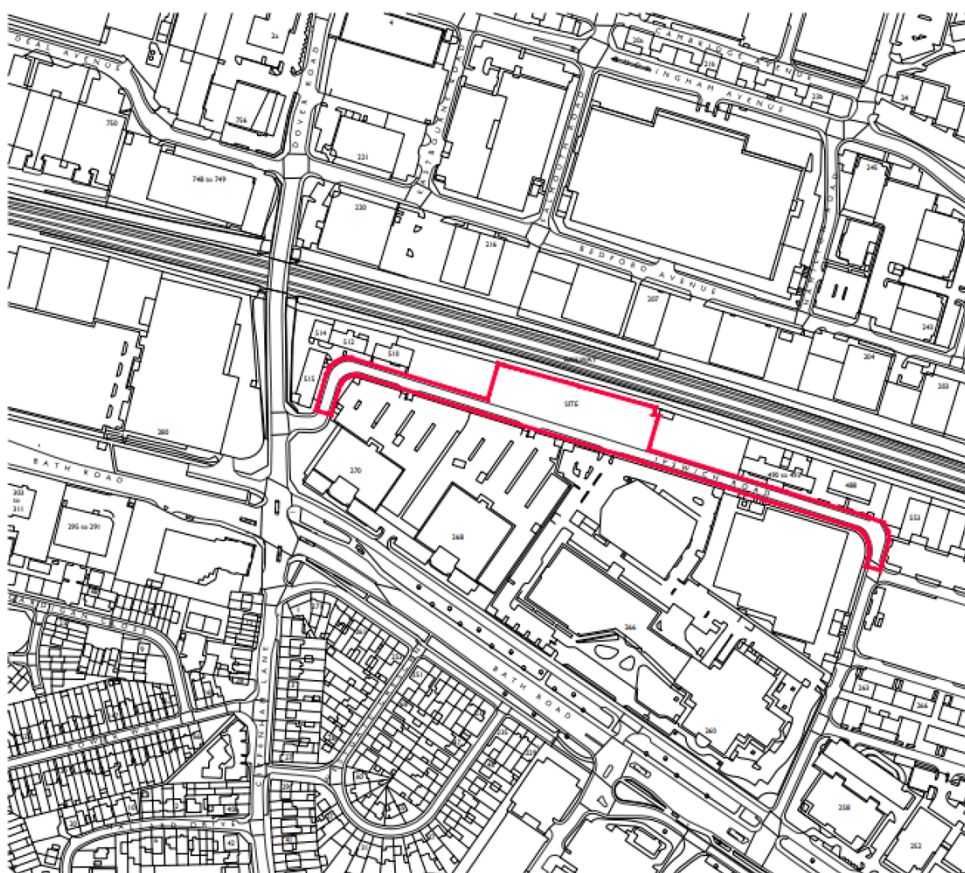


|                    |                                                                                                                                                                  |                   |                                  |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------------|
| Registration Date: | 21 December 2023                                                                                                                                                 | Application No:   | P/20401/000                      |
| Officer:           | Nyra John                                                                                                                                                        | Ward:             | Northborough & Lynch Hill Valley |
| Applicant:         | Ms. Ioana Antohi, Slough Heat & Power Limited                                                                                                                    | Application Type: | Major                            |
|                    |                                                                                                                                                                  | 13 Week Date:     | 21 March 2024<br>EOT 31 May 2024 |
| Agent:             | Mr. Philip Higginbottom, Tetra Tech Planning<br>Hawkridge House, Chelston Business Park, Wellington, Somerset, TA21 8YA                                          |                   |                                  |
| Location:          | 498-505, Ipswich Road, Slough, SL1 4EP                                                                                                                           |                   |                                  |
| Proposal:          | Development of a new 132/33KV electrical substation including 2 no. switchroom buildings and 4 no. transformers, associated onsite cable-laying and groundworks. |                   |                                  |

**Recommendation:** Delegate to the Planning Group Manager for Approval.



## **1 SUMMARY OF RECOMMENDATION**

- 1.1 This application has been referred to the Planning Committee for consideration as the application is for a major development.
- 1.2 Having considered the relevant policies of the Development Plan 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 Group Manager for approval subject to agreement of the pre-commencement conditions with the applicant/agent; finalising conditions; and any other minor changes.

## **PART A: BACKGROUND**

### **2 Site and Surroundings**

- 2.1 The site relates to a vacant plot of land to the north of Ipswich Road, measuring approximately 0.36ha (120m x 30m / 3,600sqm) currently in use as a construction lay down area, located at 498-501 Ipswich Road.
- 2.2 The application site as existing is surrounded by timber construction hoarding and heras fencing. The internal area has been cleared and levelled and is surfaced with concrete and asphalt, which include remnant concrete floor slabs and walls of former structures and appears to have previously provided vehicle parking. There is existing vehicular access from Ipswich Road to the site from a metal gate to the west of the site.
- 2.3 Low-level weeds/shrubs line the boundaries within the construction hoarding. The site has contained a few structures including for storage and welfare units.
- 2.4 Five Himalayan semi-mature birch trees are present in various locations throughout the site. Two are located in the western lot, two centrally and one located in the eastern lot.
- 2.5 The site is surrounded by light industrial businesses with the main Great Western railway line located to the north. Adjoining the site at each side, there are single storey industrial units with pitched roofs, to the east these units are vacant. Further to the south are car parks associated with office units at Bath Road, with access from Ipswich Road. Ipswich Road is well landscaped.
- 2.6 The nearest residential properties to the site are located approximately 200m to the south of the site, on the other side of several large commercial buildings with Bath Road beyond, out of sight from the proposed development.
- 2.7 The site is located within a defined business area (Slough Trading Estate) where buildings vary in their scale and appearance. The Slough Trading Estate comprises a Simplified Planning Zone (SPZ). The SPZ is a

specialised planning permission that applies across most of Slough Trading Estate. It sets out a range of conditions that have to be met in order that some types of development, mostly datacentres, warehouses and research and development centres, can be built without the need to apply for an individual planning permission. The Trading Estate is priority area for regeneration and investment by the Council to ensure local residents continue to have access to a wide range of job opportunities.

- 2.8 The site does not lie in a Flood Risk Zone or Conservation Area and there are no listed building within close proximity to the site.
- 2.9 In terms of the local highway network, Ipswich Road joins Bath Road (A4) at a signalised priority junction. Bath Road provides key links to the wider strategic highway, including direct access to Junction 7 of the M4 motorway, 2.3km to the west via the Huntercombe Roundabout. The M4 links with the M25 motorway at Junction 4b of the M4 located 11km to the east of Junction 7. The Town Centre of Slough can be accessed via Bath Road to the east approximately 3km away.
- 2.10 To the east and west of the application site are a row of single-story commercial units of brick construction with pitched corrugated metal roofs, with off-street parking to the front and fenced areas of concrete hardstanding/yards to the rear. An electricity substation is located within a brick building outside of the northeast corner of the site.
- 2.11 The wider landscape is highly urbanised and comprises light industrial buildings, warehouses, car parks and roadways that collectively compose a large industrial district in Slough. Very few seminatural habitats are present within the wider landscape, and those that are comprise ornamental planting, urban trees, and open amenity space. There are no ecological designations at the site.



Figure 1: Southwest corner facing east and South east corner facing west

### **3 Planning History**

- 3.1 The planning history for the site is presented below:

P/17346/000  
502-505, Ipswich Road, Slough, SL1 4EP

Construction of a multi storey car park over 3 levels with means of access, drainage, landscaping and ancillary works.

Approved with Conditions; Informatives 22-Aug-2018

- 3.2 There is no evidence to show that the above planning permission has been implemented. In any case, this permission has expired. The existing site is let on a short-term basis for construction lay down/ machinery/ storage for neighbouring sites.
- 3.3 The neighbouring site to the west is 506-510 Ipswich Road. Application P/19720/000 was approved 11<sup>th</sup> February 2022 for the change of use to B8 Storage and Distribution with open storage (to provide a railway maintenance depot).

