirements of the National Planning Policy Framework 2024 and local plan policy H14. This tempers the benefits of the proposal.
- The proposal would have an unacceptable impact on neighboring amenity and the developer has not provided information to demonstrate that the proposal would not result in a harmful loss of light to neighbouring residential properties, and as such the local planning authority cannot conclude that the extent of harm to neighbouring residential amenities. This is contrary to Core Policy 8 of the Core Strategy, and the requirements of the National Planning Policy Framework 2024. Negative weight is applied to the planning balance.
- The development has not been designed to reduce the potential for criminal activity and anti-social behaviour. The proposal fails to comply with Local Plan Policy EN5, Core Policy 12 of the Core Strategy and the requirements of the National Planning Policy Framework 2024. Considerable negative weight is applied to the planning balance.
- Insufficient and ambiguous information has been provided with regards to Biodiversity Net Gain, and there is no evidence of how off-site contributions will be secured and delivered to achieve a 10% uplift. The scheme therefore fails to meet the mandatory BNG

requirements set out in Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

- The application does not secure any affordable housing and infrastructure contributions. Substantial negative weight is applied to the planning balance.

26.6

The contribution of 29 flats, as well as the economic benefits for the construction phase, would result in moderate positive weight being tilted in favour of the supply of housing. However, the level of harm resulting from adverse impacts of the development as highlighted above would significantly and demonstrably outweigh this benefit when assessed against the policies in the Local Development Plan and the National Planning Policy Framework 2024 taken as a whole and tilted in favour of the supply of housing. As such, the proposal is not considered to be sustainable development and is therefore recommended for refusal.

26.7

In addition to the above and in accordance with Paragraph d(i) of the NPPF the following provide strong reasons for refusal

- The proposal would likely have an adverse impact on the Burnham Beeches Special Area of Conservation and no habitats regulation assessment has been submitted. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework 2024 and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended). Some negative weight is applied to the planning balance.
- Insufficient information has been submitted to demonstrate that the proposed development would not result in the harm of bats that may be occupying the site. As a protected species, this fails to comply with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework 2024 and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended). Some negative weight is applied to the planning balance.

27.0

PART D: RECOMMENDED REASONS FOR REFUSAL

27.1

1. By reason of its layout, design, scale, and height, the proposed building would represent an overdevelopment of the site, appear obtrusive, and harm the character and appearance of the surrounding area contrary to Policy EN1 of the Local Plan for Slough March 2004, Core Policy 8 and 9 of The Slough Local Development Framework Core Strategy 2006-2026 Development Plan Document and the requirements of the National Planning Policy Framework 2024

- 27.2 2. By reason of its layout, design, scale, and height, and failure to assess sunlight/daylight impacts, the proposed development would harm the residential and visual amenities of the occupiers of the neighbouring 2-24 New Square (situated to the west of the site), and fail to comply with Core Policy 8 of the Core Strategy, Local Plan Policy EN1, and the requirements of the National Planning Policy Framework 2024.
- 27.3 3. The site is located within the 5.6 km development impact zone for the Burnham Beeches Special Area of Conservation. No information has been submitted to demonstrate that no likely significant effect would occur as a result of the development or to assist the competent authority in carrying out the appropriate assessment. The development would therefore fail to demonstrate compliance with Core Policy 9 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, advice in the National Planning Policy Framework 2024 and to the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- 27.4 4. The application fails to demonstrate that it would not result in harm to bats that could occupy the site. The proposal has therefore failed to demonstrate compliance with Core Policy 9 of the Core Strategy, the requirements of the National Planning Policy Framework, and The Conservation of Habitats and Species (Amendment) Regulations 2017 (as amended).
- 27.5 5. The application fails to demonstrate that the proposed development would achieve a 10% Biodiversity Net Gain, either within the site or through the use of contributions towards habitat creation off-site. It therefore fails to meet the requirements of Schedule 7a of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 27.6 6. The application does not propose any onsite affordable housing in accordance with the Slough Developer's Guide Part 2, contrary to Core Policy 4 of the Slough Development Frameworks Core Strategy 2006 – 2026 Development Plan Document 2008, and the requirements of the National Planning Policy Framework 2024.
- 27.7 7. By virtue of the fact that it would not provide any private amenity space for the occupiers of units 1, 6 and 11, any units that meet BS Part M(4) standards for wheelchair suitability, any secure waste storage for the commercial units, or separate access and internal spaces from the commercial units, the proposed development would not provide an appropriate standard of accommodation, contrary to the aims and objectives of Core Policies 4 and 8 of the Slough Core Strategy.

- 27.8 8. The development has not been designed to reduce the potential for criminal activity and anti-social behaviour. The proposal fails to comply with Local Plan Policy EN5, Core Policy 12 of the Core Strategy and the requirements of the National Planning Policy Framework 2024.
- 27.9 9. The proposed development would not provide sufficient cycle storage spaces for future residents, by virtue of the fact that some of the stores would be inaccessible due to being situated behind trees that are proposed as part of the landscaping scheme. The development would therefore be contrary to Core Policies 7 and 8 of the Slough Core Strategy.
- 27.10 10. The proposed development has not considered an acceptable approach for the comprehensive development of the neighbouring sites at 30-34 & 12-20 Windsor Road. The proposal could compromise the appropriate redevelopment of these sites and fail to comply with Policy H9 of the Slough Borough Local Plan Saved Policies.
- 27.11 11. No legal agreement has been entered into by the applicant, by way of a Section 106 agreement, for the provision of affordable housing and funding of off-site infrastructure including education and recreation related matters contrary to Core Policies 4, 7 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.
- 28.0 **Informatives:**
- 28.1 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.

