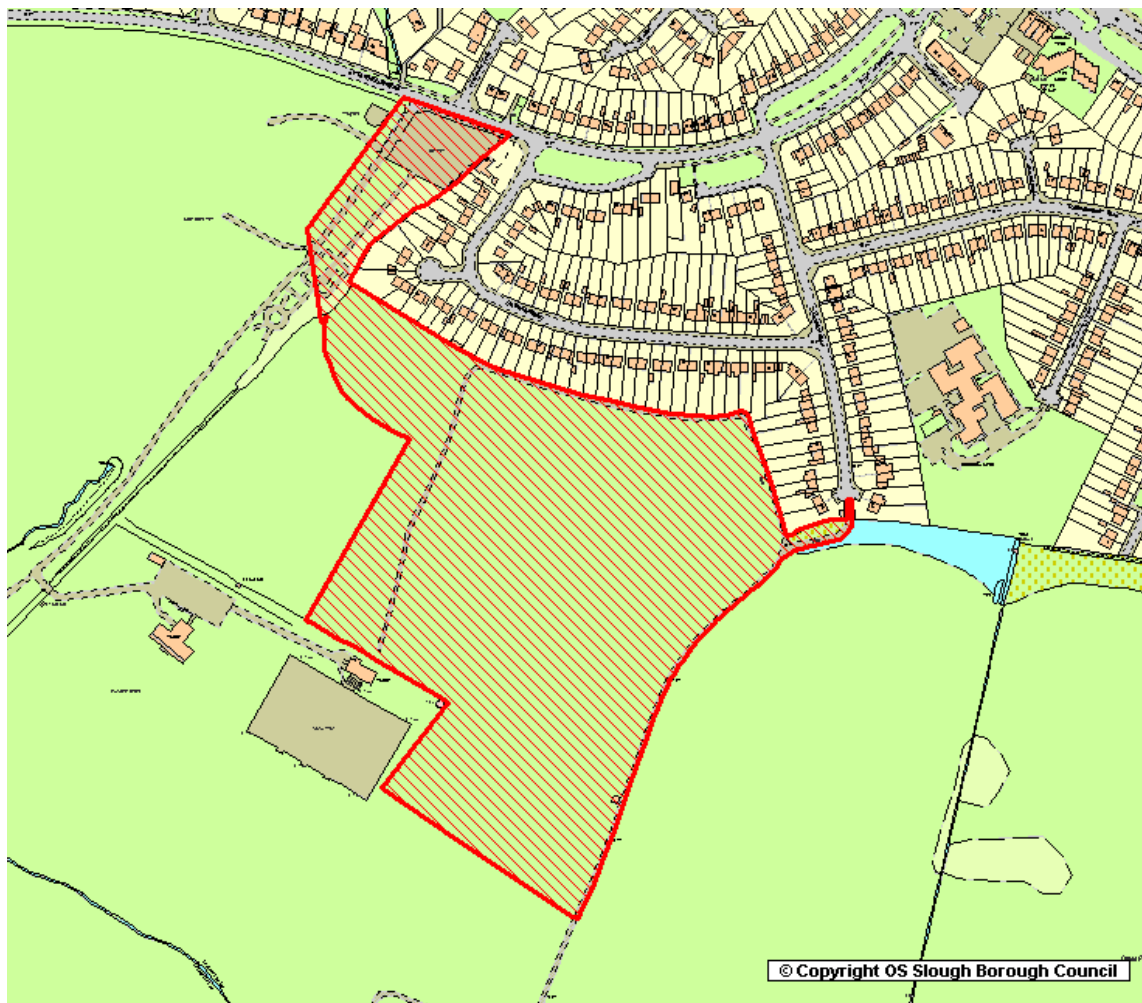


Registration Date:	09-Nov-2012	Applic. No:	P/11425/012
Officer:	Mr. Albertini	Ward:	Upton
		Applic type:	Major
		13 week date:	8th February 2013
Applicant:	Bellway Homes Ltd and Kelobridge Ltd		
Agent:	Ms. Alex Owen, Barton Wilmore LLP 7, SOHO STREET, SOHO SQUARE LONDON		
Location:	LAND REAR OF 2-78 CASTLEVIEW ROAD, PART OF UPTON COURT PARK, & PART OF 36 BLENHEIM ROAD, UPTON COURT ROAD, SLOUGH, BERKSHIRE		
Proposal:	RESIDENTIAL DEVELOPMENT FOR 300 DWELLINGS WITH ACCESS FROM UPTON COURT ROAD; EMERGENCY/PEDESTRIAN/CYCLE ACCESS FROM BLENHEIM ROAD AND ASSOCIATED HIGHWAYS, PUBLIC OPEN SPACE AND LANDSCAPING.		