#### **4 The Proposal**

- 4.1 The site includes existing vacant buildings 498-501 Ipswich Road which are proposed to be demolished and a vacant plot of land 502-505 Ipswich Road for the construction of a new electric substation including 2 no. switchroom buildings and 4 no. transformers, including associated on site cable laying and groundworks.
- 4.2 The purpose of the electrical substation is to transform the incoming 132kV to 33kV for distribution into the local network. It would provide additional capacity to Slough Heat & Power Limited and the distribution network by providing power to the wider Slough area. The overall scheme's intention is to future-proof the electrical supply to Slough Trading Estate to ensure that future supply can meet demand which will be generated.
- 4.3 Slough Heat and Power Limited operates and maintains the private electricity network that serves businesses within the Slough Trading Estate and offers the estate's new tenants a rapid connection to the electrical network, ensuring a reliable supply of energy throughout the year.
- 4.4 The development proposals comprise development as follows:
- The erection of two electrical switchroom buildings with dimensions approximately 43m (l) x 18m (w) x 11m (h) with a Gross External Area (GEA) of 774sqm and 24m (l) x 14m (w) x 7m (h); and a GEA of 336sqm.
  - 4 no. transformers located within the 2 no. enclosures with dimensions approximately 18m (l) x 11m (w) x 9m (h), with a GEA of 198sqm each.
  - These give GEA figures of 774sqm + 336sqm + 198sqm + 198sqm = 1,506sqm.

- Ground preparation and installation of cabling onsite to connect the electricity supply from offsite to, between and from the above referred to buildings to public roads or within roads owned by SEGRO.

4.5 As stated above, the total area with the provision of buildings where there is floor space to be created by the development is 1,537sqm.

4.6 As depicted on the submitted drawings, Smeed Dean London stock facing brickwork is the proposed dominant material complemented by Staffordshire smooth blue stretcher facing brickwork as a feature on the buildings' elevations. It is proposed to have a flat roof across the majority of the buildings.



4.7 Associated works include surface water attenuation, two gated vehicle entrances, parking facilities, security lighting and cameras. The proposal includes removal of all trees on site, due to the need for unobstructed and unavoidable underground cable routing.

4.8 The application is submitted with the following additional documents, which accompany the application:

- Location Plan
- Site Plan as existing
- Site Plan as proposed
- Site Layout Plan as proposed
- Proposed Ipswich Road Elevation
- Proposed 132kV GIS Switchroom Basement & Ground Floor Plan
- Proposed 132kV GIS Switchroom First Floor & Roof Plans
- Proposed 132kV GIS Switchroom Elevations Sheet 1 of 2
- Proposed 132kV GIS Switchroom Elevations Sheet 2 of 2
- Proposed 33kV Switch House Basement & Ground Floor Plans
- Proposed 33kV Switch House Roof Plan
- Proposed 33kV Switch House Elevations
- Proposed Transformer Cell Ground Floor and Roof Plans
- Proposed Transformer Cell Elevations
- Proposed Sections AA & BB
- Proposed Sections CC
- Planning, Design and Access Statement, including Energy and Sustainability Statement
- Transport Assessment
- Noise Impact Assessment,
- Construction Noise Management Plan



- Air Quality Dust Management Plan
- Construction Environmental Management Plan
- Arboricultural Impact Assessment
- Drainage details including a Sustainable Drainage Strategy
- Lighting Statement
- Preliminary Ecological Appraisal (PEA)
- Biodiversity Net Gain Assessment
- Geo-environmental Desk Study Assessment

4.9 This application has submitted plans, drawings and technical reports and has subsequently been amended by the applicant over the lifetime of the application.

## **5 Consultations**

5.1 Due to the development being a major application, in accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), a neighbour notification was undertaken through site notices which were placed on 04/01/2024 at Ipswich Road. No representations were received during the consultation period. A press notice was issued in the Slough Express on 19/01/2024 and no representations were received following the press notice during the consultation period.

5.2 Additional revised site notices were placed on 10/04/2024 at Ipswich Road, due to amendments received for the red line boundary to extend to over Ipswich Road, as this is a private access, and the National Planning Policy Guidance (NPPG) requires the red line boundary to include all land necessary to carry out the proposed development (e.g. land required for access to the site from the public highway) (Reference ID: 14-024-20140306). No comments have been received at the date of this report. A press notice was issued in the Slough express 12/04/2024 and no comments have been received at the date of this report.

5.3 The following comments have been received following consultation carried out in January and February 2024:

### **Lead Local Flooding Authority**

5.4 Comments received 17/01/2024

No objection:

Having reviewed the applicant's submitted details we would advise that there is sufficient information available to comment on the acceptability of the proposed principles of the surface water drainage scheme for the proposed development.

Planning conditions will need to be included to secure the detail design, maintenance, and verification of the system.

## **Network Rail**

### 5.5 Comments received 23/01/2024

Thank you for your email dated 2 January 2024 together with the opportunity to comment on this proposal.

Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

The works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a BAPA agreement, if required, with a minimum of 3 months notice before works start. [AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk)

It should be noted that the railway at this site comprises four tracks and is electrified with 25kV overhead wires. This has to be properly risk assessed to maintain a safe clearance of the proposed substation from the railway OLE and any planned lifting/cranage, will require agreement with NR engineers.

#### **DRAINAGE**

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

#### **FENCING**

If not already in place, the developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any

vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

#### SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

#### GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

#### EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail.

### **Urban Design Officer**

#### **5.6**            Comments received 28/01/2024

Landscaping improvements – Planning Statement refers to the fact that there is no need for parking to forecourt of site, therefore could additional soft landscaping/trees be provided to visually screen the development and further increase biodiversity net gain. This would provide a more positive frontage to the site and appearance of Ipswich Road. (This would also reflect ongoing discussions regarding the renewal of the SPZ for the wider Trading Estate).

Architecture and appearance – appearance of the transformer buildings, it is noted that the upper-level roof plan includes metal aluminium mesh screening. It's not clear what plant is present to the roofscape of these buildings but would there be an opportunity to open-up views to the sky within these elements through perforation and creation of voids, to reduce the visual impact of the scale of the buildings. Would suggest that we seek additional clarification of the roof-top plant and seek further detail of the plant enclosures at this stage. (1:20 details of these elements could be conditioned in future).



## **Environmental Quality**

5.7 Comments received 07/02/2024

### *Noise Assessment & Construction Noise Management Plan:*

Both the demolition/construction and operational phases of development have been assessed in terms of noise impact. The construction phase noise levels do not exceed the 75dB noise limit and therefore impact is likely to be low. No noise mitigation has been suggested but the submitted construction noise management plan provides a detailed list of mitigation options, including enclosures around noisy plant, and reiterates the noise limits specified in the noise assessment. As such, I do not expect significant noise impacts to arise from the demolition/construction phase of the development.

In regards to the operational noise assessment, the proposed transformer design is not confirmed at this stage, therefore the maximum sound pressure levels of the sources were predicted in the model as a conditional maximum permissible level, to meet the SBC assessment criteria. This sets the plant noise limit at 1m to 80dB, which ensures compliance with noise limits at noise sensitive receptors. There is a minor exceedance at one receptor (R11) by 1dB, however as this is a commercial receptor which is less sensitive than residential, this is accepted. Noise intrusion assessments have been completed for the day and night time periods, comparing to BS8233 criteria, all of which shows compliance. This is also the case for external amenity.

As such, there are not expected to be any noise issues associated with this development, as long as the plant noise is limited to 80dB at 1m, and assumptions on enclosures are correct, as per the modelling details presented in the report.

As condition, it is expected that the assessment conclusions will be verified once at the detailed design stage, to confirm that the transformer noise emissions meet the required levels in the assessment, with sound reduction details associated with the enclosure.

### *Air Quality Dust Management Plan:*

Four different processes during the demolition/construction phases have been considered including demolition, earthworks, construction and trackout. The magnitude for each has been defined, although demolition is listed as 'N/A' despite the proposal including some demolition works. The potential impacts are classed as 'medium' prior to mitigation.

A list of mitigation measures are provided in Section 5.2. It is expected that these measures are incorporated into the CEMP, and implementation of these measures are likely to result in negligible impacts.

Overall there are a few issues with the report, for example there is no receptor map, or details on meteorological impacts on dust dispersion, or consideration of the demolition phase, however these are relatively minor issues and it is expected that the measures detailed in the report will be sufficient to address any dust issues during the demolition and construction phases. As such, I do not have any concerns regarding dust impacts.

*Construction Environmental Management Plan (CEMP):*

The CEMP incorporates all of the mitigation measures outlined within the noise management plan and dust management plan. All of the proposed measures are accepted.

It is noted in Paragraph 3.7 that “the former land uses of light industrial/commercial businesses units have been demolished by SEGRO”, however Paragraph 8.2 states “the proposed development comprises the demolition of the existing vacant building”. Can you / the applicant confirm whether there is due to be demolition of site buildings or not?