Recommendation: Delegate to HPPP for Section 106 agreement.



1.0 **SUMMARY OF RECOMMENDATION**

Delegate to HPPP for Section 106 agreement to be completed.

PART A: BACKGROUND

1.1 Background Note – There is an existing detailed permission for 300 homes that is still current. As detailed in para 2.18 Bellway Homes, the purchaser, wish to have their own housing scheme design.

2.0 **Proposal**

2.1 The proposal comprises the mix of homes below in para. 2.2. 30% of homes are to be social rent and 10% shared ownership. The affordable housing mix has been changed since the application was first submitted in response to the Council's Housing Section request. Revised drawings to reflect the associated minor layout changes are expected.

2.2 Mix

SCHEME		PRIVATE	AFFORDABLE		
Type	Total		Social Rented	Shared Ownership	Total Affordable
1 Bed Flat	18	1	13	3	17
2 Bed Flat	47	26	15	7	21
2 Bed House	35	8	18	9	27
3 Bed House	118	76	33	9	42
4 Bed House	58	48	10		10
5 Bed House	24	21	3		3
Total	300	180	92	28	120

2.3 A mixture of detached, semi detached, short terraces and flats are proposed. Houses are 2, 2 and half or 3 storey. The 7 blocks of flats are not higher than 3 storey.

2.4 The access arrangement will be as the permitted scheme comprising a roundabout on Upton Court Rd at the existing junction with Dashwood Close with a traffic calmed road running near the edge of the Park and curving into the housing development site and serving the future school site. A shared foot and cycleway will run next to the access road from the existing one, alongside Upton Court Road, to the proposed school site. The roundabout will have

refuges to assist pedestrians crossing.

- 2.5 The area of Upton Court Park affected by the new access will involve relocation of the vehicle entrance for the sports clubs (south of the Park). Access will be via the new road with a link off it to reach the existing tree lined roadway. The existing unused car park area will be removed and the existing small parking area reformed in a similar location to now. The existing entry to the Park off Upton Court Rd will remain for pedestrian and cycle use. No buildings are proposed on the Park area. Tree planting in this area is proposed and some existing trees will be lost as a result of construction of the access road including one of the big poplar trees.
- 2.6 An emergency, pedestrian and cycleway access is proposed from the site to the end of Blenheim Road involving loss of a garage at 36 Blenheim Rd and loss of some trees within an adjacent band of trees.
- 2.7 The road layout allows for a bus to enter the site and turn if needed in the future. The access road as it enters the development area is sufficient to allow for a school entry and exit point. Adjacent residential streets will be gated to prevent parents using those roads for drop off etc.
- 2.8 Immediately to the rear of existing gardens that abut the development site a 3 metre gap has been left to accommodate a private right of access established by some existing residents after a recent court ruling.
- 2.9 The layout features a tree lined core axis through the site giving a view through to Ditton Park on the far side of the site. On this axis is a ring of buildings overlooking a central open space. An axis to the south provides a view through to trees and open land to the south. Roads of varying width loop off the axis routes with limited use of cul de sac roads. Shared surfaces and changes to alignment are designed to encourage low speeds.
- 2.10 Homes nearer the edge of the site are generally 2 storey and many will overlook the open spaces or planting areas. In general homes are arranged to minimise exposure of rear gardens to public areas to reduce opportunities for crime.
- 2.11 Architecture picks up on some features found in the surrounding suburban housing. In addition there are 3 differing themes in terms of detailing that help differentiate parts of the development. In brief one has predominantly yellow/buff multi brick, grey roofs and white windows etc. Another has red brick, red/brown tiles, gables, feature render or tile hanging, bay windows, chimneys. The third has a greater mixture of brick and tile colour/types and simpler architectural detailing. Window and door styles differ between the 3

themes.

- 2.12 Homes near the boundary of existing homes will be 2 storey or with one exception 2 and half storey all set back from the existing boundary at least 12 metres excepting one flank wall which will be nearer. Typical distances from new to existing windows will be 35 to 45 metres the adjacent existing homes having long rear gardens. .
- 2.13 The 3 main open spaces are a central area acting as feature with a ring of houses around it, an informal southern area abutting the green belt area to the south and overlooked on one side by mainly detached homes and a tree lined buffer area on the eastern edge abutting the green belt and Ditton Park historic garden area. This is also overlooked by adjacent homes. Another 3 small areas provide amenity areas amongst the housing. The 4 largest spaces provide opportunities for children's play in some form but no traditional formal play equipment is proposed. A financial contribution to off site play equipment has been offered.
- 2.14 The existing southern and eastern boundary trees/hedging will be retained. A tree on the north boundary will be retained. Trees lost by the access related works are referred to above.
- 2.15 Regarding sustainability low or zero carbon energy generation is to be incorporated and homes will achieve Code for Sustainable Homes level 3.
- 2.16 A financial contribution towards transport related improvements has been offered for public transport enhancements and off-site highway improvements to benefit pedestrians, cyclists and/or traffic. A Travel Plan to encourage bus, cycle and walking has been submitted. The car parking ratio is 2.3 spaces per home with 70% being allocated to individual homes. Cycle storage is provided for all flats.
- 2.17 The applicant has submitted supporting statements :
Planning Statement
Transport Assessment & Travel Plan
Flood Risk Assessment
Ecology Report
Landscape Proposals and Tree Information
Visual Analysis
Heritage and Archaeology Assessment
Ground Investigation
Statement of Community Engagement
- 2.18 Background note: There is an existing approved detailed housing scheme for the site but Bellway Homes, as prospective purchasers of the field wish to have their own design. However the access road through the Park is substantially the same as that already

approved.

- 2.19 In comparison to the permitted Kelobridge housing scheme of 2009 Bellway's proposal has fewer flats, more traditional housing design, no buildings more than 3 storey, fewer communal parking areas or rear courtyards and a mix of housing that has more 4 and 5 bedroom homes.
- 2.20 The previous application included the school site and the planning permission reserves it for education use. This new application does not cover the school land but the applicants have offered it to the council in connection with this application. The Council already have an option to purchase the school site under a separate property contract. The Council originally expected the land to be used for a primary school but now wish it to be used for a secondary school.

3.0 **Application Site**

- 3.1 The western edge of this 9.67 ha site overlaps the north west corner of Upton Court Park and the bulk of the application site covers a substantial portion of an arable field south of homes in Castleview Rd. The site slopes gently to the south. There are trees along the southern and eastern boundary. The corner of the park contains several mature trees, a small park car park and the tree lined entrance road to sports clubs. The site includes part of the front garden of the last house in Blenheim Road plus a thin strip of land adjacent containing trees and a track. The site does not include that part of the field that is reserved for a school site by the earlier planning permission.
- 3.2 Part of the southern boundary abuts Slough Hockey & Cricket Club sports field with a pavilion and floodlit pitch near to the boundary. Arable land, part of Ditton Park (a grade 2 listed historic park), lies to the east and the northern boundary adjoins rear gardens of homes in Castleview Road and Blenheim Road. Land beyond the west, south and much of the east boundary is open land in the green belt. Upton Court Park is in the Green Belt and is public open space.
- 3.3 The edge of the proposed housing area is 2 km from the High Street, 1.5 km from Sainsbury's and 500/600m from local shops and bus stops at London Road/Upton Court Road junction. Castleview primary school and secondary schools are nearby. A national cycle route runs west – east to the south of the site.

4.0 **Site History**

- 4.1 Outline permission for 300 homes and school, access via Park; refused by Council; approved by Secretary of State March 2006.

(Ref. No. P11425/003).

Master Plan approved 24th October 2007. (P/11425/4).

Reserved matters (details) of housing approved July 2009 (P/11425/005).

Variation of conditions re access road alignment approved February 2010 (P/11425/008).

Variation of Section 106 Agreement April 2010 re education contributions, school land and affordable housing mix. Matters relating to transfer of the school land were removed from the Sec. 106 the Council having made alternative provision as part of a property contract associated with the Council leasing land to the developer for the access road.

Variation of conditions re timing of submission of details re start of minor works to access. Approved 13th Oct 2010 (P/11425/009/ & /010 & /011).

Development commenced 2011 (by way of start of access kerb works) but work has not continued.

4.2 Refused applications :

Applications for access direct from Castlevue Road refused by the Council 2005 & 2008 and refused by Secretary of State 2006. (P/13303/000 & /001, P/11425/006 & 007).