The Construction Traffic Management Plan section was expected to confirm emission standards. Section 4.1 suggests that this section had been designed to specifically deal with this element, but then refers to a stand-alone Transport Assessment which addresses this element. Neither the Transport Assessment nor CEMP make reference to emission standards in the Low Emission Strategy (NRMM (Non Road Mobile Machinery) standards and Euro VI emission standards for construction vehicles). It is noted however in the transport assessment that “the principal contractor will confirm vehicle and traffic management once appointed”, so I have presumed that this information will be submitted later. As such, I expect the CEMP will be required via condition, so the additional information can be submitted at that stage. Can you confirm this is an acceptable approach?

**SBC Highways and Transport**

5.8            Comments received 06/02/2024

In order to support application no. P/20401/000 on Ipswich Road, I would require the submission of a scaled drawing which demonstrates a visibility splay of 2.4m x 43m can be provided from the proposed vehicle access junction for the site. This is the appropriate level of visibility required for a 30mph road by Manual for Streets. Details of boundary treatment should also be submitted to determine whether this will restrict visibility for vehicles emerging from the site. Whilst trip generation of the site is expected to be minimal, suitable visibility should still be demonstrated to ensure safe access for those who access the site.

5.9 Further comments received 15/04/2024 further to amendments and further information received:

I can confirm there would be no objection to the proposed power station regarding transport/highways matters. Conditions and Informatives are recommended.

### **Environmental Protection (Resilience and Enforcement)**

5.10 Comments received 08/02/2024

I've looked at this one and realised that the consultation response date has past but just wanted to feedback that the noise/light assessments are comprehensive & sufficient.

### **Contaminated Land Officer**

5.11 Comments received 23/02/2024

The report presents a review of the currently known information regarding the potentially contaminative land uses on site and adjacent, together with a preliminary geo-environmental risk assessment.

As a result, the site is currently assessed as a potential medium risk to the proposed land users, and additional control measures and mitigation is needed to make this acceptable.

Thus, to inform the risk assessment, design and to progress planning, it is recommended that an intrusive ground investigation is undertaken.

Following the intrusive ground investigations, further refinement of the risks posed to the environment and proposed development can be undertaken, including an update of the CSM and preliminary contamination risk assessment.

The ground investigation may identify that remediation works are required to reduce the post-development risks to an acceptable level and it is noted that additional phases of ground investigation may be required as part of that process.

Recommended 3 conditions on Phase 2 Intrusive Investigation Method Statement, Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy and Phase 4 Remediation Validation.

### **Landscape (Parks and Open Space Officer)**

5.12 Comments received 13/03/2024

I have gone through the application and agree to the proposed removal of the trees to the north of the site and T10 to the southern side of the

site. I do agree with you that that there needs to be some level of tree planting along Ipswich Rd. to help screen the buildings and keep an element of the existing punctuated tree lined avenue. If the trees are replaced with the same species at similar spacing's to the existing trees, this should address this requirement.

### **Archaeology Officer**

5.13            Comments received 13/03/2024

We have reviewed the application, and can confirm that we do not believe a scheme of archaeological mitigation is needed for this site. Due to its location and previous development, it is unlikely that undisturbed archaeology will remain intact.

### **Thames Water**

5.14            Comments received 01/03/2024

We have no comments on this application.

### **Designing Out Crime Officers**

5.15            No comments received.

### **Slough Building Control**

5.16            No comments received.

## **PART B: PLANNING APPRAISAL**

### **6 Policy Background**

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The current version of the National Planning Policy Framework (NPPF) was published in December 2023.

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.

6.2 National Planning Policy Framework (December 2023) and National Planning Policy Guidance:

Section 2: Achieving sustainable development  
Section 4: Decision-making  
Section 8: Promoting healthy communities  
Section 9: Promoting sustainable transport  
Section 11: Making effective use of land  
Section 12: Achieving well-designed places  
Section 14: Meeting the challenge of climate change, flooding and coastal change

6.3 The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

- Core Policy 1 - Spatial Vision and Strategic Objectives for Slough
- 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

6.4 The Adopted Local Plan for Slough 2004 (Saved Policies)

- EN1 - Standard of Design
- EN3 - Landscaping Requirements
- EN5 - Design and Crime
- EMP7 - Slough Trading Estate
- EN22 - Protection of Sites with Nature Conservation Interest
- T2 - Parking Restraint

6.5 Other Relevant Documents/Guidance

- Slough Borough Council Developer's Guide Parts 1-4 2010
- Slough Local Development Framework Proposals Map (2010)
- Noise Guidance BS8233 (Residential Noise) and BS4142 (Industrial and Commercial Noise)
- The Overarching National Policy Statement for Energy (EN-1) (July 2011)
- The British Energy Security Strategy (Updated 7 April 2022)

## 6.6 Emerging Local Plan Policy – The Proposed Spatial Strategy (Nov 2020)

The Draft Centre of Slough Regeneration Framework (Aug 2020) was presented to Members at the Planning Committee meeting of 9 September 2020 and was subsequently determined to be adopted as an evidence document for the forthcoming Slough Local Plan. Under Regulation 18, the Proposed Spatial Strategy for the Local Plan for Slough was the subject of public consultation in November 2020.

This sets out a vision and objectives along with proposals for what the pattern, scale and quality of development will be in Slough. The consultation document contained a revised Local Plan Vision which supports the Council's vision for Slough as a place where people want to "work, rest, play and stay." The Spatial Strategy involves making sufficient provision to meet housing, employment and other needs whilst at the same time conserving the natural, built and historic environment.

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. Therefore the documents holds little weight as it currently stands, and the material weight of policies would strengthen the closer the Local Plan is to adoption. It can be used to inform planning decisions but does not have the weight of planning policy.

## 6.7 Equality Act

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

## **7 Planning Considerations**

7.1 The Planning Assessment will cover the following elements:

- Principle of Development
- Design and Impact on Streetscene
- Highways and Transport
- Impact on Residential Amenities



- Environmental Impacts
- Network Rail
- Flood Risk and Drainage
- Sustainability and Energy
- Ecology, Landscaping and Trees
- Land Contamination
- Equalities Considerations

## **8 Planning Assessment**

### **Principle of Development**

- 8.1 The proposal involves the siting of an electricity sub-station in a vacant plot of land. There are no specific planning policies on electricity substations within the current local development plan and therefore proposal is assessed against the national planning policy position.
- 8.2 Paragraph 8 of the National Planning Policy Framework (NPPF) 2023 states that the three over-arching objectives supported by the planning system:
- 1) an economic objective to help build a strong, responsive, and competitive economy by identifying and coordinating the provision of infrastructure;
  - 2) a social objective to support strong, vibrant, and healthy communities by fostering a well-designed and safe built environment, with accessible services; and
  - 3) an environmental objective to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land and helping to improve biodiversity.
- 8.3 Paragraph 157 of the NPPF 2023 sets out that the planning system should transition to a low carbon future in a changing climate and it should minimise vulnerability and improved resilience.
- 8.4 The overall Spatial Strategy for Slough is contained in Core Policy 1 of the Core Strategy 2008. This sets out the principles for where development should be located in the Borough.
- 8.5 Policy EMP7 (Slough Trading Estate) permits B1 business, B2 general industrial and B8 warehousing and distribution subject to major office development being located on the Bath Road frontage and there being no overall increase in the number of car parking spaces within the estate. The proposal is a Sui Generis use that proposes 2 vehicle access points for maintenance vehicles on a monthly basis only. The proposal is to the rear servicing road to Bath Road and provides for a use that would enable the efficient and secure supply of electricity for business within the Trading Estate and therefore officers consider the use is appropriate in its location.