Application for more than 300 homes without school refused 2005 and by Secretary. of State 2006 (P/1425/001).

5.0 **Neighbour Notification**

5.1 Castlevue Road : 2 – 80 even
Blenheim Road : 16-36 even 31 – 37 odd
Dashwood Close : 1 – 8 inclusive plus 4A
Upton Court Road : 84 – 106 even, 100 A 101. 102A
Sports Clubs

5.2 21 letters of objection received. The most raised concerns are :

- Traffic Congestion
- Noise (from activity/road/construction noise)
- Loss of nature/trees
- Loss of Green Belt
- Loss of privacy/over shadowing
- Loss of amenity/park spoilt (parkland loss)
- No amenities/infrastructure to support housing

Other concerns raised :

- Right of Way affected
- Loss of views over field/to Castle
- Breach of Council's Core Strategy policy (loss open space/green belt)
- Pollution
- Covenants protect the land
- Houses out of character with existing
- Crime/security risk
- Irregularities re incorrect information re ownerships/green belt
- Environment Impact Assessment (& SEA) needed
- Safety
- Revised Rugby Club will restrict use.
- Inadequate landscaping/enclosure
- Threat to adjacent fields
- Limited time for consultation /notice of application.

5.3 Responses to the above are summarised in section 12. The report also deals with many of the concerns raised.

6.0 **Consultation**

6.1 Transport - Proposal acceptable subject to the satisfactory outcome of further queries about the traffic modelling and of discussions with the developer to agree the terms of the impact mitigation package to be secured by a Section 106 agreement. See Section 8 for more detail. In addition a parking restriction near the new school should be funded.

6.2 Highways - Various minor requests to be accommodated in revised drawings.

6.3 Drainage- request change to drainage strategy to deal with possible contamination in part of site.

6.4 Environmental Quality – soil investigation report noted; request condition to cover further study and remediation scheme if necessary.

6.5 Housing – seek normal requirement of 30% social rent and 10% shared ownership. Seek more smaller units and fewer big homes due to changes in housing benefit and affordability. Affordable Housing to be provided in accordance with Council's normal provisions. The mix of homes referred to above incorporates Housing Section's request.

6.6 Education – seek normal contributions subject to consideration of any viability information received and changes to contributions as a result of a current review.

6.7 Parks –Request contribution for formal sports and childrens play for Upton Court Park; comprehensive open space maintenance scheme, option for open space to be transferred to Council with maintenance money. Some concerns about arrangement of altered car park, entrance to park, protection of parkland and connection of housing area to park. In response detail of the design and planting will be covered by conditions; the location of the car park has been accepted by the Council as land owner. The long term protection of areas not taken by the road is in the control of the Council, as land owner, through a lease to the future developer.

The car park can provide a space for recycling bins (cloths/shoes etc) requested by Environmental Services.

Consultation – external

6.8 Environment Agency – object. Withdrawal of objection expected as no objection raised to permitted scheme nor at pre application stage..

6.9 Thames Water – No objection. Request various conditions. Subsequent information from the applicant suggest the conditions are not necessary.

6.10 Archaeology – request investigation on the site. To be covered by condition. Some trial trenching has already taken place.

6.11 Royal Borough Windsor & Maidenhead – no objection raised.

6.12 Thames Valley Police – no comments made.

PART B: PLANNING APPRAISAL

7.0 Policy Background

7.1 The site is allocated for residential development in the Local Plan for Slough 2004 as Proposal Site 16 under policy H 2. That policy was ‘saved’ under a Direction from the Secretary of State in 2007 in connection with the introduction of the Local Development Framework and the proposal site is repeated on the 2010 Proposals Map. The subsequent Core Strategy housing trajectory, as updated in the annual monitoring statement, identifies the site as one that will deliver 300 homes to meet the Core Strategy (policy 3) housing target.

- 7.2 Furthermore planning permission for 300 homes on the site with access from Upton Court Road has already been granted. Outline permission was granted by the Secretary of State in 2006 after a public inquiry which considered the principle of development (housing and school) and detail of the access. Full details of housing development were subsequently approved by the Council as were variations to the permissions referred to in Site History.
- 7.3 The existing planning permission is a material consideration in the determination of this new application. That permission is still current and the housing development can still commence.
- 7.4 The Local Plan proposal specifically includes a single access to the site via Upton Court Park. The previous Green Belt designation for the residential development site was lifted as part of the Local Plan process solely to accommodate residential development to help, in conjunction with brownfield land, meet housing targets. In addition release of the green field site assists provision of family housing and in particular Affordable Housing, not so easily achieved on smaller sites and urban redevelopment sites. These principles are still relevant.
- 7.5 Regarding Government policy controlling development in the Green Belt and the Local Plan public open space designation covering the corner of Upton Court Park the access road through those areas has been approved as part of the Local Plan and by way of the Secretary of State's 2006 grant of outline planning permission. This establishes that a road in this location is acceptable and would not cause demonstrable harm to the Park nor Green Belt.
- 7.7 It is relevant to point out that Government policy on appropriate development in the Green Belt changed last year. National Planning Policy Framework (para 90) states that local transport infrastructure is not inappropriate development in the Green Belt provided it preserves the openness of the Green Belt, does not conflict with the purposes of including land in the Green Belt and can demonstrate a requirement for a Green Belt location.
- 7.8 The road already has permission but consideration of it in relation to the new and more specific Government policy shows that the proposal would not be classed as inappropriate development in the Green Belt. Firstly the access road will retain the openness of this corner of the park and it does not conflict with the purposes of the Green Belt (as outlined in the applicants planning statement). Regarding the requirement criteria referred to above the access will serve a strategic allocated development site released from the green belt and with no other suitable or approved access for a 300 home scheme. Alternative access direct from Castlevue Rd was refused by the Council in 2005, 2008 and by the Secretary of State in 2006. In conclusion there is no requirement to refer the

application to the Secretary of State with regard to the 2009 Direction that outlines what applications need to be referred to him.

- 7.9 The site specific requirements of the Local Plan, which are outlined below in summary form, can be achieved as indicated excepting that the last point is still subject to further negotiation :
- Access only from Upton Court Road – proposed.
 - Replace car park – proposed reformation of car park in same area.
 - Replace play area – this is not affected by the proposal being outside the site. (The Council has already removed it and a new play area has been provided in Upton Court Park.)
 - Replace public open space lost by access road – a greater area is proposed within the site.
 - East boundary landscaping – proposed.
 - Provision for Linear Park to south of site – Linear Park cycleway already provided; remainder of adjacent linking land not in the applicants control. The layout of the development will not prevent a link to the cycleway being made in the future should the owner agree.
 - Appropriate provision for education to meet needs arising from the development – a financial contribution has been offered informally but the amount is still being negotiated. Land for a school outside the site has been offered.
- 7.10 Regarding Core Strategy policy 1 (Spatial Strategy), 2 (Green Belt and open space) the Local Plan site allocation and existing permission preceded these policies but are still current and need to be considered in relation to policy 3 (Housing Distribution) that provides for some dwellings in urban extensions to meet housing need.
- 7.11 The proposal substantially complies with core policy 4 (Type of Housing). The density is above the minimum of 37 dwellings per hectare; the proportion of social rent (30%) and shared ownership (10%) meets the minimum requirement in the Developers Guide. The core policy seeks predominantly family housing. The proposed 78 % of family homes should ideally be higher to fully meet this policy but bearing in mind the greater number of flats in the permitted scheme, which is a material consideration, the proposal is acceptable. Some of the affordable flats proposed have been requested by the Housing Section. Having a greater number of

houses would mean reduced open spaces, planting and gardens.

8.0 **Transport**

8.1 The transport assessment is based upon results of a traffic survey carried out last year. The residential development is expected to generate 168 vehicle trips in the am peak hour (41 arrivals and 127 departures) and 193 vehicle trips in the pm peak hour (123 arrivals and 70 departures). In terms of trip distribution, based on surveys, 33% of am peak traffic is expected to head east from the site and 67% west. In the pm peak 64% east and 36% west. Junction modelling takes account of traffic growth rates.

8.2 The traffic modelling shows that the London Road/Upton Court Road junction will operate overcapacity in the am peak when the development is complete. Mitigation in the form of transport improvements are requested to ensure a 'nil detriment' of impact at the junction. This approach was taken with the scheme that has planning permission. The proposed mitigation package includes a travel plan to encourage non-car modes of travel and financial contributions for :

- Public transport service enhancement
- On site bus stop with shelter and real time passenger information (for potential bus service)
- Highways Works
- Personalised Journey Planning

8.3 The highway works will involve improvements to the London Road/Upton Court Rd junction and associated A4 corridor. Bus service enhancements and the travel plan together with cycleway links can encourage new residents to use alternative modes of travel. The access road cycleway will link to the wider cycleway network at Upton Court Road and, via, the sports club access road, to the linear route that runs west to east south of Slough. The Blenheim Road access will provide a safe route to Castleview primary school. The development will allow for a possible bus service into the site at a future date.