- 8.6 The Overarching National Policy Statement for Energy (EN-1) (July 2011) sets out the Government's position in relation to 'More Intelligent use of Electricity'. The statement broadly sets out that in order to support the transition to the low carbon electricity systems, back up capacity is necessary to ensure security of supply until storage technologies reach maturity.
- 8.7 The British Energy Security Strategy (2022) states that "*accelerating our domestic supply of clean and affordable electricity also requires accelerating the connecting network infrastructure to support it. Within this decade, our modern system will prioritise 2 key features: anticipating need because planning ahead minimises cost and public disruption; and hyper-flexibility in matching supply and demand so that minimal energy is wasted. This more efficient, locally responsive system could bring down costs by up to £10 billion a year by 2050*".
- 8.8 The substation is required to protect growth of existing connections and to meet need of future growing demand. The applicants have stated that investment of a significant amount at a large scale at this point will ensure that the substation can serve electricity demand for the next 15-20 years and "will be the biggest investment in the area of the trading estate by SSE for the next 15 to 20 years" (pgh 5.2.7 of the Design and Access Statement). With expected growth of the Trading Estate including data centres, there will be an increasing need for electricity to serve these uses, this allows for economic growth to take place.
- 8.9 Slough Heat & Power (SH&P) has identified a non-speculative need for the sub-station to enable a secure and resilient supply to the Slough Trading Estate. The sub-station will meet both the existing managed pipeline of projects (approx. 50% of demand) as well as existing customers that are on growth pathways (approx. 50% of demand) that would predominantly be businesses within the Slough Trading Estate.
- 8.10 The substation will not affect generation or consumption of electricity, as it is a distributor and a means of transferring existing supply and demand of energy. Therefore, the scheme does not raise issues of the principle of land use, subject to meeting design, amenity, highways and environmental impacts, as it would be a component of the overall development of the wider area. The use of the development would not hinder compliance with NPPF policies which seek to draw energy supply for low carbon energy supply; as the proposal would not provide a supply but rather be a distributor for any potential supply. The proposal would ensure that there is back up capacity to ensure a resilient, more efficient, secure supply of electricity, broadly in accordance with the National Policy Statement for Energy.
- 8.11 It is noted that the previous planning permission for a multi-storey car park (Ref: P/17346/000) has not been implemented. The pre-existing site contained 4 small old and dilapidated industrial units which were demolished under the Simplified Planning Zone. Officers noted that "although the change of use would result in loss of an employment use

on this particular site, its use is required for the recently expanded businesses within the trading estate and would help support the on-going occupation of existing businesses.” This planning permission has now expired and a planning permission P/19720/000 for the use of part of this site as Change of Use to B8 Storage and Distribution with open storage to provide a railway maintenance depot (which falls outside the boundary line of the application in question).

- 8.12 Further information has been provided to clarify how the substation will function. The site will be unmanned and unoccupied, but there will be one person visiting the site once a month in a Light Goods Vehicle for site maintenance inspection visits. The site will be in operation 24/7, however, as the proposed buildings are unoccupied, it will require no artificial heating/cooling to regulate temperature on a day-to-day basis within the buildings and noise levels should not exceed 5dB below typical background noise levels (see Environmental Impacts subsection below).
- 8.13 Overall, officers consider that the benefits of the proposed substation are considered to outweigh any perceived impacts and the proposal would be in accordance Policy EMP7 of the Local Plan 2004 Core Policy 1 of the Core Strategy and the NPPF 2023.

## **Design & Impact on Streetscene**

- 8.14 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Development should function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development and provide for an appropriate mix of uses, respond to local character and history, create safe and accessible environments which are visually attractive.
- 8.15 Saved Policy EN1 requires development proposals to reflect a high standard of design and must be compatible with, and/or improve the surroundings in terms of layout, scale, height, architectural style and materials. Core Policy 1 of the Core Strategy states that the scale and density of development will be related to the site’s current or proposed accessibility, character and surroundings. Significant intensification of use will not be allowed in locations that lack the necessary supporting infrastructure, facilities or services or where access by sustainable means of travel by public transport, cycling and walking are limited. Core Policy 8 of the Core Strategy states that all development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change.
- 8.16 Core Policy 8 defines high quality design as to:
- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;

- b) Respect its location and surroundings;
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.

Core Policy 8 requires that the design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.

### *Layout*

- 8.17 As is shown on the block plan submitted in support of this application the switchrooms and transformers are sited some 7-9m away from the highway and accord with the existing building line of Ipswich Road. All proposed buildings are also situated at least 2 metres from the boundary fence with the railway line as advised in the Council's pre-application planning advice, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure.

### *Scale, Massing, Height*

- 8.18 It is acknowledged that whilst the 2 no. switchroom buildings and 2 no. transformer buildings would appear dominant in terms of height, scale, and bulk on Ipswich Road being a combined 1,506sqm, this is consistent with industrial buildings within the Trading Estate.
- 8.19 The large switch room building would be 11m in height, the smaller switch room is 7m in height and the transformer building would be 9m in height. It is noted that the Simplified Planning Zone allows industrial buildings to be constructed at a height of up to 16m (Outside of the controlled height sub-zone), therefore if the application were not Sui Generis it would be of an acceptable height. In this regard, it is noted that other functionally-designed buildings using brickwork as their principal material are found along the northern side of Ipswich Road. Furthermore, much taller, modern buildings with functionally-designed single storey elements using brick are found towards the eastern end of Ipswich Road. Notably, to minimise the overall height of the building, it is proposed to have a flat roof across the majority of the building. It is also intended that the majority of cables related to the transformers will be routed underground to avoid visual clutter above ground.
- 8.20 The proposed buildings are therefore consistent with the existing architectural character of Slough Trading Estate and in keeping with the setting, and would be acceptable in this location.

### *Material and Façade Treatment*

- 8.21 Materials have been selected for all four proposed buildings having regard to existing architectural precedent in the immediate locality and the wider area. The primary material proposed is Smeed Dean London stock facing

brickwork which will complement the immediate surroundings and the introduction of Staffordshire smooth blue stretcher facing brickwork as a feature toward the top of the building which adds a degree of visual interest to the elevations.

- 8.22 Further, the Switch-room and Switch-house would be broken up in design by four aluminium clad elements to provide some variation on these elevations facing Ipswich Road. Pedestrian and vehicular access is provided from these elements.
- 8.23 The transformer buildings would have a metal aluminium mesh screening to the upper-roof element and spiral staircases on each southern façade. This design has been led by the functional and operational requirements of the transformers, for health and safety when providing maintenance.

### *Impact on Streetscene*

- 8.24 It is considered that the proposal would only result in localised impacts on the surrounding area, and the proposal would not be visible from main arterial road such as Bath Road which Officers consider would be very modest, contained and outweighed by the wider benefits of the scheme, in terms of contributing to the regeneration of the site and wider Trading Estate area with regards to relevant planning policy and material considerations. The increased scale of development proposed reflects the emerging character of the Trading Estate and can be suitably accommodated within the size of the site.

### *Future Development*

- 8.25 In conclusion, it is considered that the proposed amendments would safeguard the potential to develop adjoining sites and may not unreasonably prejudice or restrict schemes coming forward in the future, either on a standalone piecemeal basis or a comprehensive basis whereby specific sites are assembled and brought forward together.

### *Conclusion*

- 8.26 The proposal, with regards to layout, scale, massing, height, material, impact on streetscene is therefore considered to be in accordance with Policy EN1 of the Saved Local Plan Policies and Core Policy 8 of the Core Strategy.

### **Highways and Transport**

- 8.27 Paragraph 108 of the NPPF 2023 states that in assessing specific applications for development, it should be ensured that opportunities to promote walking, cycling and public transport use are identified and pursued and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taking into account<sup>0</sup> including appropriate opportunities for avoiding and mitigating any adverse effects.

- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 8.28 Paragraph 115 of the NPPF 2023 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is reflected in Core Policy 7 and Policy T2 of the Local Plan 2004.
- 8.29 Paragraph 116 of the NPPF 2023 states that development should give priority first to pedestrian and cycle movements and second to public transport. Applications should create places that are safe, secure and attractive, allow for the delivery of goods, access by service and emergency vehicles and charging of plug-in vehicles.
- 8.30 Under the existing Section 106 Agreement for the SPZ, car parking monitoring showed that there is a significant reduction in on plot parking (-409 spaces) and on street parking (-450 space), principally due to the introduction of double yellow lines across the estate, including on Ipswich Road circa 2017. The site at present does not provide additional parking to the SPZ and planning permission P/17346/000 has now lapsed so cannot be implemented in any case.
- 8.31 The proposed development would not impact existing parking conditions as the substation will be unmanned during operation with anticipated vehicle movements totaling one Light Good Vehicle (LGV) trip per month for site maintenance. It should also be noted that there is no requirement through legal agreement for that additional parking to be delivered on this application site allied to the grant of other planning permissions in the SPZ. Should additional vehicle parking, commensurate with newly-proposed developments within the Trading Estate be considered essential as the estate expands, then additional vehicle parking could and should be brought forward and secured by the granting of planning permission for those proposals.
- 8.32 SBC Transport Officers have been consulted on the application and have no objection to the proposed development, which is not expected to have an adverse impact on the safe operation of the road network or on highway capacity.
- 8.33 The applicant has demonstrated a visibility splay of 2.4m x 25m can be provided from the three dropped kerbs proposed for vehicles to access the site. This accords with Manual for Streets requirements for a road subject to a 20mph speed limit; therefore vehicles should be able to safely identify gaps in traffic when departing the site.