8.4 The roundabout will be sufficient to deal with new residential traffic and, when built, school traffic. The roundabout will help reduce speeding traffic on Upton Court Road. Refuges on the arms of the roundabout will make it easier for pedestrians to cross. Although the school is not part of this proposal the access road has been designed to help deal with possible future difficulties that arise at school opening and closing times. For example adjacent residential roads can be gated; double height kerbs will prevent footway parking, a pedestrian crossing will be incorporated. A parking restriction scheme is also requested.

- 8.5 The relocated access to the sports club access road will allow more convenient access by larger vehicles than the existing gateway off Upton Court Road.
- 8.6 The road layout within the housing area provides a suitable balance between providing access; encouraging low speed and good design. The 2.3 car parking spaces per home and the general arrangement of parking meet the Council's standards for this type of development.
- 8.7 The transport proposals will comply with Core Strategy policy 7 (Transport) and associated Local Plan transport policies subject to further clarification of modelling and any assessment of any associated implications.

9.0 **Design**

- 9.1 The changes to the Park resulting from construction of the access road are acceptable. Planning conditions can cover details of accommodation works. In addition the Council, as land owner, is in control of changes need as part of the lease to allow construction of the access etc. The Council's tree officer notes that trees to be lost are of varying quality and new planting is acceptable mitigation but the habitat lost by removal of two oak pollards is not easy to replace in an urban setting. The type and scale of replacement tree planting and landscaping work will be important to help create new habitat. Landscaping of the old redundant car park area is a benefit.
- 9.2 The overall quality of design is in accordance with Core Strategy policy 8 (environment), policy 12 regarding crime prevention and policy 4 regarding minimum density (its just over the 37 dwellings per hectare minimum) plus associated Local Plan design policies. The scheme has a clear structure, variations of character in different parts of the site and architectural detailing picks up on features in the surrounding area. The overall housing design is better than the existing approved scheme. A satisfactory design is dependent upon receipt of acceptable minor revisions regarding the affordable housing change.
- 9.3 In terms of relationship to adjacent areas the two storey homes adjacent to and separation distance from existing Castlevue and Blenheim Road properties lessens the impact of the development on those homes. Whilst the overall density of development is greater than that adjacent the spacing of buildings limits overlooking of existing homes to a degree that is reasonable for a suburban development. There is also scope for rear garden tree planting to soften the appearance of the new buildings.
- 9.4 The access road will run behind homes on the west side of Castlevue Road. Noise from the road in comparison with the

current parkland will be greater however this issue was dealt with at the 2006 public inquiry which concluded that noise would not be great enough to restrict development. However by condition better rear garden fencing can be erected to help reduce noise.

- 9.5 The retained eastern and southern boundary trees and bushes reinforced with new planting in places will help soften the edge of the built up area from the green belt areas beyond. A small gap in the east boundary planting is proposed. This will provide a glimpse of parkland beyond but the applicant has said it is a result of a contractual obligation by the former land owner on developers to provide a road to the edge of the site. Firstly the current proposal is to ensure this road is covered up and planted. Secondly the road will not be adopted by the Council and, if this application is permitted, there is no intention of it approving access to the green belt land beyond.
- 9.6 The open spaces are well overlooked, rear courtyard parking is minimised or has associated homes overlooking it and rear gardens exposed to public spaces, are in general, minimised all assisting with crime prevention. However the gap between gardens of new and existing homes on the north boundary is a feature that would normally be considered unacceptable because of the risk of crime in terms of easy access to rear gardens.
- 9.7 The gap is the result of some existing residents establishing a private right of access referred to in 2.8. Consequently, the developer is not in a position to remove the gap. Redesigning the layout to integrate the right of access into an open space with new homes facing it and the existing rear gardens is an alternative but that has its own disadvantages as homes would be closer to the existing homes and gardens.
- 9.8 Landscape detail has been submitted and is generally acceptable.
- 9.9 Demolition of the garage at 36 Blenheim Road to construct the emergency and cycle access is part of the existing planning permission. This part of the proposal is still acceptable as is the modest tree loss to construct the path.
- 10.0 **Infrastructure**
- 10.1 Transport is dealt with at section 8. Overall the level of contribution sought by the Council for transport is slightly higher than that agreed in the existing Section 106 agreement taking account of inflation.
- 10.2 Regarding recreation the 10% open space including informal play space and contribution to off site play equipment, in a Section 106 agreement, meets Developers Guide standards. The open space is

likely to be kept in private ownership but with public access. Long term maintenance can be controlled by a Section 106 requirement if it is not transferred to the Council with a maintenance sum.