- 8.34 There have been no collisions recorded on Ipswich Road during the most recent 5-year period for which data is available. Therefore there does not appear to be an existing highway safety problem which would be exacerbated by any additional vehicles associated with the proposed use.
- 8.35 The applicant has outlined that the site would only need to be accessed by a small number of maintenance staff for the substation, with the substation unmanned the majority of the time whilst operating. The applicant forecasts that just one light goods vehicle (e.g. a van) per month would need to access the site for maintenance. The hardstanding area provided on site could comfortably accommodate circa. 20 vehicles. Slough does not have a specific car parking standard for substations.
- 8.36 SBC Transport Officers are satisfied that the small number of vehicles required can be accommodated within the hardstanding areas on site and that there will be no overspill of parked vehicles onto Ipswich Road or other roads surrounding the site.
- 8.37 The NPPF states in Paragraph 115 that applications for development should only be refused or prevented on highways grounds if there: 'Would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The NPPF also advises that applications for development should provide: 'Safe and suitable access for all users and minimise the potential for conflicts between pedestrians, cyclists and vehicles'.
- 8.38 SBC require the applicant to submit a Construction Management Plan in order to mitigate the impacts of Construction on the road network surrounding the proposed power station. This will be secured by planning condition.
- 8.39 Overall, the proposal is considered to have no detrimental impact to the highway network, in accordance with Core Policy 7 of the Core Strategy 2008, Policy T2 of the Local Plan 2004, Paragraphs 108, 115 and 116 of the NPPF 2023.

### **Impacts on Residential Amenity**

- 8.40 EN1 of the Local Plan and Core Policy 8 of the Core Strategy requires new development proposals to reflect a high standard of design and to be compatible with and/or improve the surroundings in terms of the relationship to nearby properties.
- 8.41 The nearest are located approximately 200m to the south of the site and there are no nearby residential receptors that would be impact with regards to the impact on levels of daylight, sunlight, overshadowing and privacy.

### **Crime Prevention**

- 8.42 Paragraph 91 of the NPPF requires planning decisions to promote safe and accessible environments where crime and disorder, and the fear of

crime, do not undermine quality of life or community cohesion. These objectives are consistent with Core Strategy Policies 8 and 12, and Local Plan Policy EN5 which requires development proposals to be designed to reduce the potential for criminal activity and anti-social behaviour.

- 8.43 The proposed development will require minimal lighting, sufficient to meet health and safety requirements when infrequent maintenance inspection visits are made. Similarly, the application site will require minimal security cameras/lighting to deter unauthorised incursion. Security lighting and security cameras will be fixed to the buildings only.

## **Environmental Impacts**

- 8.44 Core Policy 8 states that development should not give rise to unacceptable levels of pollution including noise and air pollution and should not be located in noisy environments unless the development includes appropriate mitigation measures to limit the adverse effects on occupiers.

### *Noise*

- 8.45 The Environmental Quality officer has been consulted on the application and raised no objections with regards to noise. Both the demolition/construction and operational phases of development have been assessed in terms of noise impact. The construction phase noise levels do not exceed the 75dB noise limit and therefore impact is likely to be low. No noise mitigation has been suggested but the submitted construction noise management plan provides a detailed list of mitigation options, including enclosures around noisy plant, and reiterates the noise limits specified in the noise assessment, therefore it is not expected that there will be significant noise impacts to arise from the demolition/construction phase of the development.
- 8.46 In regard to the operational noise assessment, the proposed transformer design is not confirmed at this stage, therefore the maximum sound pressure levels of the sources were predicted in the model as a conditional maximum permissible level, to meet the SBC assessment criteria. This sets the plant noise limit at 1m to 80dB, which ensures compliance with noise limits at noise sensitive receptors. There is a minor exceedance at one receptor (R11) by 1dB, however as this is a commercial receptor which is less sensitive than residential, this is accepted. Noise intrusion assessments have been completed for the day and night time periods, comparing to BS8233 criteria, all of which shows compliance. This is also the case for external amenity. As such, there are not expected to be any noise issues associated with this development, as long as the plant noise is limited to 80dB at 1m, and assumptions on enclosures are correct, as per the modelling details presented in the report.
- 8.47 As a recommended condition, it is expected that the assessment conclusions will be verified once at first use, to confirm that the transformer noise emissions meet the required levels in the assessment, with sound reduction details associated with the enclosure.



## *Air Quality*

- 8.48 The Construction Environment Management Plan (CEMP) proposes construction operating hours that are entirely within the daytime period defined within BS 5228-1. It also states that where reasonably practicable, quiet working methods will be employed, including use of the most suitable plant, reasonable hours of working for noisy operations as well as economy and speed of operations. Operatives will be provided with training and instruction to employ appropriate techniques to keep site noise to a minimum and will be effectively supervised to ensure that best working practice in respect of noise reduction is followed. All staff on site will also be briefed on the complaints procedure and mitigation requirements, and their responsibilities to register and escalate complaints received.
- 8.49 Throughout construction, the potential impacts from construction on air quality will be managed through site specific mitigation measures detailed within this assessment. The Air Quality Management Plan (AQMP) gives appropriate measures to be put in place during the work to control dust emissions from the site including but not limited to the implementation of a wheel washing system and ensuring stockpiles are covered to prevent wind whipping. With these mitigation measures in place, the effects from the preparation work are not predicted to be significant.
- 8.50 Four different processes during the demolition/construction phases have been considered including demolition, earthworks, construction and trackout. The magnitude for each has been defined, although demolition is listed as 'N/A' despite the proposal including some demolition works. The potential impacts are classed as 'medium' prior to mitigation.
- 8.51 A list of mitigation measures are provided in the AQMP and it is expected that these measures are incorporated into the CEMP and implementation of these measures are likely to result in negligible impacts and the Environmental Quality Officer has not raised objection with regards to air quality.

## *Light Pollution*

- 8.52 A sensitive external lighting strategy has been developed that will minimise light spill into the surrounding environment and includes low lux and low-level PIR sensor security lighting which complies with health and safety requirements. Lighting and security cameras will be positioned, directed, cowled and controlled so as to minimise glare and impact on sensitive receptors within and beyond the application site.
- 8.53 Therefore, it is considered that the proposed works would not result in significant adverse impacts with regards to noise, air or light subject to implementation with the submitted documents, when assessed in accordance with relevant policy considerations set out in the NPPF, and the NPPG: Noise, Saved Policy EN1 of the Slough Local Plan and Policy 8 of the Core Strategy.

## **Network Rail**

- 8.54 Network Rail is a statutory consult for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order).
- 8.55 Network Rail has no objection in principle to the proposal but due to the proposal being adjacent to its land, informatives are recommended to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway, the works will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement (BAPA), with a minimum of 3 months' notice before works start. Informatives are recommended on drainage, fencing and landscaping, site layout, ground disturbance and excavations/ earthworks.

## **Flood Risk and Drainage**

- 8.56 Core Policy 8 relates to flood risk and sets out that new development will only be permitted where it is safe and it can be demonstrated that there is minimal risk of flooding to the development. The site does not lie in a high risk flood zone, but matters of surface water drainage are considered.
- 8.57 Paragraph 173c of the National Planning Policy Framework requires the incorporation of sustainable drainage systems unless there is clear evidence that this would be inappropriate. This is also required by Paragraph 175 of the National Planning Policy Framework for all major developments. Core Policy 8 of the Core Strategy requires development to manage surface water arising from the site in a sustainable manner.
- 8.58 A Sustainable Urban Drainage Strategy has been prepared which considers various drainage techniques for the site. It is proposed to restrict surface water runoff generated by the proposed development to a rate of 15.6 l/s, which represents a 50% betterment over the existing QBAR brownfield runoff rate (peak rate of flow from a catchment for the mean annual flood), during all events up to and including the 1 in 100 year plus 40% climate change event. In order to achieve this restriction, attenuation will be provided in the form of 2 no. underground geocellular storage crates which are proposed to the west and south of the site. Water stored within the respective crate systems will discharge a rate of 7.8 l/s via a hydrobrake or similar flow control device. The total discharge to the receiving public sewer network will be 15.6 l/s, subject to agreement with Thames Water. Further consideration of the proposed surface water drainage strategy will be required at the detailed design stage.
- 8.59 Network Rail have also suggested informatives to ensure the following soakaways/ attenuation/ septic tanks as a means of surface water disposal

are not constructed within 5m of Network Rail's boundary and that Network Rail's drainage systems are not to be compromised.

- 8.60 The Local Lead Flood Authority have stated that there is sufficient information to comment on the acceptability of the proposed surface water drainage scheme for the proposed development and that planning conditions on a detail surface water drainage scheme, ownership and maintenance details and a verification report are submitted to comply with Core Policy 8 and the NPPF 2023.

## **Sustainability and Energy**

- 8.61 Requirements relating to sustainability are set out in Core Policy 8. This expects all development within the Borough to be of a high-quality design, improve the quality of the environment and address the impact of climate change. The policy sets out a number of sustainable design principles that are expected to be addressed within proposals for new development.
- 8.62 The Design and Access Statement includes information relating to sustainability of the proposal. The proposed development will be entirely electric with no fossil fuel generators and will not be connected to the gas grid. The proposals demonstrate building efficiencies, such as LED external sensor lighting to minimise the consumption and unnecessary use of energy.
- 8.63 As the proposed buildings are largely unoccupied with the exception of maintenance once a month, it will require no artificial heating/cooling to regulate temperature on a day-to-day basis within the buildings. Artificial heat retention/dissipation from the substation is not an operational requirement and only absolute minimal latent energy in the form of heat due to the substation's essential operation will be emitted. However, the proposed structures are fully insulated and will only have heaters that operate only in extreme weather conditions (if the interior of the building falls below 5°C. This is to ensure that there is no build-up of condensation within the building which could affect the electrical equipment. There are a few blast vents which acts as pressure release vents if a breaker fails and there are no windows.
- 8.64 Although the Design and Access statement acknowledges that BREEAM standards (Building Research Establishment Environmental Assessment Method) are met for new development, a rating of 'excellent' has not been included. Therefore, two conditions are recommended that a Design Stage Certificate and a Post-Construction Review Certificate are submitted to the LPA to demonstrate BREEAM Excellent (or equivalent standard).
- 8.65 During construction, the Construction and Environmental Management Plan will address the construction phase of the development and measures put in place to reduce waste and to recycle wherever possible. Systems will be put in place to recycle metals, paper, plastics, and general waste. Contracts will be set up with local waste collection companies to ensure that they are disposed of in an appropriate way.

## Ecology, Landscaping and Trees

- 8.66 Paragraph 180 of the NPPF 2023 requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Core Policy 9 relates to the natural environment and requires new development to preserve and enhance natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.
- 8.67 Policy EN3 of the Local Plan for Slough (2004) states that comprehensive landscaping schemes will be required for all new development proposals. Where there are existing mature trees (...) which make a significant contribution to the landscape, these should be retained and incorporated into the new scheme. Landscaping should be carried out in the first planting season following the completion of the proposed development and a scheme for the subsequent maintenance and retention of the existing and proposed planting should be established. Landscaping schemes must have regard to the impact upon the street scene, screening effect, hard and soft landscaping, plant and tree species, the extent to which landscaping can act as a means of enclosure, improvements to visual amenity and opportunities for creating new wildlife habitats. A compliance condition is recommended that there should be no occupation or operation of the development until the soft landscaping and replacement Evergreen hedge planting is implanted in accordance with the approved plans.
- 8.68 The proposed development has been the subject of a Preliminary Ecological Assessment (PEA) and the report is submitted in support of this planning application. The PEA report finds that the site and surrounding area contain habitat with the potential to support protected and notable species including bats, breeding birds and reptiles. There are also stands of butterfly bush on site, an invasive plant species that will need to be considered under a biosecurity plan before works commence. Recommendations are provided within the PEA which include providing mitigation and protection measures for biodiversity. Officers therefore recommend a condition requiring the submission of a Construction and Environmental Management Plan with these details including a biosecurity plan prior to commencement of development.
- 8.69 The Biodiversity Metric calculations for the proposed development forecast that the current post development layout of the site will result in a net gain of biodiversity units. This will meet the current target of achieving a measurable net gain post-development as outlined by the National Planning Policy Framework (NPPF) (Ministry of Housing Communities and Local Government, 2023) and the 10% target in the Environment Act 2021 that was mandate 12<sup>th</sup> February 2024. Officers note that the application was submitted prior to this requirement and therefore it is not statutory to meet this.
- 8.70 Biodiversity metric rules include trading rules – which are the minimum habitat creation and enhancement requirements to compensation for

specific habitat losses, up to the point of no net loss. The trading rules have not been satisfied as a result of the loss of mixed scrub and urban tree habitat (0.16 and 0.14 units respectively). The applicants have stated that the trading rules cannot be met on site due to the operational constraints limiting the type of habitat that can be created post-development. The site will contain overhead and subsurface electrical cables making plant species with the potential to impact cables routes unfeasible for this site. Typically, habitats with a medium distinctiveness should be replaced by other medium distinctiveness habitats from the same broad habitat type, or habitats of a higher distinctiveness. Given the application is submitted prior to 12<sup>th</sup> February 2024, the trading rules are not a statutory requirement. In view of the poor condition of the dense scrub habitat currently on site and the significant net gain of 28.13% through the creation of 769sqm of natural grassland habitat, the non-compliance with the trading rules is considered to be justifiable and in keeping with the NPPF and local planning policy in its current form.

- 8.71 The Arboricultural Impact Assessment (AIA), which has been prepared in order to inform and shape the development proposals and the BNG proposals, is submitted in support of this planning application. It concludes that “due to the need for unobstructed and unavoidable underground cable routing and to ensure appropriate security to the site by avoiding potential climbing access routes, trees will have to be lost from the proposal site, in line with the Electricity Safety, Quality and Continuity Regulations 2002. That said, the site is relatively sparsely populated with trees and those that are to be lost are assessed to be of low quality (Category C trees).”
- 8.72 Officers consider that the proposed removal of all 12 trees on site would be unacceptable without some replacement planting. In addition, as stated in the Planning Statement, given there is no need for parking to forecourt of site, therefore could additional soft landscaping/trees be provided to visually screen the development and further increase biodiversity net gain. This would provide a more positive frontage to the site and appearance of Ipswich Road. (This would also reflect ongoing discussions regarding the renewal of the SPZ for the wider Trading Estate).
- 8.73 Although Network Rail have raised no objection they have recommended an informative that any vegetation on Network Rail land and within Network Rail’s boundary must also not be disturbed, however, there are proposed removal of trees within Network Rail’s land. The applicants are reminded that they would need to obtain permission from Network Rail before proceeding to do so.
- 8.74 Given further information required regarding tree planting, officers had requested that some indicative locations are demonstrated where some replacement planting can be proposed. Amended plans were received – Planting Proposal Drawing No. 100, Dated March 2024 Received 03/04/2024 which demonstrates to the front boundary of the site facing Ipswich Road, a mixture of Evergreen hedgerow planting (at lengths of

11m, 30m and 17m) and Evergreen hedge planting in raised planters on paving (a at lengths of 8m and 22m).

- 8.75 Subject to conditions, the proposals the scheme is capable of achieving compliance with Core Policy 9 and saved Policy EN3 and other relevant national planning policies an industry guidance with respect to ecology. Overall, there are no overriding ecological constraints to the development of the site.

## **Land Contamination**

- 8.76 Core Policy 8 of the Core Strategy 2008 states that development shall not cause contamination or deterioration in land, soil or water quality, nor shall development occur on polluted land unless appropriate mitigation measures are employed. Paragraph 189 of the NPPF (2023) states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 8.77 A Phase 1 Geo-Environmental Desk Study has been prepared by Tetra Tech in support of this application which provides preliminary qualitative contamination and geotechnical risk assessments to assess the key geo-environmental and geotechnical constraints at the site.
- 8.78 The site has a history of use as a commercial and industrial premises and is situated within an area of industrial use with some potential for contamination sources associated with Made Ground, local spills, and impact from the surrounding area, e.g., the railway. The site has partially been cleared, although remnant substructures remain. The report considers the overall risk to human health and controlled waters is moderate to high and that a preliminary UXO desk study identified the site to be within a moderate risk area.
- 8.79 The report recommends that an intrusive ground investigation is undertaken. Following the intrusive ground investigations, further refinement of the risks posed to the environment and proposed development can be undertaken, including an update of the Conceptual Site Model (CSM) which includes a preliminary contamination risk assessment of the environmental risks of pollutants. The ground investigation may identify that remediation works are required to reduce the post development risks to an acceptable level and it is noted that additional phases of ground investigation may be required as part of that process.
- 8.80 The Contaminated Land Officer has been consulted on this application and has confirmed the site is currently assessed as a potential medium risk to the proposed land users, and additional control measures and mitigation is needed to make this acceptable, therefore three conditions are recommended on a Phase 2 Intrusive Investigation Method Statement, Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy and Phase 4 Remediation Validation.