10.3 The developers have offered a financial contribution towards education facilities. Notwithstanding the existing property contract for the adjacent school land they are offering the adjacent land for a school as part of the Section 106. Negotiations continue regarding the detail of the latter and amount of the contribution. Further information which has just been received is being assessed and it indicates progress is being made.

10.4 The limited capacity at local schools is still a major issue. However the availability of adjacent land for a school and the existing Section 106 need to be taken into account when considering if Bellway's offer is acceptable. The existing agreement specifies 2 financial contributions, both lower than what the Education Section wish for now in connection with this application. One of those sums would not be paid if the Council purchase the school land under the existing property contract referred to in 2.20. The financial contribution offered is more than double the second sum in the existing agreement. An update on negotiations will be provided on the meeting amendment sheet.

11.0 **Other Matters**

11.1 The impact on the adjacent registered historic Park – Ditton Park will be limited. The immediately adjacent part is just a field with the formal gardens further away. The proposed east boundary planting will enhance the setting of Ditton Park. The setting of the listed house at Ditton Park will not be affected it being over 600 metres away and substantially screened by trees. Regarding archaeology the site has already been assessed by excavation on site. Any further work can be covered by planning condition.

11.2 The ecology study found no habitat or species that will restrict development. By condition the recommended pre construction start surveys can be carried out to ensure, at that stage, no protected species will be adversely affected. By condition bat and bird boxes will be requested and planting specified with wildlife in mind.

11.3 The western fringe of the site is within flood zone 2 & 3. No property is proposed in this area. The Environment Agency has raised an objection but its withdrawal is expected soon no fundamental problem having been mentioned by them at the pre application stage. Surface water drainage can be dealt with by condition. Subject to the Agency withdrawing their objection the proposal complies with Core Strategy policy 8.

11.4 The proposed low or zero carbon energy and building to Code for

Sustainable Homes standard (level 3) comply with the Council's policy.

- 11.5 Overall the proposal complies with Core Strategy policy 9 (Natural and built environment) and policy 8 (Sustainability and the environment) subject to receipt of revised layout drawings.

12.0 **Responses to concerns raised by objectors**

- 12.1
- Traffic Congestion – see Section 8
 - Noise (from activity/road/construction noise) – see para 9.4. In addition noise from normal activity associated with a housing development is not a planning matter where the separation distances are typical for a housing development. Noise from construction activity is controlled by environmental health legislation.
 - Loss of nature/trees – See para. 11.2 and 2.5, 2.15
 - Loss of Green Belt – There will be no loss of green belt land. See paras. 7.4.
 - Loss of privacy/over shadowing – see para 2.12, 9.3
 - Loss of amenity/park spoilt (parkland loss) – the principle of the road going through the corner of the Park has been established. Some of the amenities will be affected but there will be no significant loss of parkland or recreation facilities overall. The old cycle training area is not used on a formal basis and the Council as owner has not made arrangements for its replacement.
 - No amenities/infrastructure to support housing – See Section 10 re recreation and education. The development is not large enough to justify a requirement to have shops or health facilities.
- 12.2
- Right of Way affected – the development allows for the private access rights.
 - Loss of views over field/to Castle – the view will change but this is not normally a planning matter, Furthermore the principle of development has been established.
 - Breach of Council's Core Strategy policy (loss open space/green belt) – The allocation of the greenfield sits alongside the Core Strategy i.e it accepts that there will be some loss. No green belt will be lost.
 - Pollution – there is no evidence that pollution will be so great as to warrant restriction of development.
 - Covenants protect the land – this is a property not a planning matter.
 - Houses out of character with existing – whilst the density is greater than the surrounding area it is lower than many modern day suburban developments and it has a suburban characteristics. Some architectural features found in the

- neighbouring areas are used in the proposed scheme.
- Crime/security risk – Greater activity or flow of people affecting the surrounding area will not be so great as to justify restricting the development subject to normal design consideration to limit crime prevention. However it should be noted that the north boundary gap for the right of access is not an ideal feature in terms of crime.
- Irregularities re incorrect information re ownerships/green belt – any issues from the past, whilst they may be noted, should not influence a decision on this planning application. Regarding ownership the applicants have submitted appropriate certificates. No errors have been highlighted.
- Environment Impact Assessment (& SEA) needed – A screening opinion has been issued and application does not need an EIA in accordance with current guidance on interpretation of EIA regulations. SEAS are for wider plans not detailed planning proposals.
- Safety – there are no safety concerns that justify restriction of the development other than those address in the report.
- Revised Rugby Club will restrict use – the altered access is intended to make access by large vehicles easier and safer than turning off Upton Court Rd into the existing Park gateway.
- Inadequate landscaping/enclosure – details of fencing will be covered by condition; planting details is considered adequate.
- Threat to adjacent fields – see para 9.5
- Limited time for consultation /notice of application. The normal publicity has been produced. The time available for objections to be received has been longer than normal.

13.0 **Conclusion**

- 13.1 The principle of developing 300 homes with access through Upton Court Park has been established by way of a Local Plan allocation and existing planning permission. The development permitted by that permission has started and can be continued at any time. The existing permission is a material consideration when determining this new application. The detailed design complies with the National Planning Policy Framework, Core Strategy and Local Plan policy subject to receipt of satisfactory layout revisions. Subject to resolution of outstanding infrastructure and flood risk matters the principle of development complies with the above policies. Flood Risk is expected to comply also but confirmation is awaited from the Environment Agency. The affordable housing element is satisfactory in terms of accommodation proposed.
- 13.2 Although this green field site will be lost and its development raises some issues in terms of its relationship to surroundings and affect on the neighbouring area it will benefit the town as a whole.

Development of the site will help meet Core Strategy housing targets and in particular provide a substantial amount of family homes and affordable housing. Most of the latter will be social rent which is a significant point bearing in mind Government funding for this type of housing is now minimal and not available on this development. Furthermore, the protracted history of the overall site has led to part of it being available as a school and has led to a better quality housing scheme being proposed.

- 13.3 However there are some outstanding matters so the recommendation to approve is on the basis of successful resolution of those matters prior to the Committee meeting. The meeting amendment sheet will provide an update on progress and any change of recommendation should matters not be resolved.
- 13.4 The items to be secured in a Section 106 agreement are : affordable housing (30% social rent 10% shared ownership); contribution to education (financial/land), recreation and transport infrastructure; parking restriction, a travel plan and monitoring fee; sustainable development; open space maintenance; signing of Highway Agreement.
- 13.5 Having considered the relevant policies referred to in this report , the representations received and all other relevant material considerations the following recommendation is made.

PART C: RECOMMENDATION

Recommendation

Delegate a decision to the Head of Planning Policy and Projects

- for the signing of a satisfactory Section 106 Agreement.
- drafting of conditions.
- to agree any minor amendments to the planning application, draft conditions list and Section 106 planning obligation matters.
- withdrawal of Environment Agency objection.
- receipt of revised drawings regarding affordable housing changes.

PART D: LIST OF CONDITIONS.

A full list of draft planning conditions will be on the meeting amendment sheet

- Time limits for implementation – 3 years
- Approved plans list
- Materials - details
- Bin stores for flats - provide
- Cycle stores for flats - provide
- Lighting in unadopted streets and courtyards - details
- Water butts – provide for houses
- Boundary treatment - details
- Fence rear of 1-20 Castlevue Rd.
- Parking & turning areas – provide
- Access - details of construction
- Off site highway works – details & timing of
- Blenheim Road – use for emergency, pedestrians and cyclists only.
- Blenheim Road – provide access
- Upton Court Park accommodation works
- Construction management scheme (contractor parking and space for deliveries)– details
- Public Open Space – details
- Landscape scheme – details (including tree replacement)
- Landscape management - details
- Public space management - details
- Tree protection during construction/Arboricultural Method Statement.
- Bat and bird boxes – details
- Low or zero carbon energy 10% - details
- Removal of certain PD rights (big sheds & big extensions)
- Garages – no conversion to residential accom
- Archaeology - scheme
- Soil remediation scheme - details
- Surface water drainage scheme (including levels)-details
- Environment Agency conditions

Informatives