## **Equalities Considerations**

- 8.81 Throughout this report, due consideration has been given to the potential impacts of development, upon individuals either residing in the development, or visiting the development, or whom are providing services in support of the development. Under the Council's statutory duty of care, the local authority has given due regard for the needs of all individuals including those with protected characteristics as defined in the 2010 Equality Act (eg: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In particular, regard has been had with regards to the need to meet these three tests:
- Remove or minimise disadvantages suffered by people due to their protected characteristics;
  - Take steps to meet the needs of people with certain protected characteristics; and;
  - Encourage people with protected characteristics to participate in public life (et al).
- 8.82 It is considered that there will be temporary (but limited) adverse impacts upon all individuals with protected characteristics, whilst the development is under construction, by virtue of the construction works taking place. People with the following characteristics have the potential to be disadvantaged as a result of the construction works associated with the development eg: people with disabilities, maternity and pregnancy and younger children, older children and elderly residents/visitors. It is also considered that noise and dust from construction has the potential to cause nuisances to people sensitive to noise or dust. However, measures can be incorporated into the construction management plan to mitigate the impact and minimise the extent of the effects. This could be secured by condition should the scheme be acceptable.
- 8.83 In conclusion, it is considered that the needs of individuals with protected characteristics have been fully considered by the Local Planning Authority exercising its public duty of care, in accordance with the 2010 Equality Act.

## **Conclusion**

- 8.84 The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development." The report identifies that the proposal, subject to addressing the issues set out in the delegation to Planning Manager would comply with all of the relevant policies in the current Development Plan and the relevant parts of the NPPF.
- 8.85 The proposal would comply with the Development Plan as whole. The application is therefore recommended for to be delegated to the Planning

Manager for approval in accordance with the recommendation set out below.

## **8.0 PART C: RECOMMENDATION**

- 8.1 Delegate to the Planning Group Manager for approval subject to agreement of the pre-commencement conditions with the applicant/agent; finalising conditions; and any other minor changes.

## **PART D: CONDITIONS**

### **1. Time Limit**

The development hereby permitted shall be commenced within three years from the date of this permission.

REASON: To prevent the accumulation of planning permissions, and to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

### **2. Approved Plans**

The development hereby approved shall be implemented only in accordance with the following plans and documents hereby approved by the Local Planning Authority and retained thereafter:

- Existing Site Plan – drawing no. 2307/P/601 Rev B, Dated 09/2023, Received 03/04/2024
- Existing Site Layout Plan – drawing no. 2307/P/602 Rev B, Dated 09/2023, Received 03/04/2024
- Existing Block Plan – drawing no. 2307/P/603 Rev A, Dated 03/2024, Received 03/04/2024
- Proposed Site Plan – drawing no. 2307/P/611 Rev C, Dated 09/2023, Received 03/04/2024
- Proposed Site Layout Plan – drawing no. 2307/P/612 Rev B, Dated 09/2023, Received 03/04/2024
- Proposed Block Plan – drawing no. 2307/P/613 Rev A, Dated 03/2024, Received 03/04/2024
  
- Proposed Transformer Cell 01 Ground Floor and Roof Plans – drawing no. 2307/P/641 Rev A, Dated 09/2023, Received 03/04/2024
- Proposed Transformer Cell 02 Ground Floor and Roof Plans – drawing no. 2307/P/642, Dated 03/2024, Received 03/04/2024
- Transformer Cell 01 Proposed Elevations – drawing no. 2307/P/646 Rev A, Dated 09/2023, Received 03/04/2024



- Transformer Cell 02 Proposed Elevations – drawing no. 2307/P/647, Dated 03/2024, Received 03/04/2024
- Proposed Ipswich Road Elevation – drawing no. 2307/P/656 Rev A, Dated 09/2023, Received 03/04/2024
- Proposed 132kV GIS Switchroom Basement & Ground Floor Plan – drawing no. 2307/P/621, Dated 09/2023, Received 21/12/2023
- Proposed 132kV GIS Switchroom First Floor & Roof Plans – drawing no. 2307/P/622, Dated 09/2023, Received 21/12/2023
- Proposed 132kV GIS Switchroom Elevations Sheet 1 of 2 – drawing no. 2307/P/626, Dated 09/2023, Received 21/12/2023
- Proposed 132kV GIS Switchroom Elevations Sheet 2 of 2 – drawing no. 2307/P/627, Dated 09/2023, Received 21/12/2023
- Proposed 33kV Switch House Basement & Ground Floor Plans – drawing no. 2307/P/631, Dated 09/2023, Received 21/12/2023
- Proposed 33kV Switch House Roof Plan – drawing no. 2307/P/632, Dated 09/2023, Received 21/12/2023
- Proposed 33kV Switch House Elevations – drawing no. 2307/P/636, Dated 09/2023, Received 21/12/2023
- Proposed Sections AA & BB – drawing no. 2307/P/651, Dated 09/2023, Received 21/12/2023
- Proposed Sections CC – drawing no. 2307/P/652, Dated 09/2023, Received 21/12/2023
- Planning, Design and Access Statement, including Energy and Sustainability Statement, Prepared by Tetra Tech Planning, Dated 04/2024, Received 03/04/2024
- Transport Assessment, Prepared by Tetra Tech Planning, Dated 10/2023, Received 21/12/2023
- Noise Impact Assessment, Prepared by Tetra Tech Planning, Dated 04/2023, Received 21/12/2023
- Construction Noise Management Plan, Prepared by Tetra Tech Planning, Dated 10/2023, Received 21/12/2023
- Air Quality Dust Management Plan, Prepared by Tetra Tech Planning, Dated 29/06/2023, Received 21/12/2023
- Construction Environmental Management Plan, Prepared by Tetra Tech Planning, Dated 10/2023, Received 21/12/2023
- Arboricultural Impact Assessment, Prepared by RPS Group, Dated 14/09/2023, Received 21/12/2023
- Drainage details including a Sustainable Drainage Strategy, Prepared by Tetra Tech Planning, Dated 09/2023, Received 21/12/2023
- Lighting Statement, Prepared by Tetra Tech Planning, Dated 10/2023, Received 21/12/2023
- Preliminary Ecological Appraisal (PEA), Prepared by Tetra Tech Planning, Dated 10/2023, Received 21/12/2023
- Biodiversity Net Gain Assessment, Prepared by Tetra Tech Planning, Dated 10/2023, Received 21/12/2023
- Geo-environmental Desk Study Assessment, Prepared by Tetra Tech Planning, Dated 05/2023, Received 21/12/2023
- Visibility Splays, Drawing No. TTE-00-XX-SK-O-0002 Rev P01, Dated 04/2024, Received 03/04/2024

- Planting Proposal Drawing No. 100, Dated March 2024 Received 03/04/2024

REASON: For the avoidance of doubt, to ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area to comply Policy EN1 of The Local Adopted Plan for Slough 2004, Core Policy 9 of the Slough Local Development Framework Core Strategy 2006-2026, and the guidance contained in the Council's Developer's Guide Part 4 (2008) and the National Planning Policy Framework (2023).

### 3. Phase 2 Intrusive Investigation Method Statement

Based on the findings of the Geo-Environmental Desk Study Assessment (Report Reference: 784-B034903.DS.1), dated April 2023, and prepared by Tetra Tech Ltd., development works shall not commence until an Intrusive Investigation Method Statement (IIMS) has been submitted to and approved in writing by the Local Planning Authority. The IIMS shall be prepared in accordance with current guidance, standards and approved Codes of Practice including, but not limited to, BS5930, BS10175, CIRIA C665 & C552 and BS8576. The IIMS shall include, as a minimum, a position statement on the available and previously completed site investigation information, a rationale for the further site investigation required, including details of locations of such investigations, details of the methodologies, sampling and monitoring proposed.

REASON: To ensure that the type, nature and extent of contamination present, and the risks to receptors are adequately characterised, and to inform any remediation strategy proposal and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

### 4. Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy

Development works shall not commence until a Quantitative Risk Assessment (QRA) has been prepared for the site, based on the findings of the intrusive investigation. The risk assessment shall be prepared in accordance with the Land Contamination: Risk Management (LCRM) and Contaminated Land Exposure Assessment (CLEA) framework, and other relevant current guidance. This must first be submitted to and approved in writing by the Local Planning Authority and shall as a minimum, contain, but not limited to, details of any additional site investigation undertaken with a full review and update of the preliminary Conceptual Site Model (CSM) (prepared as part of the Phase 1 Desk Study), details of the assessment criteria selected for the risk assessment, their derivation and justification for use in the assessment, the findings of the assessment and recommendations for further works. Should the risk assessment identify the need for remediation, then details of the proposed remediation strategy shall be submitted in writing to and approved by the Local Planning Authority. The Site Specific Remediation Strategy (SSRS) shall include, as a minimum, but not limited to, details of the precise location of the remediation works and/or monitoring proposed, including earth movements, licensing and regulatory liaison, health, safety and environmental controls, and any validation requirements.

REASON: To ensure that potential risks from land contamination are adequately assessed and remediation works are adequately carried out, to safeguard the environment and to ensure that the development is suitable for the proposed use and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

## 5. Phase 4 Remediation Validation

No development within or adjacent to any area(s) subject to remediation works carried out pursuant to the Phase 3 Quantitative Risk Assessment and Site-Specific Remediation Strategy condition shall be occupied until a full final Validation Report for the purposes of human health protection has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the implementation of the remedial strategy and any contingency plan works approved pursuant to the Phase 3 condition above. In the event that gas and/or vapour protection measures are specified by the remedial strategy, the report shall include written confirmation that all such measures have been implemented by a competent installer and then verified by a qualified independent third party/Building Control Regulator.

REASON: To ensure that remediation work is adequately validated and recorded, in the interest of safeguarding public health and in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

## 6. Surface Water Drainage Scheme (LLFA)

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

The scheme shall include:

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

REASON: To reduce the risk of flooding both on and off site in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

#### 7. Surface Water Drainage Ownership and Maintenance (LLFA)

No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include:

- i) a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- ii) A site plan including access points, maintenance access easements and outfalls.
- iii) Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
- iv) Details of expected design life of all assets with a schedule of when replacement assets may be required.

REASON: To ensure the future maintenance of drainage systems associated with the development, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

#### 8. Surface Water Verification Report (LLFA)

No occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy, ref. P/20401/000 DRAINAGE STRATEGY has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority.

The report shall include:

- i) Any departure from the agreed design in keeping with the approved principles
- ii) Any As-Built Drawings and accompanying photos
- iii) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- iv) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

- v) CCTV Confirmation that the surface water drainage system is free from defects, damage, and foreign objects
- vi) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place

REASON: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site, in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

## 9. Construction Environmental Management Plan

Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

1. A site set up plan displaying hoarding/fencing extents, vehicle and pedestrian access points during construction, provision for storage of materials, waste and recycling facilities/areas, contractor parking, turning space for construction vehicles, unloading area for deliveries, site office and wheel cleaning facilities during the construction period.
2. Construction vehicles and to comply with Euro VI Emissions Standard as a minimum and machinery to comply with Table 10 of the Low Emissions Strategy Guidance.
3. Delivery hours and working hours. Deliveries shall be made outside peak hours of 08:00 – 09:00 and 17:00 – 18:00, and outside of 14:30 – 15:30 where the development is located in proximity to a school.
4. Details of traffic management measures to control deliveries to site and pedestrian movements on footways in proximity to the site in order to minimise the impact of construction on the safe operation of the surrounding highway network.
5. Vehicle routing plan for HGVs. HGVs shall avoid weight restrictions and AQMAs and local schools at collection/drop off time.
6. Details of dust control measures and wheel washing facilities to be provided on site.
7. Confirmation of whether any abnormal loads will be required for the construction or demolition. If so, the LHA must be notified of any abnormal loads at the following location: <https://www.slough.gov.uk/licences-permits/abnormal-loads/1>.
8. Mitigation and protection measures for biodiversity including biosecurity plan in accordance with the submitted Preliminary Ecological Assessment.

The plan shall thereafter be implemented as approved before development begins and be maintained throughout the duration of the construction works period.

REASON: In the interest of minimising danger and inconvenience to vehicular traffic and pedestrian highway users in accordance with policies 7 and 8 of the Core Strategy 2008 and the requirements of the National Planning Policy Framework.

## 10. Noise assessment

Upon first use of the development, the assessment conclusions of the Noise Assessment, dated April 2023, received 21/12/2023 shall be verified to confirm that the transformer noise emissions meet the required levels in the assessment, with sound reduction details associated with the enclosure as submitted to and approved in writing by the Local Planning Authority. The approved details shall be retained thereafter.

REASON: To protect nearby occupiers from nuisance caused by excessive noise in accordance with Core Policy 8 of The Slough Local Development Framework, Core Strategy 2006-2026, Development Plan Document, December 2008, and the National Planning Policy Framework.

## 11. Landscaping

The soft landscaping shall be planted in accordance with Planting Proposal Drawing No. 100, Dated March 2024 Received 03/04/2024 no later than the first planting season following occupation/ operation of the development. Within a five period following the implementation of the scheme, if any of the new tree(s) should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting with another of the same species and size as agreed in the tree replacement details by the Local Planning Authority.

REASON: In the interests of the visual amenity of the area and accordance with Policies EN1 and EN3 of The Local Plan for Slough 2004.

## 12. Access

No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approval plans and constructed in accordance with Slough Borough Council's Adopted Vehicle Crossover Policy.

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development, in accordance with Core Policy 7 of Core Strategy 2006 – 2026, Development Plan Document, (December 2008).

## 13. Visibility

No other part of the development shall be occupied until the visibility splays shown on the approved drawings Visibility Splays, Drawing No. TTE-00-XX-SK-O-0002 Rev P01, Dated 04/2024, Received 03/04/2024 have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 600 mm in height above the nearside channel level of the carriageway.

REASON: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the

access, in accordance with Core Policy 7 of Core Strategy 2006 – 2026, Development Plan Document, (December 2008).

#### 14. Layout

The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway, in accordance with Core Policy 7 of Core Strategy 2006 – 2026, Development Plan Document, (December 2008).

#### 15. Sustainable Development Design Stage Certificate

Prior to the first use of the development hereby approved a Design Stage Certificate shall be submitted to and approved by the Local Planning Authority confirming that the development has been designed to achieve a standard of BREEAM Excellent (or equivalent standard).

REASON: In the interest of sustainable development in accordance with Core Policy 7 of The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008, Policy EMP2 of the Adopted Local Plan for Slough 2004, and the requirements of the National Planning Policy Framework 2023.

#### 16. Sustainable Development Post-Construction Review Certificate

Within 6 months of the development hereby approved being brought into first use a Post-Construction Review Certificate confirming the development hereby approved has been constructed so as to achieve a standard of BREEAM Excellent (or equivalent standard) shall be submitted to and approved the Local Planning Authority.

REASON: In the interest of sustainable development in accordance with policy 8 of the Core Strategy of the Core Strategy 2008, and the requirements of the National Planning Policy Framework 2023.

#### INFORMATIVES:

##### 1. Statement

It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.

##### 2. Drainage

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent. The

development must be so designed and constructed to ensure that surface water from the development does not drain onto the highway or into the highway drainage system. The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the Environment Agency will be necessary.

### 3. Highway

The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority. The applicant will need to take the appropriate protective measures to ensure the highway and statutory undertakers apparatus are not damaged during the construction.

### 4. Network Rail

The works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a BAPA agreement, if required, with a minimum of 3months notice before works start.

[AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk)

It should be noted that the railway at this site comprises four tracks and is electrified with 25kV overhead wires. This has to be properly risk assessed to maintain a safe clearance of the proposed substation from the railway OLE and any planned lifting/cranage, will require agreement with NR engineers.

### 5. Network Rail Drainage

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

### 6. Network Rail Fencing

If not already in place, the developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.



## 7. Network Rail Site Layout

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

## 8. Network Rail Ground Disturbance

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

## 9. Network Rail Excavations/Earthworks

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail.